

LEGISLATIVE BILL 594

Approved by the Governor April 4, 1983

Introduced by Law Enforcement & Justice Advisory
Committee, Beutler, 28, Chairperson;
Jacobson, 33; Von Minden, 17; R. Johnson,
34; Chronister, 18; Abboud, 12

AN ACT to amend section 83-145, Reissue Revised Statutes of Nebraska, 1943, relating to state institutions; to change a provision relating to the sale of Department of Correctional Services-made goods as prescribed; to allow the sale and service of certain additional products; and to repeal the original section.

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

Section 1. That section 83-145, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

83-145. All departments, institutions, and agencies of this state, which are supported in whole or in part by taxation for state purposes, and all counties and other governmental subdivisions of this state shall purchase from the Department of Correctional Services all articles required by the departments, institutions, and agencies of the state, or by the counties or other governmental subdivisions, produced, printed, or manufactured by offenders or misdemeanants confined in facilities of the Department of Correctional Services, or elsewhere, including products of any farms operated by the department unless such articles of equal quality and materials could be purchased from another supplier at a lesser cost. The quality and materials must be certified as being equal by the materiel division of the Department of Administrative Services. No such article shall be purchased by any department, institution, or agency of the state from any other source unless excepted from the provisions of this section as provided in sections 83-144 to 83-152. Printing by offenders or misdemeanants shall be restricted to such as may be required at the various institutions under the jurisdiction of the department and such other printing requirements as may be determined by the materiel division of the Department of Administrative Services pursuant to subdivision (3) of section 81-1118.

No products of any institutional printing plant, other than that used by departments, institutions, agencies, and other political subdivisions of the state, shall be sold in competition with outside labor. Nothing in this section shall be construed to prohibit the department from exchanging Department of Correctional Services-made goods with other states. Goods received from divisions of corrections outside of Nebraska shall be of the same status and will be subject to the same restrictions and penalties as if they had been manufactured in the Nebraska Department of Correctional Services. In cases of exchange of Department of Correctional Services-made goods with other states, the department is authorized to pay or receive in cash any differences that may exist in the articles exchanged, the amounts paid or received to be charged or credited to the Nebraska State Use System of Department of Correctional Services Employment Fund. In exchange of Department of Correctional Services-made goods with other states, the goods received in exchange shall be restricted to such use and needs as may be required in the various institutions under the jurisdiction of the department. Any authorized agency, bureau, commission, or department of the federal government or any charitable, fraternal, or nonprofit corporation may purchase from the Department of Correctional Services goods produced or manufactured by offenders or misdemeanants confined in facilities of the Department of Correctional Services, or elsewhere, including products of any farms operated by the department.

Sec. 2. Any department, institution, or agency of this state and any private individual, firm, partnership, or corporation may purchase from the Department of Correctional Services braille books and materials produced and printed by offenders or misdemeanants confined in facilities of the Department of Correctional Services. The Department of Correctional Services shall also be allowed to service any braille machinery needed to print braille products.

Sec. 3. That original section 83-145, Reissue Revised Statutes of Nebraska, 1943, is repealed.