

## LEGISLATIVE BILL 889

Approved by the Governor March 15, 1994

Introduced by Kristensen, 37

AN ACT relating to correctional services; to amend section 83-183, Revised Statutes Supplement, 1993; to provide for and change provisions relating to reimbursements as prescribed; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 83-183, Revised Statutes Supplement, 1993, be amended to read as follows:

83-183. (1) To establish good habits of work and responsibility, to foster vocational training, and to reduce the cost of operating the facilities, persons committed to the department shall be employed, eight hours per day, so far as possible in constructive and diversified activities in the production of goods, services, and foodstuffs to maintain the facilities, for state use, and for other purposes authorized by law. To accomplish these purposes, the director may establish and maintain industries and farms in appropriate facilities and may enter into arrangements with any other department or agency of the state for the employment of persons committed to the department for state purposes.

(2) The director shall make rules and regulations governing the hours, conditions of labor, and the rates of compensation of persons committed to the department. In determining the rates of compensation, such regulations may take into consideration the quantity and quality of the work performed by such person, whether or not such work was performed during regular working hours, the skill required for its performance, and the economic value of similar work outside of correctional facilities.

(3) Except as provided in section 83-183.01, wage payments to a person committed to the department shall be set aside by the chief executive officer of the facility in a separate fund. The fund shall enable ~~the offender such person committed to the department~~ to contribute to the support of his or her dependents, if any, to make necessary purchases from the commissary, and to set aside sums to be paid to him or her at the time of his or her release from the facility.

(4) The director may authorize the chief executive officer to invest the earnings of a person committed to the department. Any accrued interest thereon shall be credited to ~~the~~ such person's fund.

(5) The director may authorize the chief executive officer to reimburse the state from a ~~person's the wage fund of a person committed to the department~~ for:

(a) The actual value of ~~property belonging to the state property or any other person intentionally or willfully and wantonly recklessly destroyed by such person committed to the department~~ during his or her commitment;

(b) ~~The actual value of the damage or loss incurred as a result of unauthorized use of property belonging to the state or any other person by such person committed to the department;~~

(c) ~~The actual cost to the state for injuries or other damages caused by intentional acts of such person committed to the department;~~ and

~~(b) (d) The reasonable costs incurred in returning such person committed to the department to the facility to which he or she is committed in the event of his or her escape.~~

(6) No person committed to the department shall be required to engage in excessive labor, and no such person shall be required to perform any work for which he or she is declared unfit by a physician designated by the director.

(7) The director may authorize that a portion of the earnings of a person committed to the department be retained by that person for personal use.

Sec. 2. That original section 83-183, Revised Statutes Supplement, 1993, is repealed.