

departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," further providing for supervision and control of correctional institutions and facilities by the Department of Justice.

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

Section 1. Section 911, act of April 9, 1929 (P. L. 177), known as "The Administrative Code of 1929," amended December 22, 1965 (P. L. 1215), is amended to read:

Section 911. The Department of Justice shall have the power and its duty shall be to supervise and control the State Correctional Institution at Philadelphia, State Correctional Institution at Pittsburgh, State Correctional Institution at Rockview, State Correctional Institution at Graterford, State Correctional Institution at Huntingdon, State Correctional Institution at Camp Hill, State Correctional Institution at Muncy, [regional correctional facilities and other similar facilities for prisoners including those at nonpenal institutions] State Correctional Institution at Dallas and such State regional jails, forestry camps and other State penal or correctional off-institution grounds, facilities or installations which have been and which may be established by law.

Section 2. The provisions of this act shall in no way alter, change, modify or repeal any law of this Commonwealth conferring any power and imposing any duty or in any manner relating to any of the institutions or forestry camps and other penal or correctional off-institution grounds, facilities or installations or to the departments or agencies having supervision or control thereof or to persons committed to and detained therein, but such laws shall be deemed to apply with full force and effect to such institutions, forestry camps and other penal or correctional off-institution grounds, facilities or installations and to persons committed to and detained therein.

Section 3. This act shall take effect immediately.

APPROVED—The 16th day of July, A. D. 1968.

RAYMOND P. SHAFER.

No. 173

AN ACT

SB 1228

Authorizing establishment of prisoner pre-release centers and work release plans

under the jurisdiction of the Department of Justice and defining its powers and duties.

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

Section 1. Establishment of Pre-release Centers.—The Bureau of Correction, Department of Justice, shall have the power and its duty shall be to establish with the approval of the Governor such prisoner pre-release centers at such locations throughout the Commonwealth as it may deem necessary to carry out effective prisoner pre-release programs therefrom.

Section 2. Work Release Plan for Prison Inmates.—The Commissioner of Correction of the Bureau of Correction, Department of Justice, may grant work release privileges to any person incarcerated in any pre-release center or in any pre-release center located in any State or Regional Penal or Correctional Institution under the supervision of the Bureau of Correction who has not been sentenced to death or life imprisonment, providing the sentencing court does not object within ten days of receipt of notice that such privileges shall be granted.

Section 3. Establishment of Rules and Regulations; Penalties.—The Bureau of Correction shall establish rules and regulations for granting work release privileges and the administration of work release plans and shall determine those inmates who may participate in any plan. If any inmate violates the rules or regulations prescribed by the bureau, his work release privileges may be withdrawn. Failure of any inmate to report to or return from planned employment shall be deemed an escape under the provisions of section 309 of the act of June 24, 1939 (P. L. 872), known as "The Penal Code."

Section 4. Salaries and Wages of Inmates.—(a) The salaries or wages of inmates gainfully employed under any plan established by this act shall be collected by the Bureau of Correction or its designated agents or employes. Such wages shall not be subject to garnishment or attachment for any purpose either in the hands of the employer or the Bureau of Correction during the inmate's term of imprisonment and shall be disbursed only as provided in this section, but for tax purposes they shall be income of the inmate.

(b) The salaries or wages of any inmate participating in any such plan shall be disbursed by the Bureau of Correction in the following order:

- (1) The board of the inmate including food and clothing;
- (2) Necessary travel expense to and from work and other incidental expenses of the inmate;
- (3) Support of the inmate's dependents, if any;
- (4) Payment, either in full or ratably, of the prisoner's obligations acknowledged by him in writing or which have been reduced to judgment;

(5) The balance, if any, to the prisoner upon his discharge.

Section 5. Effective Date.—This act shall take effect immediately.

APPROVED—The 16th day of July, A. D. 1968.

RAYMOND P. SHAFER.

No. 174

AN ACT

SB 1230

Amending the act of June 24, 1939 (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," further defining prison breach.

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

Section 1. Section 309, act of June 24, 1939 (P. L. 872), known as "The Penal Code," amended July 12, 1961 (P. L. 575), is amended to read:

Section 309. Prison Breach.—Any person undergoing imprisonment, whether before or after conviction, who breaks prison or escapes, or shall break prison although no escape is actually made, is guilty of prison breach, a felony, and, on conviction thereof, shall be sentenced to undergo imprisonment, by separate and solitary confinement at labor, for a term not exceeding ten (10) years.

[Said] When said prison breach occurs after conviction for an offense other than the prison breach, said sentence shall commence from the expiration of the original sentence and any other sentences previously imposed which remained to be served at the time the offense of prison breach was committed.

If the offense of prison breach is committed while such person is undergoing imprisonment in any institution other than a State penal or correctional institution, regional jail, forestry camp and other off institution grounds, facility or installation, established by law, the judges of the courts of oyer and terminer, general jail delivery and quarter sessions of the peace may sentence such prisoner to the proper [penitentiary] State penal or correctional institution for the crime of prison breach, and add to said sentence for prison breach a further sentence to the said [penitentiary] institution for a period of time equal to the term or terms which remained to be served at the