

## ARTICLE XII

### FUNCTIONS OF GOVERNMENT

#### Editor's Note

The amendment ratified by 1971 Act No 63 (1971 (57) 46) revised and rewrote this article, formerly entitled "Charitable and Penal Institutions," substituting present Section Section 1 to 3 for former Section Section 1 to 9. The amendment ratified by 1971 Act No 224 (1971 (57) 237) amended Section 9 of the article as it stood before the revision.

#### **SECTION 1.** Matters of public concern; General Assembly to provide appropriate agencies.

The health, welfare, and safety of the lives and property of the people of this State and the conservation of its natural resources are matters of public concern. The General Assembly shall provide appropriate agencies to function in these areas of public concern and determine the activities, powers, and duties of such agencies. (1970 (56) 2683; 1971 (57) 46.)

#### **SECTION 2.** Institutions for confinement of persons convicted of crimes.

The General Assembly shall establish institutions for the confinement of all persons convicted of such crimes as may be designated by law, and shall provide for the custody, maintenance, health, welfare, education, and rehabilitation of the inmates. (1970 (56) 2683; 1971 (57) 46.)

#### **SECTION 3.** Separate confinement of juvenile offenders.

The General Assembly shall provide for the separate confinement of juvenile offenders under the age of seventeen from older confined persons. (1970 (56) 2683; 1971 (57) 46.)

#### Editor's Note

The present provisions of this section are somewhat similar to former Section 7 of Article XII as it existed prior to the 1971 revision. For similar provisions in Constitution of 1868, see Const 1868, Art X, Section 8.

#### **SECTION 4.** Reserved.

#### **SECTION 5.** Reserved.

#### **SECTION 6.** Reserved.

#### **SECTION 7.** Reserved.

#### **SECTION 8.** Reserved.

#### **SECTION 9.** Control of convicts.

The Penitentiary and the convicts thereto sentenced shall forever be under the supervision and control of officers employed by the State; and in case any convicts are hired or farmed out, as may be provided by law, their maintenance, support, medical attendance and discipline shall be under the direction of officers detailed for those duties by the authorities of the Penitentiary. Provided, however, that the General Assembly may authorize the Department of Corrections to transfer inmates to correctional institutions of other states or the federal government for confinement, treatment or rehabilitation when such transfers are deemed to be in the best interest of the inmate concerned. (1969 (56) 930; 1971 (57) 237.)