



SENATE BILL No. 276

January 28, 1993, Introduced by Senator BOUCHARD and referred to the Committee on Family Law, Criminal Law, and Corrections.

A bill to amend section 31a 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 added by Act No. 181 of the Public Acts of 1992, being section 791.231a of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 31a of Act No. 232 of the Public Acts of
2 1953, as added by Act No. 181 of the Public Acts of 1992, being
3 section 791.231a of the Michigan Compiled Laws, is amended to
4 read as follows:

5 Sec. 31a. (1) Beginning October 1, 1992, there is estab-
6 lished in the department, a parole board consisting of 10 members
7 who shall be appointed by the director and who shall not be
8 within the state civil service.

9 (2) Members of the parole board shall be appointed to terms
10 of 4 years each, except that of the members first appointed, 4
11 shall serve for terms of 4 years each, 3 shall serve for terms of
12 3 years each, and 3 shall serve for terms of 2 ~~year~~ YEARS
13 each. A member may be reappointed. The director may remove a
14 member of the parole board for incompetency, dereliction of duty,
15 malfeasance, misfeasance, or nonfeasance in office. If a vacancy
16 occurs on the parole board, the director shall make an appoint-
17 ment for the unexpired term in the same manner as an original
18 appointment. At least 4 members of the parole board shall be
19 persons who, at the time of their appointment, have never been
20 employed by or appointed to a position in the department of
21 corrections.

22 (3) Each member of the parole board shall receive an annual
23 salary as established by the legislature and ~~shall be~~ IS enti-
24 tled to necessary traveling expenses incurred in the performance
25 of official duties subject to the standardized travel regulations
26 of the state.

1 (4) The chairperson of the parole board shall be designated
2 by the director. The chairperson of the parole board is respon-
3 sible for the administration and operation of the parole board.
4 The chairperson may conduct interviews and participate in the
5 parole decision making process. The chairperson shall select
6 secretaries and other assistants as the chairperson considers to
7 be necessary.

8 (5) The parole board created in this section shall exist for
9 purposes of appointment and training on October 1, 1992, and as
10 of November 15, 1992, shall exercise and perform the powers and
11 duties prescribed and conferred by this act.

12 (6) THE BUSINESS THAT THE PAROLE BOARD PERFORMS SHALL BE
13 CONDUCTED AT A PUBLIC MEETING OF THE PAROLE BOARD HELD IN COMPLI-
14 ANCE WITH THE OPEN MEETINGS ACT, ACT NO. 267 OF THE PUBLIC ACTS
15 OF 1976, BEING SECTIONS 15.261 TO 15.275 OF THE MICHIGAN COMPILED
16 LAWS. PUBLIC NOTICE OF THE TIME, DATE, AND PLACE OF THE MEETING
17 SHALL BE GIVEN IN THE MANNER REQUIRED BY ACT NO. 267 OF THE
18 PUBLIC ACTS OF 1976.

19 (7) A WRITING PREPARED, OWNED, USED, IN THE POSSESSION OF,
20 OR RETAINED BY THE PAROLE BOARD IN THE PERFORMANCE OF AN OFFICIAL
21 FUNCTION SHALL BE MADE AVAILABLE TO THE PUBLIC IN COMPLIANCE WITH
22 THE FREEDOM OF INFORMATION ACT, ACT NO. 442 OF THE PUBLIC ACTS OF
23 1976, BEING SECTIONS 15.231 TO 15.246 OF THE MICHIGAN COMPILED
24 LAWS.