N.J.S.30:4-147

August 24, 1972

LEGISLATIVE HISTORY OF R.S. 30:4-147
(Classes committed to New Jersey Reformatory)

L. 1918, Chapter 147 - S15
Introduced by Richards.
No statement.
The wording of the section here in question is identical in the original bill and in the committee substitute which subsequently passed.

COPY NO. 2

Amended by:

L. 1957, Chapter 93 - S235
April 29 - Introduced by Forbes.
May 20 - Passed in Senate.
June 12 - Passed in Assembly.
June 21 - Approved, Chapter 93
Not amended during passage.
Statement (copy enclosed).

L. 1963, Chapter 65 - S235
April 1 - Introduced by Grossi & Sandman.
May 6 - Passed in Senate.
May 20 - Passed in Assembly.
May 28 - Approved, Chapter 65.
Statement. (copy enclosed)
Not amended during passage.

L. 1970, Chapter 300 - A264
Prefiled for introduction by Costa.
May 4 - Passed in Assembly, amended.
October 8 - Passed in Senate.
December 14 - Approved, Chapter 300.
Amended during passage.
No statement on bill.

No hearings or reports were located.

CC 1957-Yes
1963-Yes

JH/PC

DEPOSITORY COPY
Do Not Remove From Library

CHAPTER 45 LAWS OF N. J. 1957

APPROVED 6-21-57

SENATE, No. 235

STATE OF NEW JERSEY

INTRODUCED APRIL 29, 1957

By Senator FORBES

Referred to Committee on Institutions, Public Health and Welfare

AN ACT concerning the commitment of inmates to the Annandale Reformatory; the transfer of inmates between the several State correctional institutions and amending sections 30:4–85, 30:4–147 and 30:4–151 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 30:4–85 of the Revised Statutes is amended to read as follows:

30:4–85. Any inmate of any correctional institution as classified in section 30:1–7 of this Title may be transferred to any other such correctional institution by order of the commissioner directing such transfer, either upon the application of the chief executive officer or upon the initiative of the commissioner.

No inmate of the State Home for Boys or the State Home for Girls shall be transferred to the State Prison [, unless convicted of a crime punishable by imprisonment in such prison].

Any inmate of the State Home for Boys [over] *of* the age of [16] *15* years may be transferred from such home to the reformatory at Annandale or, *if over the age of 16 years, to* the reformatory at [Rahway] *Bordentown*, and any inmate of the State Home for Girls, over the age of 16 years, may be transferred from such home to the women's reformatory at Clinton.

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Any inmate of a correctional institution for males, as classified in section 30:1-7 of this Title, [over] *of* the age of [21] *18* years, may be transferred to the State Prison if it shall appear, to the satisfaction of the commissioner after recommendation by a special classification review board appointed by the State board from among members of the department central office staff, that such inmate cannot properly be confined in such institution and that his transfer will operate for the general benefit and welfare of the inmate population of the institution from which he is to be transferred [; provided, however, that the inmate shall have been convicted of a crime punishable by imprisonment in the State Prison].

The commissioner may also contract, under the direction of the State board and in behalf of any institution where an inmate to be transferred may be, with the various governing bodies of counties in this State for the amount to be paid for maintenance of inmates of correctional institutions to be maintained in such county institutions, after transfer thereto by order of the commissioner, for such amounts as may be approved by the State House Commission, and such payments shall be taken from and paid out of the appropriation made annually for the maintenance of such person or persons in the State institution from whence he is or shall be transferred, and the commissioner shall have power to make such transfer in such cases as in the case of other transfers provided for in this section. Such transfers shall be made in accordance with the formally adopted rules of the State board.

Persons transferred shall be subject to rules, regulations and discipline of the institution in which they are confined, except in so far as they conflict with the rules and regulations of the State board.

2. Section 30:4-147 of the Revised Statutes is amended to read as follows:

30:4-147. Any male person between the ages of 16 and 30 years, who has been convicted of a crime punishable by imprisonment in the State Prison, who has not previously been sentenced to a State Prison or a [penitentiary] *reformatory* in this *State*, or *to a State Prison, reformatory or penitentiary* in any other State, may be committed to the reformatory.

3. Section 30:4–151 of the Revised Statutes is amended to read as follows:

30:1–151. Any male between the ages of [16] *15* and [26] *21* years, who has been convicted of a crime punishable by imprisonment in the State Prison, who has not previously been *convicted of a crime punishable by imprisonment in the State Prison and* sentenced to a State Prison[,] *or a* reformatory [or a penitentiary] in this *State* or *to a State Prison, reformatory or penitentiary in* any other State, may be committed to the reformatory at Annandale [or to the reformatory at Rahway], but no person who has been previously convicted of a crime punishable by imprisonment in the State Prison, and sentenced to a prison, *or a* reformatory *in this State, or to a State Prison, reformatory or penitentiary in any other State* [or penitentiary] may be sentenced to the reformatory at Annandale.

4. This act shall take effect 30 days after its enactment.

STATEMENT

The purpose of this bill is to revise the age ranges of younger inmates presently confined in the various correctional institutions. It is felt that the age groupings proposed herein will result in a better classification of offenders, especially among the younger age groups and permit rehabilitation and training programs consistent with these new age groupings.

Lowering the age at which boys may be transferred from Jamesburg to Annandale Reformatory will allow Jamesburg to conduct a program of training and education aimed primarily at the youngsters of age 10 to 14. Many boys of 15 and 16 find such a program "childish," and their attitudes and rebellious behavior adversely affects the rehabilitation of the younger group. For a long time it has been recognized that the State Home for Boys and the State Home for Girls have been trying to deal with inmates having too wide an age spread. What is beneficial for the younger group is not advantageous to the older group.

Lowering the Annandale commitment age to 15 at once suggests the need of bringing the upper age limit for commitment down from 26 to 21 years. This would give Annandale, an intermediate reformatory, a more homogenous group of older juveniles and youthful offenders.

These changes will throw an extra burden on Bordentown Reformatory which now receives and will continue to receive men up to age 30. In this group are more serious and repeated offenders between the ages of 18 and 21 who have had the benefit of every correctional resource in the State, including a period at Bordentown Reformatory, without beneficial effect. In similar manner they disrupt the training program at Bordentown.

The authority to transfer these more difficult inmates to the State Prison upon attaining age 18 would allow the reformatory to concentrate on the more hopeful cases who seem amenable to correction. The law now permits commitment to the prison at the age of 16 (R. S. 30:4–143). This bill which would permit the transfer of inmates to the prison at the age of 18, thus is not inconsistent with present commitment procedures to the prison.

CHAPTER 65 LAWS OF N. J. 1963

APPROVED MAY 28, 1963

L. 1963, c. 65

SENATE, No. 235

STATE OF NEW JERSEY

INTRODUCED APRIL 1, 1963

By Senators GROSSI and SANDMAN

Referred to Committee on Institutions, Public Health and Welfare

AN ACT concerning a reformatory for males, amending, and repealing, certain sections of and supplementing chapter 4 of Title 30 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 30:4–146 of the Revised Statutes is amended to read as follows:

30:4–146. The New Jersey Reformatory *for Males* shall include the existing [reformatory] *reformatories* near Bordentown *and Annandale* and all *new or additional institutions,* farms, camps, quarries or grounds designated by the State board, where persons sentenced to the reformatory may, from time to time, be kept, housed or employed.

2. Section 30:4–147 of the Revised Statutes is amended to read as follows:

30:4–147. Any male person between the ages of [16] *15* and 30 years, who has been convicted of a crime punishable by imprisonment in the State Prison, who has not previously been sentenced to a State Prison [or a reformatory] in this State, or [to a State Prison, reformatory or penitentiary] in any other State, may be committed to the reformatory.

3. The members of the board of managers of the New Jersey Reformatory for Males shall be appointed by the State board with the approval of the Governor from residents of the State at large without respect to political affiliation or belief. The board of managers shall consist of no less than 7 nor more than 15 members. They shall serve without compensation but shall be reimbursed for actual expenditures incurred in the performance of duty.

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

The term of each board member, except for the initial members, shall be 3 years, commencing on July 1 and ending on June 30 of the third year thereafter. Vacancies shall be filled by the State board for the unexpired term only. The board members shall be subject to removal by the State board at any time for good and sufficient cause.

The term of the members initially appointed shall be fixed, so that as nearly as possible, ⅓ of the members will receive terms of 3 years, ⅓, terms of 2 years, and the remainder, terms of 1 year. Initially appointed members may serve from the time of their respective appointments, but the term of office shall be deemed to commence on July 1 of the year in which the appointment was made.

4. Sections 30:4–150, 30:4–151 and 30:4–152 of the Revised Statutes are hereby repealed.

5. This act shall take effect January 1, 1964.

STATEMENT

The purpose of this bill is to provide greater centralized planning for youthful offenders and maintain an appropriate balance between the judicial and administrative authority in the field of criminal justice; to maintain consistent contact and direct responsibility for the youthful offender and to provide for better utilization of present buildings and such additional structures as may be added to establish a program which will achieve to the greatest degree the objective of developing the offender's potential for rehabilitation and restoration to good citizenship.

This can be achieved and a more beneficial result can be secured in the matter of promulgating and promoting rehabilitative processes by combining the facilities of the 2 present reformatories under one unified administrative system, and by eliminating the present restriction against committing a youthful offender to the reformatory merely because of a prior admission to a reformatory type institution. Under present law such youthful offender, once committed to a reformatory, must be sent to State Prison. This bill would provide greater flexibility for the courts in handling young offenders.

CHAPTER 300 LAWS OF N. J. 1970
12/14/70

[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 264

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1970 SESSION

By Assemblyman COSTA

AN ACT concerning the designation of certain State institutions and amending sections 30:1–7, 30:4–146, 30:4–147, 30:4–148, 30:4–153, 30:4–154, 30:4–155, 30:4–156, 30:4–157, 30:4–157.1, 30:4–157.2, 30:4–157.3, 30:4–157.4, 30:4–157.6, 30:4–157.7, 30:4–157.8, 30:4–157.9, 30:4–158, 30:4–159, 30:4–160 and 30:6–1 of the Revised Statutes and amending "An act concerning a reformatory for males, amending, and repealing, certain sections of and supplementing chapter 4 of Title 30 of the Revised Statutes," approved May 28, 1963 (P. L. 1963, c. 65).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 30:1–7 of the Revised Statutes is amended to read as follows:

30:1–7. Within the limitations imposed by general legislation applicable to all agencies of the State, the State board is hereby granted complete and exclusive jurisdiction, supreme and final authority, and the requisite power to accomplish its aims and purposes in and upon the institutions, boards, commissions and other agencies, hereinafter in this section named, and designated as charitable, hospital, relief, training institutions and correctional institutions of this State, to the end that they shall be humanely, scientifically, efficiently and economically operated. Any particular grant of power hereinafter in this Title contained shall be in specification but not in limitation of the general grant of power.

The charitable, hospital, relief and training institutions and noninstitutional agencies of this State, within the meaning of this Title, shall include the following, and, as well, any institution established hereafter for any similar purpose, as now established and as the same are to be hereafter maintained and operated pursuant to law:

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

[New Jersey State Hospital at] Trenton *Psychiatric Hospital,*
[New Jersey State Hospital at] Greystone Park *Psychiatric Hospital,*
[New Jersey State Hospital at] Marlboro *Psychiatric Hospital,*
[New Jersey State Hospital at] Ancora *Psychiatric Hospital,*
New Jersey Neuropsychiatric Institute,
New Jersey [Sanatorium] *Hospital* for Chest Diseases [at Glen Gardner],
[New] **North* Jersey Training School at Totowa,
[State Colony at] New Lisbon *[*Training*]* **State* School,
[State Colony at] Woodbine *State School,*
Vineland State School [at Vineland],
Woodbridge State School,
Hunterdon State School,
New Jersey Memorial Home for Disabled Soldiers at Menlo Park,
New Jersey Memorial Home for Disabled Soldiers, Sailors, Marines and Their Wives and Widows at Vineland,
Diagnostic Center at Menlo Park,
Arthur Brisbane Child Center at Allaire,
Board of Public Welfare,
Commission for the Blind *and Visually* *[*Handicapped*]* **Impaired**.

The correctional institutions of this State, within the meaning of this Title, shall include the following, and as well, any institution established hereafter for any similar purpose, as now established and as the same are to be hereafter maintained and operated pursuant to law:

[New Jersey] State Prison [at], Trenton,
[New Jersey] State Prison *[Farm]* [at], Rahway,
[New Jersey] State Prison *[Farm]* [at], Leesburg,
Youth Reception and Correction Center, Yardville,
[New Jersey Reformatory at] *Youth Correctional Institution,* Bordentown,
[New Jersey Reformatory] *Correctional Institution* for Women [at], Clinton,
[New Jersey Reformatory at] *Youth Correctional Institution,* Annandale,
[State Home] *Training School* for Boys [at], Jamesburg,
[State Home] *Training School* for Girls [at], Trenton*[.]* *,*
Training School for Boys, Skillman.*

2. Section 30:4–146 of the Revised Statutes is amended to read as follows:

30:4–146. The *Youth Correctional Institution Complex* [New Jersey Reformatory for Males] shall include the existing *[reformatories near]* **Youth Reception and Correctional Center, Yardville, and the Youth Correctional Institutions at* Bordentown and Annandale and all new or additional institutions, farms, camps, quarries or grounds designated by the State board, where persons sentenced to the *[reformatory]* **Youth Correctional Institution Complex* may, from time to time, be kept, housed or employed.

3. Section 3 of chapter 65 of the laws of 1963 (C. 30:4–146.1) is amended to read as follows:

3. The members of the board of managers of the [New Jersey Reformatory for Males] *Youth Correctional Institution Complex* shall be appointed by the State board with the approval of the Governor from residents of the State at large without respect to political affiliation or belief. The board of managers shall consist of no less than 7 nor more than 15 members. They shall serve without compensation but shall be reimbursed for actual expenditures incurred in the performance of duty.

The term of each board member, except for the initial members, shall be 3 years, commencing on July 1 and ending on June 30 of the third year thereafter. Vacancies shall be filled by the State board for the unexpired term only. The board members shall be subject to removal by the State board at any time for good and sufficient cause.

The term of the members initially appointed shall be fixed, so that as nearly as possible, 1/3 of the members will receive terms of 3 years, 1/3, terms of 2 years, and the remainder, terms of 1 year. Initially appointed members may serve from the time of their respective appointments, but the term of office shall be deemed to commence on July 1 of the year in which the appointment was made.

4. Section 30:4–147 of the Revised Statutes is amended to read as follows:

30:4–147. Any male person between the ages of 15 and 30 years, who *[have]* **has* been convicted of a crime punishable by imprisonment in the State Prison, who has not previously been sentenced to a State Prison in this State, or in any other State, may be committed to the [reformatory] *Youth Correctional Institution Complex.*

5. Section 30:4–148 of the Revised Statutes is amended to read as follows:

30:4–148. The courts in sentencing to the [reformatory] *Youth Correctional Institution Complex* shall not fix or limit the duration of sentence, but the time which any such person shall serve in [the reformatory] *confinement* or on parole shall not in any case exceed 5 years or the maximum term provided by law for the crime for which the prisoner was convicted and sentenced, if such maximum be less than 5 years; provided, however, that the court, in its discretion, for good cause shown, may impose a sentence greater than 5 years, but in no case greater than the maximum provided by law, and the commitment shall specify in every case the maximum of the sentence so imposed. The term may be terminated by the board of managers in accordance with its rules and regulations formally adopted.

6. Section 30:4–153 of the Revised Statutes is amended to read as follows:

30:4–153. The *[New Jersey State]* [Reformatory] *Correctional Institution* for Women shall include the existing [reformatory] *institution* at Clinton, and all places where those sentenced to the [Women's Reformatory] *Correctional Institution for Women* may, from time to time, be kept, housed or employed.

7. Section 30:4–154 of the Revised Statutes is amended to read as follows:

30:4–154. Any female above the age of 16 years, convicted of a crime which would be punishable by imprisonment in the State Prison if she were a male, shall be committed to the [Women's Reformatory] *Correctional Institution for Women,* and any female above the age of 16 years, [and under 25 years,] convicted of any offense punishable by imprisonment in any county penitentiary or workhouse, may be committed to the [Women's Reformatory] *Correctional Institution for Women.* No male person shall be so committed or there confined.

8. Section 30:4–155 of the Revised Statutes is amended to read as follows:

30:4–155. The several courts in sentencing to the [Women's Reformatory] *Correctional Institution for Women* shall not fix or limit the duration of the sentence, except as otherwise provided for herein, but the time which the prisoner shall serve in the reformatory or on parole shall not exceed 5 years, except for the crimes of murder or manslaughter, or the maximum term provided by law for the offense of which the prisoner is convicted and sentenced if such maximum be less than 5 years; provided, however, that the court, in its discretion, for good cause shown, may impose a sentence greater than 5 years, but in no case greater

than the maximum provided by law, and the commitment shall specify in every case the maximum of the sentence so imposed. The term may be terminated by the board of managers in accordance with its rules and regulations.

Any female convicted of murder or manslaughter shall be sentenced to confinement in the [Reformatory] *Correctional Institution* for Women at Clinton. Every such sentence shall be for a maximum and minimum term, except sentences for life. The maximum term shall not be in excess of the maximum term prescribed by law for the offense for which the offender was convicted, and the minimum term shall not be less than the minimum term prescribed by law for the offense for which the offender was convicted, and in no event less than 1 year. Commutation time for good behavior, as provided by section 30:4–140 of the Revised Statutes, shall be allowed on both such maximum and minimum terms.

Nothing herein contained shall be construed to apply to the sentence of death.

9. Section 30:4–156 of the Revised Statutes is amended to read as follows:

30:4–156. The *[State]* [Home] *Training* *[*School*]* **Schools** for Boys shall include the existing *[home]* **schools** at Jamesburg **and Skillman**, and all places where the persons committed thereto may, from time to time, be kept, housed or employed.

10. Section 30:4–157 of the Revised Statutes is amended to read as follows:

30:4–157. The *[State]* [Home] *Training School* for Girls shall include the existing *[home]* **school** at Trenton, and all places where the persons committed thereto may, from time to time, be kept, housed or employed.

11. Section 30:4–157.1 of the Revised Statutes is amended to read as follows:

30:4–157.1. Whenever any boy under the age of 16 years and of the age of 8 years or more shall be found guilty of any crime, except murder, in any court of record, the court, instead of entering judgment and pronouncing sentence according to law, may cause an order to be entered in the minutes of such court that such boy be committed to the *[State]* [Home for Boys] *Training School* **at Jamesburg** as a juvenile delinquent, and thereupon the court may commit him to such [home] *training school* by warrant.

12. Section 30:4–157.2 of the Revised Statutes is amended to read as follows:

30:4–157.2. The warrant of commitment to the *[State]* [Home] *Training School* for Boys shall set forth the names of the parents

or guardians if they can be ascertained and the boy's place of residence. The court shall order transmitted to the chief executive officer of the [home] *training school,* by the officer serving the papers of commitment a statement of the substance of the complaint, a copy of any probation reports or other records which the county may have concerning the past delinquencies of the boy together with such of the testimony in the case as appears to show contributory negligence on the part of the boy's custodians and such other information concerning any mental or physical condition which the court deems to be of importance in the reformation or rehabilitation of the boy. Such records shall be used for the information and guidance of the board of managers of the [home] *training school* and the department of institutions and agencies but shall not be public records.

13. Section 30:4–157.3 of the Revised Statutes is amended to read as follows:

30:4–157.3. Any parent or guardian may make complaint to the juvenile and domestic relations court that any boy under the age of 16 years, the son or ward of complainant, is habitually truant or habitually vagrant or disorderly or incorrigible. The court shall thereupon issue a warrant to the sheriff, constable or police officer to cause the boy to be brought before it at such time and place as it may appoint when and where it shall examine the parties, and if, in its judgment, the complaint is well founded and the boy is a fit subject for the *[State]* [Home] *Training School* for Boys, **Jamesburg,** it shall issue a warrant, with the consent of the parent or guardian indorsed thereon, to be executed by the sheriff, a constable or police officer committing the boy to the [home] *training school.*

Security for the payment of the expenses of the hearing upon complaint and commitment, the expenses of the transfer of the boy to the [home] *school* and the expenses of his board and maintenance at the [home] *school* may, in the discretion of the court, be required of the parent or guardian in cases arising under this section or section 30:4–157.1 of this Title.

14. Section 30:4–157.4 of the Revised Statutes is amended to read as follows:

30:4–157.4. Whenever a boy or girl shall be committed to the [home] *training school* under the provisions of section 30:4–157.1, 30:4–157.3 or 30:4–157.9 of this Title, it shall be the duty of the court, at the time of the examination, to make inquiry as to the ability of the parent or guardian to pay the expenses of the commitment proceedings and the board of the boy or girl, and it shall

indorse on the warrant of commitment a statement of its finding in that regard.

Payment by the parent or guardian of these costs shall be made to the probation officer or county adjuster, whichever the court shall designate; provided, however, that upon collection thereof the costs of the commitment proceedings shall be paid to the county treasurer, and any amount received representing maintenance shall be forwarded to the institution wherein the inmate is confined. In the event of failure of the parent or guardian to pay the amount ordered by the court then the probation officer or county adjuster, as the case may be, shall bring the matter before the court for such further order as shall appear proper therein to compel payment.

15. Section 30:4–157.6 of the Revised Statutes is amended to read as follows:

30:4–157.6. The several courts in committing to the *[State]* [Home] *Training School* for Boys*, *Jamesburg,** shall not fix or limit the duration of the commitment, but a boy so committed may be detained until he reaches the age of 21 years, unless such term of detention is terminated by the board in accordance with its rules and regulations formally adopted.

16. Section 30:4–157.7 of the Revised Statutes is amended to read as follows:

30:4–157.7. No inmate of the *[State]* [Home] *Training* *[*School*]* **Schools** for Boys shall be indentured or bound out to service.

17. Section 30:4–157.8 of the Revised Statutes is amended to read as follows:

30:4–157.8. As a part of the parole system in the *[State]* [Home] *Training* *[*School*]* **Schools** for Boys, the board may place any inmate for whose welfare and improvement such course is deemed advisable, at service or employment; may place any inmate of school age, for whose welfare such course is deemed advisable, to board in a private family, at a cost not to exceed the per capita maintenance cost in the [home] *training school*, and may send to properly qualified educational or vocational institutions, for purposes of instruction, any inmate who has shown a capacity for a more extensive training than the [home] *school* can provide, at a cost not to exceed the per capita maintenance rate in the [home] *school.*

18. Section 30:4–157.9 of the Revised Statutes is amended to read as follows:

30:4–157.9. Any girl under the age of 17 years and of the age of 8 years or more, may be committed to the *[State]* [Home] *Training School* for Girls, for the same causes and by the same processes as are provided by the provisions of sections 30:4–157.1 to 30:4–157.8 of this Title, which shall also apply to and control the maintenance, management and operation of the [home] *school.*

19. Section 30:4–158 of the Revised Statutes is amended to read as follows:

30:4–158. The New Jersey [Sanatorium for Tuberculosis] *Hospital for Chest* Diseases shall include the existing buildings and lands as Glen Gardner, and all farms, camps or grounds where the patients may be maintained, kept, housed or employed.

20. Section 30:4–159 of the Revised Statutes is amended to read as follows:

30:4–159. Any person afflicted with tuberculosis or disease of the [respiratory organs] *chest* requiring prolonged convalescence may be admitted to the [sanatorium] *hospital* upon a certificate made by a practicing physician which certificate shall set forth that the tuberculosis or disease of the [respiratory organs] *chest* will require prolonged convalescense. A person admitted to the [sanatorium] *hospital* shall be liable for payment for the cost of his care in the same manner and to the same extent as is provided by law for payment by mentally ill and mentally retarded persons and their responsible relatives.

21. Section 30:4–160 of the Revised Statutes is amended to read as follows:

30:4–160. The New Jersey State Hospitals, *designated in section 30:1–7 of this Title as psychiatric hospitals,* shall include the existing buildings and lands of the New Jersey State Hospital at Trenton, the New Jersey State Hospital at Greystone Park, the New Jersey State Hospital at Ancora and the New Jersey State Hospital at Marlboro, and all farms, grounds or places where the inmates thereof may from time to time be maintained, kept, housed or employed.

22. Section 30:6–1 of the Revised Statutes is amended to read as follows:

30:6–1. The commission for the amelioration of the condition of the blind *and the visually* *[*handicapped*]* **impaired**, hereinafter in this article referred to as the "commission," shall hereafter be known as the Commission for the Blind *and Visually* *[*Handicapped*]* **Impaired**. It shall provide all means which it deems feasible for ameliorating the condition of the blind *and visually*

*[*handicapped*]* **impaired** and shall prepare and maintain a register of all the blind within the State. Every physician shall report to the commission every case of defective vision which in his judgment may result in permanent blindness. Every municipal and county, health and welfare agency, and every institution and noninstitutional agency within the State Department of Institutions and Agencies shall promptly report to the commission every individual coming to its attention who is known to be or is believed likely to become permanently blind. *Wherever used herein, the word "blind" shall be deemed to mean and include the visually* *[*handicapped*]* **impaired**.

23. This act shall take effect [60 days after the date of its approval] *January 1, 1971.*

ASSEMBLY, No. 264

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1970 SESSION

By Assemblyman COSTA

AN ACT concerning the designation of certain State institutions and amending sections 30:1–7, 30:4–146, 30:4–147, 30:4–148, 30:4–153, 30:4–154, 30:4–155, 30:4–156, 30:4–157, 30:4–157.1, 30:4–157.2, 30:4–157.3, 30:4–157.4, 30:4–157.6, 30:4–157.7, 30:4–157.8, 30:4–157.9, 30:4–158, 30:4–159, 30:4–160 and 30:6–1 of the Revised Statutes and amending "An act concerning a reformatory for males, amending, and repealing, certain sections of and supplementing chapter 4 of Title 30 of the Revised Statutes," approved May 28, 1963 (P. L. 1963, c. 65).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 30:1–7 of the Revised Statutes is amended to read as follows:

30:1–7. Within the limitations imposed by general legislation applicable to all agencies of the State, the State board is hereby granted complete and exclusive jurisdiction, supreme and final authority, and the requisite power to accomplish its aims and purposes in and upon the institutions, boards, commissions and other agencies, hereinafter in this section named, and designated as charitable, hospital, relief, training institutions and correctional institutions of this State, to the end that they shall be humanely, scientifically, efficiently and economically operated. Any particular grant of power hereinafter in this Title contained shall be in specification but not in limitation of the general grant of power.

The charitable, hospital, relief and training institutions and noninstitutional agencies of this State, within the meaning of this Title, shall include the following, and, as well, any institution established hereafter for any similar purpose, as now established and as the same are to be hereafter maintained and operated pursuant to law:

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

[New Jersey State Hospital at] Trenton *Psychiatric Hospital,*
[New Jersey State Hospital at] Greystone Park *Psychiatric Hospital,*
[New Jersey State Hospital at] Marlboro *Psychiatric Hospital,*
[New Jersey State Hospital at] Ancora *Psychiatric Hospital,*
New Jersey Neuropsychiatric Institute,
New Jersey [Sanatorium] *Hospital* for Chest Diseases [at Glen Gardner],
New Jersey Training School at Totowa,
[State Colony at] New Lisbon *Training School,*
[State Colony at] Woodbine *State School,*
Vineland State School [at Vineland],
Woodbridge State School,
New Jersey Memorial Home for Disabled Soldiers at Menlo Park,
New Jersey Memorial Home for Disabled Soldiers, Sailors, Marines and Their Wives and Widows at Vineland,
Diagnostic Center at Menlo Park,
Arthur Brisbane Child Center at Allaire,
Board of Public Welfare,
Commission for the Blind *and Visually Handicapped.*

The correctional institutions of this State, within the meaning of this Title, shall include the following, and as well, any institution established hereafter for any similar purpose, as now established and as the same are to be hereafter maintained and operated pursuant to law:

[New Jersey] State Prison [at], Trenton,
[New Jersey] State Prison Farm [at], Rahway,
[New Jersey] State Prison Farm [at], Leesburg,
Youth Reception and Correction Center, Yardville,
[New Jersey Reformatory at] *Youth Correctional Institution,* Bordentown,
[New Jersey Reformatory] *Correctional Institution* for Women [at], Clinton,
[New Jersey Reformatory at] *Youth Correctional Institution,* Annandale,
[State Home] *Training School* for Boys [at], Jamesburg,
[State Home] *Training School* for Girls [at], Trenton.

2. Section 30:4–146 of the Revised Statutes is amended to read as follows:

30:4–146. The *Youth Correctional Institution Complex* [New Jersey Reformatory for Males] shall include the existing reforma-

tories near Bordentown and Annandale and all new or additional institutions, farms, camps, quarries or grounds designated by the State board, where persons sentenced to the reformatory may, from time to time, be kept, housed or employed.

3. Section 3 of chapter 65 of the laws of 1963 (C. 30:4–146.1) is amended to read as follows:

3. The members of the board of managers of the [New Jersey Reformatory for Males] *Youth Correctional Institution Complex* shall be appointed by the State board with the approval of the Governor from residents of the State at large without respect to political affiliation or belief. The board of managers shall consist of no less than 7 nor more than 15 members. They shall serve without compensation but shall be reimbursed for actual expenditures incurred in the performance of duty.

The term of each board member, except for the initial members, shall be 3 years, commencing on July 1 and ending on June 30 of the third year thereafter. Vacancies shall be filled by the State board for the unexpired term only. The board members shall be subject to removal by the State board at any time for good and sufficient cause.

The term of the members initially appointed shall be fixed, so that as nearly as possible, 1/3 of the members will receive terms of 3 years, 1/3, terms of 2 years, and the remainder, terms of 1 year. Initially appointed members may serve from the time of their respective appointments, but the term of office shall be deemed to commence on July 1 of the year in which the appointment was made.

4. Section 30:4–147 of the Revised Statutes is amended to read as follows:

30:4–147. Any male person between the ages of 15 and 30 years, who have been convicted of a crime punishable by imprisonment in the State Prison, who has not previously been sentenced to a State Prison in this State, or in any other State, may be committed to the [reformatory] *Youth Correctional Institution Complex.*

5. Section 30:4–148 of the Revised Statutes is amended to read as follows:

30:4–148. The courts in sentencing to the [reformatory] *Youth Correctional Institution Complex* shall not fix or limit the duration of sentence, but the time which any such person shall serve in [the reformatory] *confinement* or on parole shall not in any case exceed 5 years or the maximum term provided by law for the crime

for which the prisoner was convicted and sentenced, if such maximum be less than 5 years; provided, however, that the court, in its discretion, for good cause shown, may impose a sentence greater than 5 years, but in no case greater than the maximum provided by law, and the commitment shall specify in every case the maximum of the sentence so imposed. The term may be terminated by the board of managers in accordance with its rules and regulations formally adopted.

6. Section 30:4–153 of the Revised Statutes is amended to read as follows:

30:4–153. The New Jersey State [Reformatory] *Correctional Institution* for Women shall include the existing [reformatory] *institution* at Clinton, and all places where those sentenced to the [Women's Reformatory] *Correctional Institution for Women* may, from time to time, be kept, housed or employed.

7. Section 30:4–154 of the Revised Statutes is amended to read as follows:

30:4–154. Any female above the age of 16 years, convicted of a crime which would be punishable by imprisonment in the State Prison if she were a male, shall be committed to the [Women's Reformatory] *Correctional Institution for Women,* and any female above the age of 16 years, [and under 25 years,] convicted of any offense punishable by imprisonment in any county penitentiary or workhouse, may be committed to the [Women's Reformatory] *Correctional Institution for Women.* No male person shall be so committed or there confined.

8. Section 30:4–155 of the Revised Statutes is amended to read as follows:

30:4–155. The several courts in sentencing to the [Women's Reformatory] *Correctional Institution for Women* shall not fix or limit the duration of the sentence, except as otherwise provided for herein, but the time which the prisoner shall serve in the reformatory or on parole shall not exceed 5 years, except for the crimes of murder or manslaughter, or the maximum term provided by law for the offense of which the prisoner is convicted and sentenced if such maximum be less than 5 years; provided, however, that the court, in its discretion, for good cause shown, may impose a sentence greater than 5 years, but in no case greater than the maximum provided by law, and the commitment shall specify in every case the maximum of the sentence so imposed. The term may be terminated by the board of managers in accordance with its rules and regulations.

Any female convicted of murder or manslaughter shall be sentenced to confinement in the [Reformatory] *Correctional Institution* for Women at Clinton. Every such sentence shall be for a maximum and minimum term, except sentences for life. The maximum term shall not be in excess of the maximum term prescribed by law for the offense for which the offender was convicted, and the minimum term shall not be less than the minimum term prescribed by law for the offense for which the offender was convicted, and in no event less than 1 year. Commutation time for good behavior, as provided by section 30:4–140 of the Revised Statutes, shall be allowed on both such maximum and minimum terms.

Nothing herein contained shall be construed to apply to the sentence of death.

9. Section 30:4–156 of the Revised Statutes is amended to read as follows:

30:4–156. The State [Home] *Training School* for Boys shall include the existing home at Jamesburg, and all places where the persons committed thereto may, from time to time, be kept, housed or employed.

10. Section 30:4–157 of the Revised Statutes is amended to read as follows:

30:4–157. The State [Home] *Training School* for Girls shall include the existing home at Trenton, and all places where the persons committed thereto may, from time to time, be kept, housed or employed.

11. Section 30:4–157.1 of the Revised Statutes is amended to read as follows:

30:4–157.1. Whenever any boy under the age of 16 years and of the age of 8 years or more shall be found guilty of any crime, except murder, in any court of record, the court, instead of entering judgment and pronouncing sentence according to law, may cause an order to be entered in the minutes of such court that such boy be committed to the State [Home for Boys] *Training School* as a juvenile delinquent, and thereupon the court may commit him to such [home] *training school* by warrant.

12. Section 30:4–157.2 of the Revised Statutes is amended to read as follows:

30:4–157.2. The warrant of commitment to the State [Home] *Training School* for Boys shall set forth the names of the parents or guardians if they can be ascertained and the boy's place of residence. The court shall order transmitted to the chief executive officer of the [home] *training school,* by the officer serving the

papers of commitment a statement of the substance of the complaint, a copy of any probation reports or other records which the county may have concerning the past delinquencies of the boy together with such of the testimony in the case as appears to show contributory negligence on the part of the boy's custodians and such other information concerning any mental or physical condition which the court deems to be of importance in the reformation or rehabilitation of the boy. Such records shall be used for the information and guidance of the board of managers of the [home] *training school* and the department of institutions and agencies but shall not be public records.

13. Section 30:4–157.3 of the Revised Statutes is amended to read as follows:

30:4–157.3. Any parent or guardian may make complaint to the juvenile and domestic relations court that any boy under the age of 16 years, the son or ward of complainant, is habitually truant or habitually vagrant or disorderly or incorrigible. The court shall thereupon issue a warrant to the sheriff, constable or police officer to cause the boy to be brought before it at such time and place as it may appoint when and where it shall examine the parties, and if, in its judgment, the complaint is well founded and the boy is a fit subject for the State [Home] *Training School* for Boys, it shall issue a warrant, with the consent of the parent or guardian indorsed thereon, to be executed by the sheriff, a constable or police officer committing the boy to the [home] *training school.*

Security for the payment of the expenses of the hearing upon complaint and commitment, the expenses of the transfer of the boy to the [home] *school* and the expenses of his board and maintenance at the [home] *school* may, in the discretion of the court, be required of the parent or guardian in cases arising under this section or section 30:4–157.1 of this Title.

14. Section 30:4–157.4 of the Revised Statutes is amended to read as follows:

30:4–157.4. Whenever a boy or girl shall be committed to the [home] *training school* under the provisions of section 30:4–157.1, 30:4–157.3 or 30:4–157.9 of this Title, it shall be the duty of the court, at the time of the examination, to make inquiry as to the ability of the parent or guardian to pay the expenses of the commitment proceedings and the board of the boy or girl, and it shall indorse on the warrant of commitment a statement of its finding in that regard.

Payment by the parent or guardian of these costs shall be made to the probation officer or county adjuster, whichever the court shall designate; provided, however, that upon collection thereof the costs of the commitment proceedings shall be paid to the county treasurer, and any amount received representing maintenance shall be forwarded to the institution wherein the inmate is confined. In the event of failure of the parent or guardian to pay the amount ordered by the court then the probation officer or county adjuster, as the case may be, shall bring the matter before the court for such further order as shall appear proper therein to compel payment.

15. Section 30:4–157.6 of the Revised Statutes is amended to read as follows:

30:4–157.6. The several courts in committing to the State [Home] *Training School* for Boys shall not fix or limit the duration of the commitment, but a boy so committed may be detained until he reaches the age of 21 years, unless such term of detention is terminated by the board in accordance with its rules and regulations formally adopted.

16. Section 30:4–157.7 of the Revised Statutes is amended to read as follows:

30:4–157.7. No inmate of the State [Home] *Training School* for Boys shall be indentured or bound out to service.

17. Section 30:4–157.8 of the Revised Statutes is amended to read as follows:

30:4–157.8. As a part of the parole system in the State [Home] *Training School* for Boys, the board may place any inmate for whose welfare and improvement such course is deemed advisable, at service or employment; may place any inmate of school age, for whose welfare such course is deemed advisable, to board in a private family, at a cost not to exceed the per capita maintenance cost in the [home] *training school*, and may send to properly qualified educational or vocational institutions, for purposes of instruction, any inmate who has shown a capacity for a more extensive training than the [home] *school* can provide, at a cost not to exceed the per capita maintenance rate in the [home] *school.*

18. Section 30:4–157.9 of the Revised Statutes is amended to read as follows:

30:4–157.9. Any girl under the age of 17 years and of the age of 8 years or more, may be committed to the State [Home] *Training School* for Girls, for the same causes and by the same processes as are provided by the provisions of sections 30:4–157.1 to

30:4–157.8 of this Title, which shall also apply to and control the maintenance, management and operation of the [home] *school.*

19. Section 30:4–158 of the Revised Statutes is amended to read as follows:

30:4–158. The New Jersey [Sanatorium for Tuberculosis] *Hospital for Chest* Diseases shall include the existing buildings and lands as Glen Gardner, and all farms, camps or grounds where the patients may be maintained, kept, housed or employed.

20. Section 30:4–159 of the Revised Statutes is amended to read as follows:

30:4–159. Any person afflicted with tuberculosis or disease of the [respiratory organs] *chest* requiring prolonged convalescence may be admitted to the [sanatorium] *hospital* upon a certificate made by a practicing physician which certificate shall set forth that the tuberculosis or disease of the [respiratory organs] *chest* will require prolonged convalescense. A person admitted to the [sanatorium] *hospital* shall be liable for payment for the cost of his care in the same manner and to the same extent as is provided by law for payment by mentally ill and mentally retarded persons and their responsible relatives.

21. Section 30:4–160 of the Revised Statutes is amended to read as follows:

30:4–160. The New Jersey State Hospitals, *designated in section 30:1–7 of this Title as psychiatric hospitals,* shall include the existing buildings and lands of the New Jersey State Hospital at Trenton, the New Jersey State Hospital at Greystone Park, the New Jersey State Hospital at Ancora and the New Jersey State Hospital at Marlboro, and all farms, grounds or places where the inmates thereof may from time to time be maintained, kept, housed or employed.

22. Section 30:6–1 of the Revised Statutes is amended to read as follows:

30:6–1. The commission for the amelioration of the condition of the blind *and the visually handicapped,* hereinafter in this article referred to as the "commission," shall hereafter be known as the Commission for the Blind *and Visually Handicapped.* It shall provide all means which it deems feasible for ameliorating the condition of the blind *and visually handicapped* and shall prepare and maintain a register of all the blind within the State. Every physician shall report to the commission every case of defective vision which in his judgment may result in permanent blindness. Every municipal and county, health and welfare agency, and every

institution and noninstitutional agency within the State Department of Institutions and Agencies shall promptly report to the commission every individual coming to its attention who is known to be or is believed likely to become permanently blind. *Wherever used herein, the word "blind" shall be deemed to mean and include the visually handicapped.*

23. This act shall take effect [60 days after the date of its approval] *January 1, 1971.*

ASSEMBLY COMMITTEE AMENDMENTS TO

ASSEMBLY, No. 264

STATE OF NEW JERSEY

ADOPTED APRIL 30, 1970

Amend page 2, section 1, line 29, delete "New", insert "North".

Amend page 2, section 1, line 30, delete "Training", insert "State".

Amend page 2, section 1, after line 32, insert new line "Hunterdon State School,".

Amend page 2, section 1, line 40, delete "Handicapped", insert "Impaired".

Amend page 2, section 1, line 47, delete "Farm".

Amend page 2, section 1, line 48, delete "Farm".

Amend page 2, section 1, line 57, delete "." and insert ",".

Amend page 2, section 1, after line 57, insert new line "Training School for Boys, Skillman.".

Amend page 2, section 2, line 4, delete "reforma-".

Amend page 3, section 2, line 5, delete "tories near" and insert "Youth Reception and Correctional Center, Yardville, and the Youth Correctional Institutions at".

Amend page 3, section 2, line 7, delete "reformatory" and insert "Youth Correctional Institution Complex".

Amend page 3, section 4, line 4, delete "have" and insert "has".

Amend page 4, section 6, line 3, delete "New Jersey State".

Amend page 5, section 9, line 3, delete "State"; delete "School" and insert "Schools".

Amend page 5, section 9, line 4, delete "home" and insert "schools"; after "Jamesburg", insert "and Skillman".

Amend page 5, section 10, line 3, delete "State".

Amend page 5, section 10, line 4, delete "home" and insert "school".

Amend page 5, section 11, line 8, delete "State"; after "Training School", insert "at Jamesburg".

Amend page 5, section 12, line 3, delete "State".

Amend page 6, section 13, line 11, delete "State".

Amend page 6, section 13, line 12, after ''for Boys'', insert ''Jamesburg,''.

Amend page 7, section 15, line 3, delete ''State''.

Amend page 7, section 15, line 4, after ''for Boys'', insert '', Jamesburg,''.

Amend page 7, section 16, line 3, delete ''State''; delete ''School'' and insert ''Schools''.

Amend page 7, section 17, line 3, delete ''State''.

Amend page 7, section 17, line 4, delete ''School'' and insert ''Schools''.

Amend page 7, section 18, line 4, delete ''State''.

Amend page 8, section 22, line 4, delete ''handicapped'' and insert ''impaired''.

Amend page 8, section 22, line 6, delete ''Handicapped'' and insert ''Impaired''.

Amend page 8, section 22, line 8, delete ''handicapped'' and insert ''impaired''.

Amend page 9, section 22, line 19, delete ''handicapped'' and insert ''impaired''.

FISCAL NOTE TO

ASSEMBLY, No. 264

STATE OF NEW JERSEY

DATED: MAY 11, 1970

Assembly Bill No. 264, with Assembly Amendments, provides more appropriate titles to designate the institutions and agencies within the Department of Institutions and Agencies.

The Department of Institutions and Agencies states that the financial obligations that would be incurred by enactment of this legislation would not be great, involving such items as new stationery, signs and the notification of institutions and parents.

The department estimates that enactment of A-264, as amended, would require an additional State expenditure of $14,889.00. However, when this estimate was made, it assumed an earlier effective date, and as a consequence a quantity of already printed stationery would have been rendered useless. As the bill has been admended to have an effective date of January 1, 1971, there should be little loss in stationery. Therefore, the Office of Legislative Budget and Finance estimates that enactment of this legislation would require a State expenditure of about $10,000.00 in fiscal 1970-71.

In compliance with written request received, there is hereby submitted a fiscal estimate for the above bill, pursuant to P. L. 1962, c. 27.