

From: Carroll, John
To: Veldran, Katherine <KatherineVeldran@gov.sc.gov>
Date: 9/26/2013 2:15:34 PM
Subject: FW: Juvenile Parole Board issue

KV- I got a call from Mac Montgomery (Juvenile Parole legislative liaison) today. He was just following up to see if any action had been taken on this issue.

I advised that we were aware of the issue and that our office may speak with Senator Fair, but I made no commitments. I can answer any questions if needed.

-John

From: Carroll, John
Sent: Thursday, July 25, 2013 11:52 AM
To: Veldran, Katherine (katherineveldran@gov.sc.gov)
Subject: Juvenile Parole Board issue

KV, the Board of Juvenile Parole's enabling statute, 63-19-610, was updated in June 2012. It changed the composition of the Board from 10 to 7 members.

Section 63-19-630 establishes what constitutes a quorum on the Board. This statute remained unchanged in 2012. It states that 6 members must be present to constitute a quorum. Since there are now only 7 members total on the board, Section 63-19-630 should likely be updated to lower the number of members present to constitute a quorum, pursuant to the Board's structural change in 2012.

I spoke with Juvenile Parole's legislative liaison, Mac Montgomery, who advised that requiring 6 members to be present to conduct business will likely create difficulties in the future.

I've copied and highlighted pertinent sections of the code below.

SECTION 63-19-610. Board.

(A)(1) There is created the Board of Juvenile Parole. **The parole board is composed of seven members appointed by the Governor with the advice and consent of the Senate.** In making these appointments, the Governor shall select members who are representative of the racial, gender, and geographical diversity of the State. If a vacancy occurs on the parole board when the Senate is not in session, the Governor may appoint a member to fill the vacancy and the appointee is a de facto member until the Senate acts upon the appointment.

(2) The Department of Juvenile Justice shall continue to provide to the Board of Juvenile Parole the budgetary, fiscal, personnel, and training information resources and other support considered necessary by the parole board to perform its mandated functions.

(B) Members of the parole board shall serve four-year terms and until their successors are appointed and qualify and these terms expire on June thirtieth of the appropriate year.

(C) No member may be reappointed to the parole board until two years after the expiration of a full four-year term.

HISTORY: 2008 Act No. 361, Section 2; 2012 Act No. 279, Section 31, **eff June 26, 2012.**

SECTION 63-19-620. Removal of member.

A member of the parole board is subject to removal by the Governor as provided for in Section 1-3-240(C).

HISTORY: 2008 Act No. 361, Section 2.

SECTION 63-19-630. Officers; rules and procedures.

The parole board shall elect from among its members a chairman who shall serve a one-year term and who may not succeed himself as chairman. The parole board may elect a vice-chairman and secretary and shall fix the time and place of meetings. Rules and procedures for parole board meetings, as considered advisable, must be adopted by the parole board. **Six members of the parole board constitute a quorum for the transaction of business.**

HISTORY: 2008 Act No. 361, Section 2.

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