

CHAPTER 379
FORMERLY
SENATE BILL NO. 256

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE COUNCIL ON CORRECTION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Amend Chapter 89, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 8905 Council on Correction.

(a) ~~There is established the Council on Correction.~~The Council on Correction (COC) is re-established.

(b) ~~The Council on Correction~~ COC shall serve in an advisory capacity to the Commissioner of Correction and shall consider matters relating to the development and progress of the correctional system of this State. The Council shall consider such other matters as may be referred to it by the Governor, the Commissioner and the Chief of the Bureau of Adult Correction. The Council may study, research, plan and advise the several chiefs, the Commissioner and the Governor on matters it deems appropriate to enable the Department to function in the best manner. The Council shall consider matters relating to the development and progress of the adult correctional system of this State, including correctional facilities and services provided to adult offenders.

(c) ~~The Council on Correction~~ COC shall be composed of ~~4~~ 7 members appointed by the Governor for terms up to 3 years to allow that no more than 3 members' terms expire in any year. The COC members shall annually elect a Chair and Vice Chair of the Council. ~~Ten members shall be appointed for 3 year terms by the Governor, and additionally the Governor shall appoint a Chairperson to serve at the Governor's pleasure. The Council shall consider matters relating to the development and progress of the adult correctional system of this State, including correctional facilities and services provided to adult offenders.~~

(d) ~~At least 5, but no more than 6, members of the Council shall be affiliated with 1 of the major political parties and at least 4, but no more than 5, of the newly appointed members shall be affiliated with the other major political party; provided, however, there shall be no more than a bare majority representation of 1 major political party over the other major political party. Any person who declines to announce a political affiliation shall also be eligible for appointment as a member of the Council. Failure~~ The COC shall meet no less than 6 times a year. The failure by a member to attend 2 consecutive or 3 regular meetings of the Council per year without cause shall be construed as a request by that member to resign from the Council. The Governor may accept the resignation and appoint a replacement member. A quorum shall consist of a majority of current members.

(e) Members of the Council shall serve without compensation, except that they may be reimbursed for reasonable and necessary expenses incident to their duties as members of the Council. ~~Failure to attend 3 consecutive regular meetings of the Council shall be construed as a request by that member to resign from the Council, and the Governor, upon notice from the Commissioner of the Department that a member has missed such meetings, may thereupon appoint another in the member's stead.~~

(f) ~~Any replacement appointment to the Council to fill a vacancy prior to the expiration of a term shall be filled only for the remainder of the term.~~

(g) ~~All meetings of the Council shall be open to the public.~~

Approved July 31, 2014