

Chap. 821. AN ACT PROVIDING FOR WORK RELEASE PROGRAMS IN HOUSES OF CORRECTION.

Be it enacted, etc., as follows:

SECTION 1. Chapter 127 of the General Laws is hereby amended by inserting after section 86E, inserted by chapter 723 of the acts of 1967, the following section: —

Section 86F. The sheriff of any county, except the sheriff of Suffolk county, may establish a work release program under which persons sentenced to the house of correction, except sex offenders, may be granted the privilege of leaving actual confinement during necessary and reasonable hours for the purpose of working at gainful employment within the commonwealth. Such program may also include, under appropriate conditions, release for the purpose of seeking such employment and obtaining educational training in connection therewith. Any such inmate may apply to the sheriff for permission to participate in such program. The application shall include a statement by the inmate that he agrees to abide by all terms and conditions of the particular plan selected for him by the sheriff, and shall state the name and address of the proposed employer and all such other information as the sheriff may require. The sheriff may approve, disapprove, or defer action on such application. If the sheriff approves the application, he shall select a work release plan for the inmate which shall contain such terms and conditions as may be necessary and proper; such plan shall be signed by the inmate, the sheriff and the employer, prior to participation in the program by the inmate. At any time after approval has been granted, it may be revoked at will by the sheriff.

An inmate and his employer shall agree to deliver his total earnings, minus tax and similar deductions, to the sheriff. At no time shall any inmate personally receive any monies, checks or the like from his employer. The sheriff shall deduct from the earnings delivered to him the following: —

First, an amount determined by the sheriff for substantial reimbursement to the county for providing food, lodging and clothing for such inmate; second, the actual and necessary food, travel and other expenses of such inmate when released for employment under the program; third, the amount for support of his wife and children as ordered by any court; fourth, the amount arrived at with public welfare departments; fifth, sums voluntarily agreed to for family allotments and for personal necessities while confined. Any balance shall be credited to the account of the inmate and shall be paid to him upon his final release.

No inmate shall be deemed to be an employee of the county under chapter one hundred and fifty-two while participating in a work release program.

The sheriff shall appoint a work release supervisor who shall be placed by the county personnel board in Grade 15, whose duties shall consist of participant screening, employer interviewing, collection of monies, keeping of records, procurement of positions and similar duties assigned by the sheriff.

All such inmates shall, while so employed by the day, be fed, housed and supervised in a separate place or part of the house of correction, and segregated from all other inmates not so employed. Any inmate

participating in such work release program and permitted to leave his place of confinement for the purpose of working in gainful employment, as herein provided, who leaves his place of employment without permission of his employer and with the intention of not returning to his place of confinement, or who having been ordered by the sheriff or the work release supervisor to return to his place of confinement neglects or refuses to do so, shall be held to have escaped from such house of correction, and shall be arrested and returned to such house of correction, and, upon conviction of such escape, shall be sentenced for a term not to exceed one year or the term for which he was originally sentenced, whichever is the lesser.

The expense of the arrest and return of any such inmate shall be paid in the same manner as the expense of the arrest and return of an inmate who escapes from a house of correction.

Nothing in this act shall be construed to affect eligibility for release or parole.

SECTION 2. Chapter eight hundred and three of the acts of nineteen hundred and sixty-five is hereby repealed.

Approved December 26, 1967.

Chap. 822. AN ACT RELATIVE TO THE PROCEDURE FOR THE REPOSSESSION AND DISPOSITION OF CONSUMER GOODS SUBJECT TO CERTAIN SECURITY INTEREST, WHERE THE DEBTOR IS IN DEFAULT.

Be it enacted, etc., as follows:

Chapter 255 of the General Laws is hereby amended by inserting before section 14 the following two sections: —

Section 18I. (a) A secured party who is a lender of money, or his assignee, may repossess consumer goods subject to a security interest when the debtor is in default under a security agreement. Unless the goods may be repossessed without the use of force, they shall be repossessed by legal process. Not less than fourteen days before he repossesses, the secured party may, if he so desires, give written notice to the debtor of his intention to repossess. The notice shall state the default and the period, if any, at the end of which the goods may be repossessed, and shall briefly state the debtor's rights in case the goods are repossessed.

(b) Within five days after goods are repossessed, the secured party shall give written notice to the debtor stating briefly (1) that the goods, including a general description thereof, have been repossessed; (2) the debtor's right to redeem and the amount payable therefor; (3) the debtor's rights as to a resale and his liability for a deficiency; and (4) the exact address where any payment is to be made or notice sent.

(c) After default and repossession of the goods and subject to the provisions of this section and section thirteen J the secured party may sell or otherwise dispose of the goods, the sale or disposition to be carried out in a commercially reasonable manner. Not less than five days before such sale or disposition, the secured party shall give written notice of the time and place of any public sale or of the time after which any private sale or other intended disposition is to be made. The notice may be combined with that required by paragraph (b). The proceeds of any disposition shall be applied in the following manner: