

August 24, 1972

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

I. 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:

I. 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).

I. 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.

I. 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

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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.

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

1 1. Section 30:4-85 of the Revised Statutes is amended to read as fol-
2 lows:

3 30:4-85. Any inmate of any correctional institution as classified in sec-
4 tion 30:1-7 of this Title may be transferred to any other such correctional
5 institution by order of the commissioner directing such transfer, either upon
6 the application of the chief executive officer or upon the initiative of the
7 commissioner.

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

11 Any inmate of the State Home for Boys [over] of the age of [16] 15
12 years may be transferred from such home to the reformatory at Annandale
13 or, if over the age of 16 years, to the reformatory at [Rahway] Borden-
14 town, and any inmate of the State Home for Girls, over the age of 16 years,
15 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.

16 Any inmate of a correctional institution for males, as classified in section
 17 30:4-17 of this Title, [over] of the age of [21] 18 years, may be transferred
 18 to the State Prison if it shall appear, to the satisfaction of the commissioner
 19 after recommendation by a special classification review board appointed by
 20 the State board from among members of the department central office staff,
 21 that such inmate cannot properly be confined in such institution and that his
 22 transfer will operate for the general benefit and welfare of the inmate popula-
 23 tion of the institution from which he is to be transferred [; provided, however,
 24 that the inmate shall have been convicted of a crime punishable by imprison-
 25 ment in the State Prison].

26 The commissioner may also contract, under the direction of the State
 27 board and in behalf of any institution where an inmate to be transferred may
 28 be, with the various governing bodies of counties in this State for the amount
 29 to be paid for maintenance of inmates of correctional institutions to be main-
 30 tained in such county institutions, after transfer thereto by order of the
 31 commissioner, for such amounts as may be approved by the State House Com-
 32 mission, and such payments shall be taken from and paid out of the appro-
 33 priation made annually for the maintenance of such person or persons in the
 34 State institution from whence he is or shall be transferred, and the commis-
 35 sioner shall have power to make such transfer in such cases as in the case of
 36 other transfers provided for in this section. Such transfers shall be made in
 37 accordance with the formally adopted rules of the State board.

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

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

3 30:4-147. Any male person between the ages of 16 and 30 years, who has
 4 been convicted of a crime punishable by imprisonment in the State Prison,
 5 who has not previously been sentenced to a State Prison or a [penitentiary]
 6 reformatory in this State, or to a State Prison, reformatory or penitentiary
 7 in any other State, may be committed to the reformatory.

1 Section 30:4-151 of the Revised Statutes is amended to read as fol-
2 lows:

3 30:4-151. Any male between the ages of [16] 15 and [26] 21 years, who
4 has been convicted of a crime punishable by imprisonment in the State Prison,
5 who has not previously been convicted of a crime punishable by imprison-
6 ment in the State Prison and sentenced to a State Prison[,] or a reforma-
7 tory [or a penitentiary] in this State or to a State Prison, reformatory or
8 penitentiary in any other State, may be committed to the reformatory at
9 Annandale [or to the reformatory at Rahway], but no person who has been
10 previously convicted of a crime punishable by imprisonment in the State
11 Prison, and sentenced to a prison, or a reformatory in this State, or to a
12 State Prison, reformatory or penitentiary in any other State [or peniten-
13 tiary] may be sentenced to the reformatory at Annandale.

1 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.

[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).

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

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

3 30:1-7. Within the limitations imposed by general legislation
4 applicable to all agencies of the State, the State board is hereby
5 granted complete and exclusive jurisdiction, supreme and final
6 authority, and the requisite power to accomplish its aims and pur-
7 poses in and upon the institutions, boards, commissions and other
8 agencies, hereinafter in this section named, and designated as
9 charitable, hospital, relief, training institutions and correctional
10 institutions of this State, to the end that they shall be humanely,
11 scientifically, efficiently and economically operated. Any partic-
12 ular grant of power hereinafter in this Title contained shall be in
13 specification but not in limitation of the general grant of power.

14 The charitable, hospital, relief and training institutions and
15 noninstitutional agencies of this State, within the meaning of this
16 Title, shall include the following, and, as well, any institution
17 established hereafter for any similar purpose, as now established
18 and as the same are to be hereafter maintained and operated pur-
18A suant 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.

- 19 **[New Jersey State Hospital at]** Trenton *Psychiatric Hospital*,
- 20 **[New Jersey State Hospital at]** Greystone Park *Psychiatric*
- 21 *Hospital*,
- 22-23 **[New Jersey State Hospital at]** Marlboro *Psychiatric*
- 24 *Hospital*,
- 25 **[New Jersey State Hospital at]** Ancora *Psychiatric Hospital*,
- 26 New Jersey Neuropsychiatric Institute,
- 27 New Jersey **[Sanatorium]** *Hospital* for Chest Diseases **[at**
- 28 Glen Gardner**]**,
- 29 ***[New]*** **North** Jersey Training School at Totowa,
- 30 **[State Colony at]** New Lisbon ***[Training]*** **State** *School*,
- 30A **[State Colony at]** Woodbine *State School*,
- 31 Vineland State School **[at Vineland]**,
- 32 Woodbridge State School,
- 32A **Hunterdon State School**,
- 33 New Jersey Memorial Home for Disabled Soldiers at Menlo
- 34 Park,
- 35 New Jersey Memorial Home for Disabled Soldiers, Sailors,
- 36 Marines and Their Wives and Widows at Vineland,
- 37 Diagnostic Center at Menlo Park,
- 38 Arthur Brisbane Child Center at Allaire,
- 39 Board of Public Welfare,
- 40 Commission for the Blind and Visually ***[Handicapped]*** **Im-*
- 40A *paired**.
- 41 The correctional institutions of this State, within the meaning
- 42 of this Title, shall include the following, and as well, any institution
- 43 established hereafter for any similar purpose, as now established
- 44 and as the same are to be hereafter maintained and operated pur-
- 45 suant to law:
- 46 **[New Jersey]** State Prison **[at]**, Trenton,
- 47 **[New Jersey]** State Prison ***[Farm]*** **[at]**, Rahway,
- 48 **[New Jersey]** State Prison ***[Farm]*** **[at]**, Leesburg,
- 49 *Youth Reception and Correction Center, Yardville*,
- 50 **[New Jersey Reformatory at]** *Youth Correctional Institution*,
- 51 Bordentown,
- 52 **[New Jersey Reformatory]** *Correctional Institution* for
- 53 Women **[at]**, Clinton,
- 54 **[New Jersey Reformatory at]** *Youth Correctional Institution*,
- 55 Annandale,
- 56 **[State Home]** *Training School* for Boys **[at]**, Jamesburg,
- 57 **[State Home]** *Training School* for Girls **[at]**, Trenton***[.]*** *,
- 58 **Training School for Boys, Skillman**.

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

3 30:4-146. The *Youth Correctional Institution Complex* [New
4 Jersey Reformatory for Males] shall include the existing *[re-
5 formatories near]* *Youth Reception and Correctional Center,*
6 *Yardville, and the Youth Correctional Institutions at** Bordentown
7 and Annandale and all new or additional institutions, farms, camps,
8 quarries or grounds designated by the State board, where persons
9 sentenced to the *[reformatory]* *Youth Correctional Institution*
10 *Complex** may, from time to time, be kept, housed or employed.

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

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

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

17 The term of the members initially appointed shall be fixed, so
18 that as nearly as possible, 1/3 of the members will receive terms
19 of 3 years, 1/3, terms of 2 years, and the remainder, terms of
20 1 year. Initially appointed members may serve from the time of
21 their respective appointments, but the term of office shall be deemed
22 to commence on July 1 of the year in which the appointment was
23 made.

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

3 30:4-147. Any male person between the ages of 15 and 30
4 years, who *[have]* *has* been convicted of a crime punishable by
5 imprisonment in the State Prison, who has not previously been
6 sentenced to a State Prison in this State, or in any other State, may
7 be committed to the [reformatory] *Youth Correctional Institution*
8 *Complex.*

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

3 30:4-148. The courts in sentencing to the [reformatory] *Youth*
 4 *Correctional Institution Complex* shall not fix or limit the duration
 5 of sentence, but the time which any such person shall serve in
 6 [the reformatory] *confinement* or on parole shall not in any case
 7 exceed 5 years or the maximum term provided by law for the crime
 8 for which the prisoner was convicted and sentenced, if such maxi-
 9 mum be less than 5 years; provided, however, that the court, in
 10 its discretion, for good cause shown, may impose a sentence greater
 11 than 5 years, but in no case greater than the maximum provided
 12 by law, and the commitment shall specify in every case the maxi-
 13 mum of the sentence so imposed. The term may be terminated
 14 by the board of managers in accordance with its rules and regula-
 15 tions formally adopted.

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

3 30:4-153. The ***[New Jersey State]*** **[Reformatory]** *Correc-*
 4 *tional Institution* for Women shall include the existing [reforma-
 5 tory] *institution* at Clinton, and all places where those sentenced
 6 to the **[Women's Reformatory]** *Correctional Institution for*
 7 *Women* may, from time to time, be kept, housed or employed.

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

3 30:4-154. Any female above the age of 16 years, convicted of a
 4 crime which would be punishable by imprisonment in the State
 5 Prison if she were a male, shall be committed to the **[Women's**
 6 **Reformatory]** *Correctional Institution for Women*, and any
 7 female above the age of 16 years, [and under 25 years,] convicted
 8 of any offense punishable by imprisonment in any county peniten-
 9 tiary or workhouse, may be committed to the **[Women's Reforma-**
 10 **tory]** *Correctional Institution for Women*. No male person shall
 11 be so committed or there confined.

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

3 30:4-155. The several courts in sentencing to the **[Women's**
 4 **Reformatory]** *Correctional Institution for Women* shall not fix
 5 or limit the duration of the sentence, except as otherwise provided
 6 for herein, but the time which the prisoner shall serve in the re-
 7 formatory or on parole shall not exceed 5 years, except for the
 8 crimes of murder or manslaughter, or the maximum term pro-
 9 vided by law for the offense of which the prisoner is convicted
 10 and sentenced if such maximum be less than 5 years; provided,
 11 however, that the court, in its discretion, for good cause shown,
 12 may impose a sentence greater than 5 years, but in no case greater

13 than the maximum provided by law, and the commitment shall
 14 specify in every case the maximum of the sentence so imposed.
 15 The term may be terminated by the board of managers in accord-
 16 ance with its rules and regulations.

17 Any female convicted of murder or manslaughter shall be
 18 sentenced to confinement in the [Reformatory] *Correctional*
 19 *Institution* for Women at Clinton. Every such sentence shall be
 20 for a maximum and minimum term, except sentences for life. The
 21 maximum term shall not be in excess of the maximum term pre-
 22 scribed by law for the offense for which the offender was convicted,
 23 and the minimum term shall not be less than the minimum term
 24 prescribed by law for the offense for which the offender was con-
 25 victed, and in no event less than 1 year. Commutation time for good
 26 behavior, as provided by section 30:4-140 of the Revised Statutes,
 26A shall be allowed on both such maximum and minimum terms.

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

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

3 30:4-156. The *[State]* [Home] *Training* *[School]* *Schools*
 4 for Boys shall include the existing *[home]* *schools* at James-
 5 burg *and Skillman*, and all places where the persons committed
 6 thereto may, from time to time, be kept, housed or employed.

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

3 30:4-157. The *[State]* [Home] *Training School* for Girls shall
 4 include the existing *[home]* *school* at Trenton, and all places
 5 where the persons committed thereto may, from time to time, be
 6 kept, housed or employed.

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

3 30:4-157.1. Whenever any boy under the age of 16 years and
 4 of the age of 8 years or more shall be found guilty of any crime, ex-
 5 cept murder, in any court of record, the court, instead of entering
 6 judgment and pronouncing sentence according to law, may cause an
 7 order to be entered in the minutes of such court that such boy
 8 be committed to the *[State]* [Home for Boys] *Training School*
 9 *at Jamesburg* as a juvenile delinquent, and thereupon the court
 10 may commit him to such [home] *training school* by warrant.

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

3 30:4-157.2. The warrant of commitment to the *[State]* [Home]
 4 *Training School* for Boys shall set forth the names of the parents

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

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

3 30:4-157.3. Any parent or guardian may make complaint to
 4 the juvenile and domestic relations court that any boy under the
 5 age of 16 years, the son or ward of complainant, is habitually
 6 truant or habitually vagrant or disorderly or incorrigible. The
 7 court shall thereupon issue a warrant to the sheriff, constable or
 8 police officer to cause the boy to be brought before it at such
 9 time and place as it may appoint when and where it shall examine
 10 the parties, and if, in its judgment, the complaint is well founded
 11 and the boy is a fit subject for the *[State]* [Home] *Training*
 12 *School for Boys, *Jamesburg,** it shall issue a warrant, with the
 13 consent of the parent or guardian indorsed thereon, to be executed
 14 by the sheriff, a constable or police officer committing the boy to
 15 the [home] *training school*.

16 Security for the payment of the expenses of the hearing upon
 17 complaint and commitment, the expenses of the transfer of the boy
 18 to the [home] *school* and the expenses of his board and mainte-
 19 nance at the [home] *school* may, in the discretion of the court,
 20 be required of the parent or guardian in cases arising under this
 21 section or section 30:4-157.1 of this Title.

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

3 30:4-157.4. Whenever a boy or girl shall be committed to the
 4 [home] *training school* under the provisions of section 30:4-157.1,
 5 30:4-157.3 or 30:4-157.9 of this Title, it shall be the duty of the
 6 court, at the time of the examination, to make inquiry as to the
 7 ability of the parent or guardian to pay the expenses of the com-
 8 mitment proceedings and the board of the boy or girl, and it shall

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

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

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

3 30:4-157.6. The several courts in committing to the ***[State]***
4 **[Home]** *Training School* for Boys*, *Jamesburg**, shall not fix or
5 limit the duration of the commitment, but a boy so committed may
6 be detained until he reaches the age of 21 years, unless such term of
7 detention is terminated by the board in accordance with its rules
8 and regulations formally adopted.

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

3 30:4-157.7. No inmate of the ***[State]*** **[Home]** *Training*
4 ***[School]*** *Schools** for Boys shall be indentured or bound out to
5 service.

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

3 30:4-157.8. As a part of the parole system in the ***[State]***
4 **[Home]** *Training* ***[School]*** *Schools** for Boys, the board may
5 place any inmate for whose welfare and improvement such course is
6 deemed advisable, at service or employment; may place any inmate
7 of school age, for whose welfare such course is deemed advisable, to
8 board in a private family, at a cost not to exceed the per capita
9 maintenance cost in the **[home]** *training school*, and may send to
10 properly qualified educational or vocational institutions, for pur-
11 poses of instruction, any inmate who has shown a capacity for a
12 more extensive training than the **[home]** *school* can provide, at a
13 cost not to exceed the per capita maintenance rate in the **[home]**
14 *school*.

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

3 30:4-157.9. Any girl under the age of 17 years and of the age
 4 of 8 years or more, may be committed to the ***[State]*** **[Home]**
 5 *Training School* for Girls, for the same causes and by the same pro-
 6 cesses as are provided by the provisions of sections 30:4-157.1 to
 7 30:4-157.8 of this Title, which shall also apply to and control the
 8 maintenance, management and operation of the **[home]** *school*.

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

3 30:4-158. The New Jersey **[Sanatorium for Tuberculosis]**
 4 *Hospital for Chest* Diseases shall include the existing buildings
 5 and lands as Glen Gardner, and all farms, camps or grounds where
 6 the patients may be maintained, kept, housed or employed.

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

3 30:4-159. Any person afflicted with tuberculosis or disease of
 4 the **[respiratory organs]** *chest* requiring prolonged convalescence
 5 may be admitted to the **[sanatorium]** *hospital* upon a certificate
 6 made by a practicing physician which certificate shall set forth
 7 that the tuberculosis or disease of the **[respiratory organs]** *chest*
 8 will require prolonged convalescence. A person admitted to the
 9 **[sanatorium]** *hospital* shall be liable for payment for the cost of
 10 his care in the same manner and to the same extent as is provided
 11 by law for payment by mentally ill and mentally retarded persons
 12 and their responsible relatives.

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

3 30:4-160. The New Jersey State Hospitals, *designated in section*
 4 *30:1-7 of this Title as psychiatric hospitals*, shall include the ex-
 5 isting buildings and lands of the New Jersey State Hospital at
 6 Trenton, the New Jersey State Hospital at Greystone Park, the
 7 New Jersey State Hospital at Ancora and the New Jersey State
 8 Hospital at Marlboro, and all farms, grounds or places where the
 9 inmates thereof may from time to time be maintained, kept, housed
 10 or employed.

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

3 30:6-1. The commission for the amelioration of the condition of
 4 the blind *and the visually* ***[handicapped]*** **impaired**, hereinafter
 5 in this article referred to as the "commission," shall hereafter be
 6 known as the Commission for the Blind *and Visually* ***[Handi-**
 7 *capped]* **Impaired**. It shall provide all means which it deems
 8 feasible for ameliorating the condition of the blind *and visually**

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

1 23. This act shall take effect **[60 days after the date of its ap-**
2 **proval]** *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).

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

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

3 30:1-7. Within the limitations imposed by general legislation
4 applicable to all agencies of the State, the State board is hereby
5 granted complete and exclusive jurisdiction, supreme and final
6 authority, and the requisite power to accomplish its aims and pur-
7 poses in and upon the institutions, boards, commissions and other
8 agencies, hereinafter in this section named, and designated as
9 charitable, hospital, relief, training institutions and correctional
10 institutions of this State, to the end that they shall be humanely,
11 scientifically, efficiently and economically operated. Any partic-
12 ular grant of power hereinafter in this Title contained shall be in
13 specification but not in limitation of the general grant of power.

14 The charitable, hospital, relief and training institutions and
15 noninstitutional agencies of this State, within the meaning of this
16 Title, shall include the following, and, as well, any institution
17 established hereafter for any similar purpose, as now established
18 and as the same are to be hereafter maintained and operated pur-
18a. suant 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.

- 19 **[New Jersey State Hospital at]** Trenton *Psychiatric Hospital*,
 20 **[New Jersey State Hospital at]** Greystone Park *Psychiatric*
 21 *Hospital*,
 22-23 **[New Jersey State Hospital at]** Marlboro *Psychiatric*
 24 *Hospital*,
 25 **[New Jersey State Hospital at]** Ancora *Psychiatric Hospital*,
 26 New Jersey Neuropsychiatric Institute,
 27 New Jersey **[Sanatorium]** *Hospital* for Chest Diseases **[at**
 28 Glen Gardner**]**,
 29 New Jersey Training School at Totowa,
 30 **[State Colony at]** New Lisbon *Training School*,
 30A **[State Colony at]** Woodbine *State School*,
 31 Vineland State School **[at Vineland]**,
 32 Woodbridge State School,
 33 New Jersey Memorial Home for Disabled Soldiers at Menlo
 34 Park,
 35 New Jersey Memorial Home for Disabled Soldiers, Sailors,
 36 Marines and Their Wives and Widows at Vineland,
 37 Diagnostic Center at Menlo Park,
 38 Arthur Brisbane Child Center at Allaire,
 39 Board of Public Welfare,
 40 Commission for the Blind *and Visually Handicapped*.
 41 The correctional institutions of this State, within the meaning
 42 of this Title, shall include the following, and as well, any institution
 43 established hereafter for any similar purpose, as now established
 44 and as the same are to be hereafter maintained and operated pur-
 45 suant to law:
 46 **[New Jersey]** State Prison **[at]**, Trenton,
 47 **[New Jersey]** State Prison Farm **[at]**, Rahway,
 48 **[New Jersey]** State Prison Farm **[at]**, Leesburg,
 49 *Youth Reception and Correction Center, Yardville*,
 50 **[New Jersey Reformatory at]** *Youth Correctional Institution*,
 51 Bordentown,
 52 **[New Jersey Reformatory]** *Correctional Institution* for
 53 Women **[at]**, Clinton,
 54 **[New Jersey Reformatory at]** *Youth Correctional Institution*,
 55 Annandale,
 56 **[State Home]** *Training School* for Boys **[at]**, Jamesburg,
 57 **[State Home]** *Training School* for Girls **[at]**, Trenton.
- 1 2. Section 30:4-146 of the Revised Statutes is amended to read
 2 as follows:
 3 30:4-146. The *Youth Correctional Institution Complex* **[New**
 4 **Jersey Reformatory for Males]** shall include the existing reforma-

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

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

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

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

17 The term of the members initially appointed shall be fixed, so
18 that as nearly as possible, 1/3 of the members will receive terms
19 of 3 years, 1/3, terms of 2 years, and the remainder, terms of
20 1 year. Initially appointed members may serve from the time of
21 their respective appointments, but the term of office shall be deemed
22 to commence on July 1 of the year in which the appointment was
23 made.

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

3 30:4-147. Any male person between the ages of 15 and 30
4 years, who have been convicted of a crime punishable by imprison-
5 ment in the State Prison, who has not previously been sentenced
6 to a State Prison in this State, or in any other State, may be
7 committed to the [reformatory] *Youth Correctional Institution*
8 *Complex*.

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

3 30:4-148. The courts in sentencing to the [reformatory] *Youth*
4 *Correctional Institution Complex* shall not fix or limit the duration
5 of sentence, but the time which any such person shall serve in
6 [the reformatory] *confinement* or on parole shall not in any case
7 exceed 5 years or the maximum term provided by law for the crime

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

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

3 30:4-153. The New Jersey State **[Reformatory]** *Correctional*
 4 *Institution* for Women shall include the existing **[reformatory]**
 5 *institution* at Clinton, and all places where those sentenced to the
 6 **[Women's Reformatory]** *Correctional Institution for Women* may,
 7 from time to time, be kept, housed or employed.

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

3 30:4-154. Any female above the age of 16 years, convicted of a
 4 crime which would be punishable by imprisonment in the State
 5 Prison if she were a male, shall be committed to the **[Women's**
 6 **Reformatory]** *Correctional Institution for Women*, and any
 7 female above the age of 16 years, **[and under 25 years,]** convicted
 8 of any offense punishable by imprisonment in any county peniten-
 9 tiary or workhouse, may be committed to the **[Women's Reforma-**
 10 **tory]** *Correctional Institution for Women*. No male person shall
 11 be so committed or there confined.

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

3 30:4-155. The several courts in sentencing to the **[Women's**
 4 **Reformatory]** *Correctional Institution for Women* shall not fix
 5 or limit the duration of the sentence, except as otherwise provided
 6 for herein, but the time which the prisoner shall serve in the re-
 7 formatory or on parole shall not exceed 5 years, except for the
 8 crimes of murder or manslaughter, or the maximum term pro-
 9 vided by law for the offense of which the prisoner is convicted
 10 and sentenced if such maximum be less than 5 years; provided,
 11 however, that the court, in its discretion, for good cause shown,
 12 may impose a sentence greater than 5 years, but in no case greater
 13 than the maximum provided by law, and the commitment shall
 14 specify in every case the maximum of the sentence so imposed.
 15 The term may be terminated by the board of managers in accord-
 16 ance with its rules and regulations.

17 Any female convicted of murder or manslaughter shall be
 18 sentenced to confinement in the **[Reformatory]** *Correctional*
 19 *Institution* for Women at Clinton. Every such sentence shall be
 20 for a maximum and minimum term, except sentences for life. The
 21 maximum term shall not be in excess of the maximum term pre-
 22 scribed by law for the offense for which the offender was convicted,
 23 and the minimum term shall not be less than the minimum term
 24 prescribed by law for the offense for which the offender was con-
 25 victed, and in no event less than 1 year. Commutation time for good
 26 behavior, as provided by section 30:4-140 of the Revised Statutes,
 26A shall be allowed on both such maximum and minimum terms.

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

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

3 30:4-156. The State **[Home]** *Training School* for Boys shall
 4 include the existing home at Jamesburg, and all places where the
 5 persons committed thereto may, from time to time, be kept,
 6 housed or employed.

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

3 30:4-157. The State **[Home]** *Training School* for Girls shall
 4 include the existing home at Trenton, and all places where the
 5 persons committed thereto may, from time to time, be kept, housed
 6 or employed.

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

3 30:4-157.1. Whenever any boy under the age of 16 years and
 4 of the age of 8 years or more shall be found guilty of any crime, ex-
 5 cept murder, in any court of record, the court, instead of entering
 6 judgment and pronouncing sentence according to law, may cause an
 7 order to be entered in the minutes of such court that such boy
 8 be committed to the State **[Home for Boys]** *Training School* as
 9 a juvenile delinquent, and thereupon the court may commit him
 10 to such **[home]** *training school* by warrant.

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

3 30:4-157.2. The warrant of commitment to the State **[Home]**
 4 *Training School* for Boys shall set forth the names of the parents
 5 or guardians if they can be ascertained and the boy's place of
 6 residence. The court shall order transmitted to the chief executive
 7 officer of the **[home]** *training school*, by the officer serving the

8 papers of commitment a statement of the substance of the com-
 9 plaint, a copy of any probation reports or other records which the
 10 county may have concerning the past delinquencies of the boy
 11 together with such of the testimony in the case as appears to show
 12 contributory negligence on the part of the boy's custodians and
 13 such other information concerning any mental or physical con-
 14 dition which the court deems to be of importance in the reformation
 15 or rehabilitation of the boy. Such records shall be used for the
 16 information and guidance of the board of managers of the [home]
 17 *training school* and the department of institutions and agencies
 18 but shall not be public records.

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

3 30:4-157.3. Any parent or guardian may make complaint to
 4 the juvenile and domestic relations court that any boy under the
 5 age of 16 years, the son or ward of complainant, is habitually
 6 truant or habitually vagrant or disorderly or incorrigible. The
 7 court shall thereupon issue a warrant to the sheriff, constable or
 8 police officer to cause the boy to be brought before it at such
 9 time and place as it may appoint when and where it shall examine
 10 the parties, and if, in its judgment, the complaint is well founded
 11 and the boy is a fit subject for the State [Home] *Training School*
 12 for Boys, it shall issue a warrant, with the consent of the parent
 13 or guardian indorsed thereon, to be executed by the sheriff, a con-
 14 stable or police officer committing the boy to the [home] *training*
 15 *school*.

16 Security for the payment of the expenses of the hearing upon
 17 complaint and commitment, the expenses of the transfer of the boy
 18 to the [home] *school* and the expenses of his board and mainte-
 19 nance at the [home] *school* may, in the discretion of the court,
 20 be required of the parent or guardian in cases arising under this
 21 section or section 30:4-157.1 of this Title.

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

3 30:4-157.4. Whenever a boy or girl shall be committed to the
 4 [home] *training school* under the provisions of section 30:4-157.1,
 5 30:4-157.3 or 30:4-157.9 of this Title, it shall be the duty of the
 6 court, at the time of the examination, to make inquiry as to the
 7 ability of the parent or guardian to pay the expenses of the com-
 8 mitment proceedings and the board of the boy or girl, and it shall
 9 indorse on the warrant of commitment a statement of its finding
 10 in that regard.

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

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

3 30:4-157.6. The several courts in committing to the State
 4 **[Home]** *Training School* for Boys shall not fix or limit the
 5 duration of the commitment, but a boy so committed may be de-
 6 tained until he reaches the age of 21 years, unless such term of
 7 detention is terminated by the board in accordance with its rules
 8 and regulations formally adopted.

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

3 30:4-157.7. No inmate of the State **[Home]** *Training School*
 4 for Boys shall be indentured or bound out to service.

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

3 30:4-157.8. As a part of the parole system in the State **[Home]**
 4 *Training School* for Boys, the board may place any inmate for
 5 whose welfare and improvement such course is deemed advisable,
 6 at service or employment; may place any inmate of school age, for
 7 whose welfare such course is deemed advisable, to board in a
 8 private family, at a cost not to exceed the per capita maintenance
 9 cost in the **[home]** *training school*, and may send to properly
 10 qualified educational or vocational institutions, for purposes of
 11 instruction, any inmate who has shown a capacity for a more ex-
 12 tensive training than the **[home]** *school* can provide, at a cost not
 13 to exceed the per capita maintenance rate in the **[home]** *school*.

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

3 30:4-157.9. Any girl under the age of 17 years and of the age
 4 of 8 years or more, may be committed to the State **[Home]** *Train-*
 5 *ing School* for Girls, for the same causes and by the same pro-
 6 cesses as are provided by the provisions of sections 30:4-157.1 to

7 30:4-157.8 of this Title, which shall also apply to and control the
8 maintenance, management and operation of the [home] school.

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

3 30:4-158. The New Jersey [Sanatorium for Tuberculosis]
4 *Hospital for Chest Diseases* shall include the existing buildings
5 and lands as Glen Gardner, and all farms, camps or grounds where
6 the patients may be maintained, kept, housed or employed.

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

3 30:4-159. Any person afflicted with tuberculosis or disease of
4 the [respiratory organs] chest requiring prolonged convalescence
5 may be admitted to the [sanatorium] hospital upon a certificate
6 made by a practicing physician which certificate shall set forth
7 that the tuberculosis or disease of the [respiratory organs] chest
8 will require prolonged convalescence. A person admitted to the
9 [sanatorium] hospital shall be liable for payment for the cost of
10 his care in the same manner and to the same extent as is provided
11 by law for payment by mentally ill and mentally retarded persons
12 and their responsible relatives.

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

3 30:4-160. The New Jersey State Hospitals, *designated in section*
4 *30:1-7 of this Title as psychiatric hospitals*, shall include the ex-
5 isting buildings and lands of the New Jersey State Hospital at
6 Trenton, the New Jersey State Hospital at Greystone Park, the
7 New Jersey State Hospital at Ancora and the New Jersey State
8 Hospital at Marlboro, and all farms, grounds or places where the
9 inmates thereof may from time to time be maintained, kept, housed
10 or employed.

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

3 30:6-1. The commission for the amelioration of the condition of
4 the blind *and the visually handicapped*, hereinafter in this article
5 referred to as the "commission," shall hereafter be known as the
6 Commission for the Blind *and Visually Handicapped*. It shall pro-
7 vide all means which it deems feasible for ameliorating the con-
8 dition of the blind *and visually handicapped* and shall prepare
9 and maintain a register of all the blind within the State. Every
10 physician shall report to the commission every case of defective
11 vision which in his judgment may result in permanent blindness.
12-13 Every municipal and county, health and welfare agency, and every

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

1 23. This act shall take effect [60 days after the date of its ap-
2 proval] *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 amended 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.