

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**HOUSE BILL**  
**No. 1810** Session of  
1979

INTRODUCED BY LASHINGER, OCTOBER 9, 1979

REFERRED TO COMMITTEE ON JUDICIARY, OCTOBER 9, 1979

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled  
2 "An act providing for and reorganizing the conduct of the  
3 executive and administrative work of the Commonwealth by the  
4 Executive Department thereof and the administrative  
5 departments, boards, commissions, and officers thereof,  
6 including the boards of trustees of State Normal Schools, or  
7 Teachers Colleges; abolishing, creating, reorganizing or  
8 authorizing the reorganization of certain administrative  
9 departments, boards, and commissions; defining the powers and  
10 duties of the Governor and other executive and administrative  
11 officers, and of the several administrative departments,  
12 boards, commissions, and officers; fixing the salaries of the  
13 Governor, Lieutenant Governor, and certain other executive  
14 and administrative officers; providing for the appointment of  
15 certain administrative officers, and of all deputies and  
16 other assistants and employes in certain departments, boards,  
17 and commissions; and prescribing the manner in which the  
18 number and compensation of the deputies and all other  
19 assistants and employes of certain departments, boards and  
20 commissions shall be determined," further providing for  
21 inmate labor.

22 The General Assembly of the Commonwealth of Pennsylvania  
23 hereby enacts as follows:

24 Section 1. Clauses (a), (d), (i) and (k) of section 915, act  
25 of April 9, 1929 (P.L.177, No.175), known as "The Administrative  
26 Code of 1929," added July 29, 1953 (P.L.1428, No.408), are  
27 amended to read:

1       Section 915. Inmate Labor.--The Bureau of Correction shall  
2 have the power and its duty shall be:

3       (a) To establish, maintain and carry on industries in the  
4 State penal and correctional institutions under the jurisdiction  
5 of the Department of Justice as it may deem proper, in which  
6 industries all persons sentenced to, assigned to or transferred  
7 to such institutions, [who are physically capable] unless  
8 disqualified by sickness or determined by the appropriate  
9 authorities to be physically incapable of such labor, may be  
10 employed at labor for not to exceed eight (8) hours each day,  
11 other than Sundays and public holidays. Such labor shall be for  
12 the purpose of doing printing or of manufacturing and producing  
13 supplies, or for the preparation and manufacture of building  
14 materials for the construction or repair of any State  
15 institution or in the work of such construction or repair, or  
16 for the planting of seed trees, or for the purpose of industrial  
17 training or instruction, or in the manufacture and production of  
18 crushed stone, brick, tile and culvert pipe or other material  
19 suitable for draining roads of the State or in preparation of  
20 road building and ballasting material. Every person not employed  
21 in such industries, and not otherwise disqualified by sickness,  
22 physical incapacity, or other good cause, shall be employed to  
23 labor within or upon the grounds of such institutions as may be  
24 necessary for the maintenance of the institution or the raising  
25 of food products therefor.

26       \* \* \*

27       [(d) To arrange for the employment of inmates of such  
28 institutions at such work or labor within or upon the grounds of  
29 such institutions as may be necessary for the maintenance of the  
30 institutions or the raising of food products therefor.]

1       \* \* \*

2       (i) To require that an account shall be kept, by the proper  
3 officers of each said penitentiary, reformatory and other  
4 correctional institution, of the labor performed by inmates. In  
5 such account shall be shown, at the time each inmate is actually  
6 engaged in work, the rate of wage at which he is to be paid,  
7 which rate shall be set and regulated by the department. In no  
8 case shall the amount be less than ten cents for each day of  
9 labor actually performed. The rate of compensation shall be  
10 based both upon the pecuniary value of the work performed and  
11 also on the willingness, industry and good conduct of the  
12 inmate. All amounts payable to inmates hereunder shall be paid  
13 to the institution out of the Manufacturing Fund, to be  
14 disbursed or held by such institution in the manner following:

15       Three-fourths of the amount of wages payable to an inmate of  
16 such penitentiary, reformatory or other institution, or the  
17 entire amount if the inmate so wishes, shall constitute a fund  
18 for the relief of any person or persons dependent upon such  
19 inmate, and shall be paid, upon the order of the board of  
20 trustees of the penitentiary, reformatory or other institution  
21 in which the inmate is a prisoner, to the person or persons  
22 establishing such dependency to the satisfaction of such board,  
23 at such time or times as said board may order.

24       All sums credited to any inmate and not paid to a dependent  
25 or dependents shall be paid to the inmate on his discharge from  
26 the penitentiary, reformatory or other institution in which he  
27 was a prisoner: Provided, however, That subject to the rules and  
28 regulations of the board of trustees of the penitentiary,  
29 reformatory or other institution in which such inmate is a  
30 prisoner, the whole or any part of said sum may be paid to him

1 during his imprisonment for his present needs, such rules and  
2 regulations to be subject to the approval of the department.

3 \* \* \*

4 (k) [To the extent to which the Bureau of Correction is  
5 unable to provide work for every physically able inmate of such  
6 institutions, to] Upon proper application, the Bureau of  
7 Correction may permit inmates to engage in such work or  
8 industries as the Bureau may approve and which they are able to  
9 provide from other sources, but all such work shall be  
10 performed, the products thereof sold, and the proceeds thereof  
11 disposed of, under the rules and regulations of the Bureau of  
12 Correction covering the same.

13 Section 2. This act shall take effect in 180 days.