

NO. 61.

AN ACT

To amend sections one, two, three, four, five, six, seven, eight, and nine of an act, approved the first day of June, one thousand nine hundred and fifteen (Pamphlet Laws, six hundred and fifty-six), entitled "An act providing a system of employment and compensation for the inmates of the Eastern Penitentiary, Western Penitentiary, and the Pennsylvania Industrial Reformatory at Huntingdon, and for such other correctional institutions as shall be hereafter established by the Commonwealth, and making an appropriation therefor"; by extending its provisions to the State Industrial Home for Women at Muncy; permitting the sale of the products made thereunder to certain additional municipalities and institutions; and regulating the method of payment of the amounts credited to prisoners.

Section 1. Be it enacted, &c., That section one of an act, approved the first day of June, one thousand nine hundred and fifteen (Pamphlet Laws, six hundred and fifty-six), entitled "An act providing a system of employment and compensation for the inmates of the Eastern Penitentiary, Western Penitentiary, and the Pennsylvania Industrial Reformatory, at Huntingdon, and for such other correctional institutions as shall be hereafter established by the Commonwealth, and making an appropriation therefor," which reads as follows:—

Employment of inmates of correctional institutions.

Act of June 1, 1915 (P. L. 656), amended.

"Section 1. Be it enacted, &c., That all persons sentenced to the Eastern or Western Penitentiary, or to the Pennsylvania Industrial Reformatory at Huntingdon, or to any other correctional institution hereafter established by the Commonwealth, who are physically capable of such labor, may be employed at labor for not to exceed eight hours each day, other than Sundays and public holidays. Such labor shall be for the purpose of the manufacture and production of supplies for said institutions, or for the Commonwealth or for any county thereof, or for any public institution owned, managed, and controlled by the Commonwealth, or for the preparation and manufacture of building material for the construction or repair of any State institution, or in the work of such construction or repair, or for the purpose of industrial training or instruction, or partly for one and partly for the other of such purposes, or in the manufacture and production of crushed stone, brick, tile, and culvert pipe or other material suitable for draining roads of the State, or in the preparation of road building and ballasting material," be, and the same is hereby, amended to read as follows:—

Section 1, cited for amendment.

Section 1. Be it enacted, &c., That all persons sentenced to the Eastern or Western Penitentiary, or to the Pennsylvania Industrial Reformatory at Hunting-

Institutions designated.

Hours of labor.
Purpose of labor.

don, or to the State Industrial Home for Women at Muncy, or to any other correctional institution hereafter established by the Commonwealth, who are physically capable of such labor, may be employed at labor for not to exceed eight hours each day, other than Sundays and public holidays. Such labor shall be for the purpose of the manufacture and production of supplies for said institutions, or for the Commonwealth or for any county, city, borough, or township, thereof, or for any public institution owned, managed, and controlled by the Commonwealth, or for any educational or charitable institution receiving aid from the Commonwealth, or for the preparation and manufacture of building material for the construction or repair of any State institution, or in the work of such construction or repair, or for the purpose of industrial training or instruction, or partly for one and partly for the other of such purposes, or in the manufacture and production of crushed stone, brick, tile, and culvert pipe, or other material suitable for draining roads of the State, or in the preparation of road building and ballasting material.

Section 2. That section two of said act, which reads as follows:—

Section 2, cited for amendment.

“Section 2. A member of the board of prison inspectors of the Eastern Penitentiary, designated by such board; a member of the board of prison inspectors of the Western Penitentiary, designated by such board; and a member of the board of managers of the Pennsylvania Industrial Reformatory at Huntingdon, designated by such board, shall constitute the Prison Labor Commission, which commission shall perform the duties hereinafter specified with reference to the regulation and supervision of the labor of inmates of the penitentiaries and reformatory, and other correctional institutions hereafter established by this Commonwealth, and for the disposal of the products of the labor of such inmates. The members of this commission shall serve without salary, but they shall be allowed their expenses actually and necessarily incurred in the discharge of their duties. The Prison Labor Commission is empowered to employ such clerks or other employes as are necessary for the proper conduct of its business, at such salaries as shall be determined by the commission,” be, and the same is hereby, amended to read as follows:—

Prison Labor Commission.

Personnel.

Section 2. A member of the board of prison inspectors of the Eastern Penitentiary designated by such board, a member of the board of prison inspectors of the Western Penitentiary designated by such board, a member of the Board of Managers of the Pennsylvania Industrial Reformatory at Huntingdon designated by

such board, *and a member of the board of managers of the State Industrial Home for Women at Muncy designated by such board*, shall constitute the Prison Labor Commission, which commission shall perform the duties hereinafter specified with reference to the regulation and supervision of the labor of inmates of the penitentiaries, reformatory, *home*, and other correctional institutions hereafter established by this Commonwealth, and for the disposal of the products of the labor of such inmates. The members of this commission shall serve without salary, but they shall be allowed their expenses actually and necessarily incurred in the discharge of their duties. The Prison Labor Commission is empowered to employ such clerks or other employes as are necessary for the proper conduct of its business, at such salaries as shall be determined by the commission.

Salaries.

Employes.

Section 3. That section three of said act, which reads as follows:—

“Section 3. The Prison Labor Commission shall determine the amount, kind, and character of the machinery to be erected in each of the penitentiaries *and* reformatory or other correctional institutions hereafter established, the industries to be carried on therein, having due regard to the location and convenience thereof with respect to other institutions to be supplied, to the machinery therein, and the number and character of inmates,” *be*, and the same is hereby, amended to read as follows:—

Section 3, cited for amendment.

Section 3. The Prison Labor Commission shall determine the amount, kind, and character of the machinery to be erected in each of the penitentiaries, reformatory, *and home*, or other correctional institutions hereafter established, the industries to be carried on therein, having due regard to the location and conveniences thereof with respect to other institutions to be supplied, to the machinery therein, and the number and character of inmates.

Machinery to be installed.

Section 4. That section four of said act, which reads as follows:—

“Section 4. The Prison Labor Commission shall arrange for the sale of the materials produced by the prisons, to the Commonwealth, or to any county thereof, or to any of the public institutions owned, managed, and controlled by the Commonwealth,” *be*, and the same is hereby, amended to read as follows:—

Section 4, cited for amendment.

Section 4. The Prison Labor Commission shall arrange for the sale of the materials produced by the prisoners to the Commonwealth or to any county, *city, borough, or township* thereof, or to any of the public institutions owned, managed, and controlled by the Commonwealth, *or to any educational or charitable institution receiving aid from the Commonwealth.*

Sale of products.

Section 5. That section five of said act, which reads as follows:—

Section 5, cited for amendment.

“Section 5. For the purchase of material, equipment, and machinery to be used in the penitentiaries, reformatory and other correctional institutions as aforesaid, a *special appropriation of seventy-five thousand dollars* shall be made to the Prison Labor Commission, to be known as the manufacturing fund,” be, and the same is hereby, amended to read as follows:—

Manufacturing fund.

Section 5. For the purchase of material, equipment, and machinery to be used in the penitentiaries, reformatory, *home* and other correctional institutions as aforesaid, *special appropriations* shall be made, *from time to time*, to the Prison Labor Commission, to be known as the manufacturing fund.

Section 6. That section six of said act, which reads as follows:—

Section 6, cited for amendment.

“Section 6. *The sum of eight thousand dollars, or so much thereof which may be necessary, is hereby specially appropriated to the Prison Labor Commission for the two fiscal years beginning January first, one thousand nine hundred and sixteen, for the purpose of paying salaries of clerk hire, traveling expenses, and contingent expenses.* The receipts from the sales of manufactured articles, sold as aforesaid to the Commonwealth or any county thereof, or any public institution owned and managed and controlled by the Commonwealth, shall not be turned into the State Treasury, but shall be credited to the manufacturing fund, created by section five, and used for the purchase of further material, equipment, machinery, and supplies; and the commission shall make a full monthly report of the products, sales, receipts, and disbursements of such industries to the Auditor General of the Commonwealth,” be, and the same is hereby, amended to read as follows:—

Disposition of receipts.

Section 6. The receipts from the sales of manufactured articles, sold as aforesaid to the Commonwealth or any county, *city, borough, or township* thereof, or any public institution owned and managed and controlled by the Commonwealth, *or any educational or charitable institution receiving aid from the Commonwealth*, shall not be turned into the State Treasury, but shall be credited to the manufacturing fund created by section five, and used for the purchase of further material, equipment, machinery, and supplies; and the commission shall make a full monthly report of the products, sales, receipts, and disbursements of such industries to the Auditor General of the Commonwealth.

Monthly report.

Section 7. That section seven of said act, which reads as follows:—

“Section 7. Hereafter an account shall be kept by the proper officers of the Western Penitentiary, the Eastern Penitentiary, and the Pennsylvania Industrial Reformatory at Huntingdon, and the other correctional institutions hereafter established by the Commonwealth, of the labor performed by all prisoners under sentence in such institution. In such account the prisoner shall be credited with wages for the time he is actually engaged in work: the rate of such wage, and the amount credited to each, to be regulated at the discretion of the Prison Labor Commission, or such persons as they may designate. In no case shall the amount be less than ten cents, nor over fifty cents, for each day of labor actually performed. The difference in the rate of compensation shall be based both upon the pecuniary value of the work performed and also on the willingness, industry, and good conduct of such prisoner,” be, and the same is hereby, amended to read as follows:—

Section 7, cited
for amendment.

Section 7. Hereafter an account shall be kept by the proper officers of the Western Penitentiary, the Eastern Penitentiary, the Pennsylvania Industrial Reformatory at Huntingdon, *the State Industrial Home for Women at Muncy*, and the other correctional institutions hereafter established by the Commonwealth, of the labor performed by all prisoners under sentence in such institution. In such account the prisoner shall be credited with wages for the time he or she is actually engaged in work, the rate of such wage, and the amount credited to each, to be regulated at the discretion of the Prison Labor Commission, or such persons as they may designate. In no case shall the amount be less than ten cents, nor over fifty cents, for each day of labor actually performed. The difference in the rate of compensation shall be based both upon the pecuniary value of the work performed and also on the willingness, industry, and good conduct of such prisoner.

Account of labor.

Rate of wages.

Section 8. That section eight of said act, which reads as follows:—

“Section 8. Three-fourths of the amount credited to each prisoner, or the entire amount if the prisoner so wishes, shall constitute a fund for the relief of any person or persons dependent upon such prisoner, and shall be paid upon the order of the *Prison Labor Commission* to the person or persons establishing such dependency to the satisfaction of said board, at such time and times as said board may order,” be, and the same is hereby, amended to read as follows:—

Section 8, cited
for amendment.

Section 8. Three-fourths of the amount credited to each prisoner, or the entire amount if the prisoner so wishes, shall constitute a fund for the relief of any per-

Relief fund.

Payment to
dependents.

son or persons dependent upon such prisoner, and shall be paid, upon the order of the *board of inspectors or the board of managers of the institution of which said prisoner is an inmate*, to the person or persons establishing such dependency to the satisfaction of said *board of the institution of which said prisoner is an inmate*, at such time and times as said board may order.

Section 9. That section nine of said act, which reads as follows:—

Section 9, cited
for amendment.

“Section 9. *In case a prisoner has no person or persons dependent upon him, the sums so credited shall be deposited for the benefit of such prisoner, under the rules and regulations of the Prison Labor Commission; and the sum so credited shall be paid to the said prisoner,—one-third on discharge of prisoner, one-third in three months after his discharge, and the balance in six months after his discharge,*” be, and the same is hereby, amended to read as follows:—

Payment to
prisoners.

Section 9. *All sums credited to a prisoner, other than so much thereof as may be paid to a dependent or dependents of the prisoner, shall be for the benefit of such prisoner, under the rules and regulations of the board of inspectors or the board of managers of the institution of which said prisoner is an inmate, and paid to the prisoner on his or her discharge. Prisoners who have sums to their credit may, subject to the rules and regulations of their respective institution and to the payment of the portion of their wages to their dependents, draw upon the same for present needs.*

APPROVED—The 6th day of April, A. D. 1921.

WM. C. SPROUL.