

HOUSE BILL No. 5933

June 11, 1992, Introduced by Reps. Willis Bullard, Robertson, Bartnik, Rocca, Dobb, DeMars, Middleton, Martin, Stopczynski, Porreca, Olshove, Bandstra, McNutt, Jamian, Strand, Palamara, Trim, O'Connor, Nye, Johnson, Brackenridge, Jaye, Niederstadt, Horton, Munsell, Dolan, DeLange, Hillegonds, Van Singel, London, Middaugh, Shugars, McBryde, Goss, Ostling, Gernaat, Bryant, Bodem, Gnodtke, Oxender, Dresch, Sparks, Randall, Gilmer, Muxlow and Weeks and referred to the Committee on Corrections.

A bill to amend section 32 of Act No. 232 of the Public Acts of 1953, entitled as amended

"An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are hereby transferred; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act,"

as amended by Act No. 314 of the Public Acts of 1982, being section 791.232 of the Michigan Compiled Laws; to add section 32a; and to repeal certain parts of the act on specific dates.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 32 of Act No. 232 of the Public Acts of
2 1953, as amended by Act No. 314 of the Public Acts of 1982, being
3 section 791.232 of the Michigan Compiled Laws, is amended and
4 section 32a is added to read as follows:

5 Sec. 32. (1) There is established in the department a
6 parole board consisting of 7 members who shall be appointed by
7 the director and who shall be within the state civil service.
8 The chairperson of the parole board shall be designated by the
9 director. The chairperson of the parole board is responsible for
10 the administration and operation of the parole board. The chair-
11 person may conduct interviews and participate in the parole deci-
12 sion making process.

13 (2) The parole board shall exercise and perform the powers
14 and duties prescribed and conferred by this act. The chairperson
15 shall select secretaries and other assistants as may be necessary
16 pursuant to civil service requirements.

17 (3) THIS SECTION IS REPEALED EFFECTIVE JANUARY 1, 1993.

18 SEC. 32A. (1) BEGINNING JANUARY 1, 1993, THERE IS ESTAB-
19 LISHED IN THE DEPARTMENT, AS AN AUTONOMOUS ENTITY, A PAROLE BOARD
20 CONSISTING OF 9 MEMBERS WHO SHALL BE APPOINTED BY THE DIRECTOR
21 AND WHO SHALL NOT BE WITHIN THE STATE CIVIL SERVICE.

22 (2) MEMBERS OF THE PAROLE BOARD SHALL SERVE AT THE PLEASURE
23 OF THE DIRECTOR, AND SHALL BE APPOINTED TO TERMS OF 3 YEARS EACH,
24 EXCEPT THAT OF THE MEMBERS FIRST APPOINTED, 3 SHALL SERVE FOR
25 TERMS OF 3 YEARS EACH, 3 SHALL SERVE FOR TERMS OF 2 YEARS EACH,
26 AND 3 SHALL SERVE FOR TERMS OF 1 YEAR EACH. A MEMBER MAY BE

1 REAPPOINTED. IF A VACANCY OCCURS ON THE PAROLE BOARD, THE
2 DIRECTOR SHALL MAKE AN APPOINTMENT FOR THE UNEXPIRED TERM IN THE
3 SAME MANNER AS AN ORIGINAL APPOINTMENT. AT LEAST 1 APPOINTEE
4 SHALL BE A PERSON WHO HAS HAD EXPERIENCE IN THE FIELD OF LAW
5 ENFORCEMENT.

6 (3) EACH MEMBER OF THE PAROLE BOARD SHALL RECEIVE AN ANNUAL
7 SALARY AS ESTABLISHED BY THE LEGISLATURE AND SHALL BE ENTITLED TO
8 NECESSARY TRAVELING EXPENSES INCURRED IN THE PERFORMANCE OF OFFI-
9 CIAL DUTIES SUBJECT TO THE STANDARDIZED TRAVEL REGULATIONS OF THE
10 STATE.

11 (4) THE CHAIRPERSON OF THE PAROLE BOARD SHALL BE DESIGNATED
12 BY THE DIRECTOR. THE CHAIRPERSON OF THE PAROLE BOARD IS RESPON-
13 SIBLE FOR THE ADMINISTRATION AND OPERATION OF THE PAROLE BOARD.
14 THE CHAIRPERSON MAY CONDUCT INTERVIEWS AND PARTICIPATE IN THE
15 PAROLE DECISION MAKING PROCESS.

16 (5) THE PAROLE BOARD SHALL EXERCISE AND PERFORM THE POWERS
17 AND DUTIES PRESCRIBED AND CONFERRED BY THIS ACT. THE DEPARTMENT
18 SHALL PROVIDE SUITABLE OFFICE SPACE FOR THE PAROLE BOARD. THE
19 CHAIRPERSON SHALL SELECT SECRETARIES AND OTHER ASSISTANTS AS THE
20 CHAIRPERSON CONSIDERS TO BE NECESSARY.