

30 8-28.4

LEGISLATIVE HISTORY CHECKLIST

NJSA 30:8-28.4 (Prisoners--county--remission of time for work credits)

LAWS 1981 CHAPTER 140

Bill No. A2274

Sponsor(s) Zangari

Date Introduced December 8, 1980

Committee: Assembly County Government

Senate -

Amended during passage Yes ~~XX~~ Amendments during passage denoted by asterisks

Date of Passage: Assembly March 2, 1981

Senate March 23, 1981

Date of approval May 4, 1981

Following statements are attached if available:

Sponsor statement Yes ~~XX~~ (Below) Also attached: Assembly Committee amendment (adopted 2-23-81) with statement

Committee Statement: Assembly Yes ~~XX~~  
Senate ~~XX~~ No

Fiscal Note Yes ~~XX~~

Veto Message ~~XX~~ No

Message on signing Yes ~~XX~~

Following were printed:

Reports ~~Yes~~ No

Hearings ~~Yes~~ No

Sponsor's statement:

The objectives of this bill are: a. to provide and standardize uniform work credits for county prisoners (inmates) as now received by State inmates; b. to provide incentives for inmates to engage in productive work while incarcerated in county penal institutions; c. to allow correctional administrators greater latitude in utilizing sentenced inmates.

6/2/81

(over)

Rules and regulations promulgated by the Department of Corrections  
(as mentioned in law):  
13 NJR434--attached

Also attached newspaper clipping

1-0 81  
5-4-81  
[SECOND OFFICIAL COPY REPRINT]

ASSEMBLY, No. 2274

STATE OF NEW JERSEY

INTRODUCED DECEMBER 8, 1980

By Assemblyman ZANGARI

Referred to Committee on County Government

AN ACT to provide for the remission of time to county prisoners due to work credits and repealing P. L. 1972, c. 115.

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

1 1. a. **\*\*** **[**The inmates of any county correctional institution who  
2 shall after sentencing be employed in productive occupations  
3 consistent with their health, strength and mental capacity, as  
4 determined by the respective wardens to be in the best interests  
5 of said inmates, shall receive such compensation as the **\*** **[**Board of  
6 Chosen Freeholders**]** **\*** *governing body* **\*** may establish.**]** **\*\*** **\*\*** *The*  
6A *inmates of all county penal institutions established and maintained*  
6B *pursuant to chapter 8 of Title 30 of the Revised Statutes who may*  
6C *be employed in such productive occupations as are consistent with*  
6D *their health, strength and mental capacity shall receive compensa-*  
6E *tion in such employment as the governing body of the county may*  
6F *establish.* **\*\***

7 Compensation for inmates may be in the form of cash or  
8 remission of time from sentence or both. Remission from time of  
9 sentence shall **\*\*** *be in accordance with rules and regulations pro-*  
10 *mulgated by the Department of Corrections, but shall* **\*\*** not exceed  
11 1 day for each 5 days of productive occupation **\*\*** **[**, but re-  
12 mission**]** **\*\*** **\*\***. *Remission* **\*\*** granted under this act shall in no way  
13 effect deductions for good behavior as provided by law.

14 **\*\*** *b.* *The Department of Corrections shall promulgate and en-*  
15 *force rules and regulations for the operation of this act in accor-*  
16 *dance with the provisions hereof.* **\*\***

17 **\*\*** **[***b.***]** **\*\*** **\*\*** *c.* **\*\*** All county inmates classified as minimum security  
18 prisoners who are determined to be sufficiently trustworthy by the  
19 warden to be employed in honor camps, farm details, or details of  
20 work at public buildings or property, shall receive additional

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

21 remission of time from sentence at the rate of \***[3 days per month**  
22 **for each month]**\* \*\***[1 day for each 10 days\*]**\*\* **3 days per**  
23 **month for each month\*\*** of such labors. \*\***[The New Jersey De-**  
24 **partment of Corrections shall prepare standards and regulations**  
25 **for the operation of this act.]\*\***

1 2. P. L. 1972, c. 115 (C. 30:8-28.1 et seq.) is repealed.

1 3. This act shall take effect immediately.

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ASSEMBLY COUNTY GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2274

STATE OF NEW JERSEY

DATED: FEBRUARY 2, 1981

Assembly Bill No. 2274 would permit county correctional administrators to have greater latitude in utilizing certain inmates employed in productive occupations.

The bill provides inmates that are employed in productive occupations, which are determined to be consistent with their health, strength and mental capacity by their respective wardens, shall be compensated.

Such compensation is to be established by the governing body of the county and may be in the form of cash, a remission in time of sentence, or both. The bill provides that remission in time for such employment shall not exceed 1 day for each 5 days of work and shall in no way effect any deductions for good behavior.

Minimum security prisoners, under the provisions of this bill, may earn additional remissions in time.

The committee, at the sponsor's request, amended the bill to provide that a minimum security prisoner shall be awarded additional remission of time at a rate of 1 day for each 10 days of employment. The committee also amended the bill to bring the language of the bill into conformity with the provisions of the "Optional County Charter Law" (P. L. 1972, c. 154, C. 40:41A-1 et seq.).

The bill authorizes the Department of Corrections to prepare standards and regulations to implement the purpose of this act.

Assembly Bill No. 2274 also repeals P. L. 1972, c. 115 (C. 30:8-28.1 et seq.), which this bill would supersede.

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ASSEMBLY AMENDMENTS TO  
**ASSEMBLY, No. 2274**  
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**STATE OF NEW JERSEY**

ADOPTED FEBRUARY 23, 1981

Amend page 1, section 1, lines 1-6, after "a.", omit, insert "The inmates of all county penal institutions established and maintained pursuant to chapter 8 of Title 30 of the Revised Statutes who may be employed in such productive occupations as are consistent with their health, strength and mental capacity shall receive compensation in such employment as the governing body of the county may establish."

Amend page 1, section 1, line 9, after "shall", insert "be in accordance with rules and regulations promulgated by the Department of Corrections, but shall".

Amend page 1, section 1, line 10, after "occupation", omit "; but remission", insert ". Remission".

Amend page 1, section 1, after line 11, insert new subsection b. as follows: "b. The Department of Corrections shall promulgate and enforce rules and regulations for the operation of this act in accordance with the provisions hereof."

Amend page 1, section 1, line 12, omit "b.", insert "c."

Amend page 1, section 1, line 17, after "month", omit "1 day for each 10 days", insert "3 days per month for each month".

Amend page 1, section 1, lines 17-19, after "labors.", omit remainder of line 17 and all of lines 18 and 19.

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STATEMENT

These amendments make it clear that inmates of county penal institutions shall receive the same work credits as inmates of State penal institutions, and that the Department of Corrections shall promulgate and enforce rules and regulations for the operation of the act.

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FISCAL NOTE TO  
ASSEMBLY, No. 2274

STATE OF NEW JERSEY

DATED: MARCH 27, 1981

Assembly Bill No. 2274 of 1980 provides for the remission of time to county prisoners due to work credits.

The Department of Corrections states that no dollar estimate can be made for the following reasons:

- The number of county inmates who could be employed in productive occupations would be limited by the availability of job opportunities. The number or types of jobs would be limited by security considerations and the availability of supervisory staff.
- The number of inmates actually assigned to jobs available would be determined by the respective wardens.
- Compensation for inmates may be in the form of cash or remission of time or both.
- The amount of compensation will be established by the Boards of Chosen Freeholders.

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In compliance with written request received, there is hereby submitted a fiscal estimate for the above bill, pursuant to P. L. 1980, c. 67.

FROM THE OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE

FOR FURTHER INFORMATION

MAY 4, 1981

PAT SWEENEY

Governor Brendan Byrne today signed the following bills:

S-1517, sponsored by Senator James A. Galdieri (D-Hudson), which appropriates \$7 million from the 1980 Public Purpose Building Construction Fund to the Department of Corrections. Approximately \$1.5 million will be used to buy trailers, in accordance with Commissioner Fauver's plan to ease overcrowding. The remainder will be used for roof renovations and replacements at Annandale, Skillman, Yardville and Bordentown.

A-681, sponsored by Assemblyman Francis J. McManimon (D-Mercer), which requires the issuance of reflectorized motor vehicles license plates.

Reflectorized plates would be easier to read at night, while aiding in law enforcement activities.

The Division of State Use Industries in the Department of Corrections will need approximately \$900,000 to begin preparations for producing reflectorized plates.

The program is scheduled to begin on January 1, 1982, with the necessary appropriations made in the 1982 Appropriations Act, making funds available July 1, 1981.

S-1501, sponsored by Senator Lee B. Laskin (R-Camden), which validates bond proceedings for school districts where the election notices were not published in accordance with N.J.S. 18A:14-19, provided the following conditions were met: a) the election notices were posted in accordance with the above statute, and b) no proceeding is commenced contesting the election.

The bill is designed to validate a bond proceeding for the school district of Wildwood, which had published the notice in a newspaper not meeting the statutory requirements.

A-926, sponsored by Assemblyman Walter Rand (D-Camden), which authorizes the Commissioner of Health, in consultation with the Commissioner of Human Services, to regulate invalid coach services for Medicaid recipients.

-more-



"Invalid coach services" are transportation services to bring non-ambulatory Medicaid patients to hospitals, doctors, clinics, treatment centers, rehabilitation centers, etc.

This bill will provide the Department of Health with the necessary authority to establish standards and requirements for invalid coach services, while the Department of Human Services pays for the services under the Medicaid program.

A-1470, sponsored by Assemblyman Walter Rand (D-Camden), which amends the current handgun permit provisions for employees of armored car companies.

The bill grants exclusive jurisdiction to the Superintendent of State Police over the issuance of permits to carry guns to employees of armored car companies. These permits have been handled by the chief of police of the municipality where the employee resides. This measure centralizes the procedure.

A-1843, sponsored by Assemblyman Francis J. McManimon (D-Mercer), which permits the Director of the Division of Motor Vehicles to issue a special registration certificate and registration plates for commuter vans so they will be readily identified. A "commuter van" is defined to mean a motor vehicles having a seating capacity of not less than eight nor more than 15 adult passengers, in which eight or more persons commute on a daily basis to and from work.

The bill carries with it an appropriation of \$10,000 to the Department of Motor Vehicles from the General State fund to effectuate this change.

A-2274, sponsored by Assemblyman Jimmy Zangari (D-Essex), which will permit minimum security prisoners in county institutions to receive an additional three day remission for every month employed in honor camps, farm details or details of work at public buildings or property. All remissions of time for prisoners will be in accordance with rules promulgated by the Department of Corrections.

Under the statute which this bill repeals and replaces, any county inmate receives compensation for employment in productive occupations. Compensation is in the form of cash, remission of time from sentence or both. Time remission was limited to one day for every five working days.

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