

AN ACT

RELATING TO CORRECTIONS; INCREASING STAFFING LEVELS;  
UPGRADING THE INMATE CLASSIFICATION SYSTEM, THE CRIMINAL  
MANAGEMENT INFORMATION SYSTEM AND AUDITING OF CONTRACTS FOR  
CORRECTIONAL SERVICES; INCREASING SALARIES FOR CORRECTIONAL  
OFFICERS; CREATING A JOINT INTERIM LEGISLATIVE CORRECTIONS  
OVERSIGHT COMMITTEE; MAKING APPROPRIATIONS; DECLARING AN  
EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. FINDINGS--APPROPRIATIONS TO THE CORRECTIONS  
DEPARTMENT.--

A. The legislature finds that "The Consultants'  
Report on Prison Operations in New Mexico Correctional  
Institutions", dated January 14, 2000, is a comprehensive  
work that sets forth viable solutions to problems that have  
plagued the correctional system for years. The report  
includes recommendations offered by the consultants as a  
guide to improving corrections operations in New Mexico. The  
legislature also finds that those recommendations include  
suggestions that should be implemented immediately, matters  
that should be studied carefully in preparation for  
implementation during the 2001 legislative session and,  
finally, systemic recommendations that will evolve over the  
course of several years. Therefore, the legislature finds it  
is necessary to appropriate money for the consultants'

recommendations that must be implemented immediately, including funding for an improved inmate classification system, funding for increased efforts to reduce gang influence in correctional facilities, funding for improved auditing of private vendors who provide correctional services to the state, funding to provide salary increases for correctional officers and funding to renovate the penitentiary of New Mexico south identically or substantially similar to its current design and security features for use as a close-custody facility.

B. The legislature further finds that the consultants' report advises the state to immediately address the possibility of renegotiating the contracts for the Lea county and Guadalupe county facilities. The parties to the contracts are strongly urged to heed that specific recommendation.

C. The following amounts are appropriated from the general fund to the corrections department for expenditure in fiscal years 2000 and 2001 for the following purposes:

(1) fifty thousand dollars (\$50,000) to perform an inmate classification study and to implement changes to the inmate classification system;

(2) sixty-six thousand six hundred dollars (\$66,600) to pay salaries and benefits for two additional full-time employees for the bureau of classification at the

central New Mexico correctional facility;

(3) four hundred eighty-six thousand two hundred dollars (\$486,200) to pay salaries and benefits for fourteen additional full-time employees to serve as security threat group officers;

(4) ninety thousand seven hundred dollars (\$90,700) to provide salaries and benefits for two additional full-time employees to serve as compliance auditors who audit private contracts entered into by the state for correctional services;

(5) one hundred seventy thousand three hundred dollars (\$170,300) to provide salaries and benefits for three additional full-time employees to support the criminal management information system; and

(6) six hundred fifty-four thousand seven hundred dollars (\$654,700) to provide a salary upgrade for correctional officers.

D. Any unexpended or unencumbered balance remaining at the end of fiscal year 2001 shall revert to the general fund.

Section 2. CORRECTIONS OVERSIGHT COMMITTEE CREATED--TERMINATION.--There is created a joint interim legislative committee that shall be known as the "corrections oversight committee". The committee shall function from the date of its appointment until the first day of December prior to the

first session of the forty-seventh legislature.

Section 3. MEMBERSHIP--APPOINTMENT--VACANCIES.--

A. The corrections oversight committee shall be composed of eight members. Four members of the house of representatives shall be appointed by the speaker of the house of representatives. Four members of the senate shall be appointed by the senate committees' committee or, if the senate appointments are made in the interim, by the president pro tempore of the senate after consultation with and agreement of a majority of the members of the senate committees' committee.

B. Members shall be appointed from each house so as to give the two major political parties in each house equal representation on the corrections oversight committee as prevails in each house. However, in no event shall either party have less than one member from each house on the committee. The speaker of the house of representatives and the president pro tempore of the senate shall each appoint a co-chairman of the committee.

C. A vacancy on the corrections oversight committee shall be filled by appointment in the same manner as the original appointment.

D. No action shall be taken by the corrections oversight committee if a majority of the total membership from either house on the committee rejects the action.

Section 4. DUTIES--SUBPOENA POWER--COOPERATION.--

A. After its appointment, the corrections oversight committee shall hold one organizational meeting to develop a work plan and budget for the ensuing interim. The work plan and budget shall be submitted to the New Mexico legislative council for approval.

B. Upon approval of the work plan and budget by the New Mexico legislative council, the corrections oversight committee shall:

(1) oversee implementation of the recommendations set forth in the January 14, 2000 document entitled "The Consultants' Report on Prison Operations in New Mexico Correctional Institutions";

(2) assess the feasibility of expanding community corrections programming as a means to reduce the inmate population;

(3) monitor other issues related to the operation of public and private correctional facilities; and

(4) recommend legislation or changes, if they are found to be necessary, to the legislature.

~~C. The corrections oversight committee shall have the power to conduct hearings and to administer oaths. The committee shall have the power to subpoena, which may be enforced through any district court of the state. The subpoena power shall be used only upon approval by a majority~~

~~of committee members, shall be related to the committee's powers and duties specified in this section and shall be within the scope of the January 14, 2000 document entitled "The Consultants' Report on Prison Operations in New Mexico Correctional Institutions". Service of committee process shall be made by any sheriff or any member of the New Mexico state police and shall be served without cost to the committee.~~

D. The corrections department and every other state agency and political subdivision of the state shall, upon request, furnish and make available to the corrections oversight committee documents, material or information requested by the members of the committee or its staff.

Section 5. SUBCOMMITTEES.--

A. Subcommittees shall be created only by majority vote of all members appointed to the corrections oversight committee and with the prior approval of the New Mexico legislative council. A subcommittee shall be composed of at least one member from the senate and one member from the house of representatives, and at least one member of the minority party shall be a member of the subcommittee.

B. All meetings and expenditures of a subcommittee shall be approved by the full corrections oversight committee in advance of subcommittee meetings or expenditures, and the approval shall be shown in the minutes of the committee.

Section 6. REPORT.--The corrections oversight committee shall make a report of its findings and recommendations for the consideration of the first session of the forty-fifth legislature; the second session of the forty-fifth legislature; the first session of the forty-sixth legislature; the second session of the forty-sixth legislature; and the first session of the forty-seventh legislature. The reports and suggested legislation shall be made available to the New Mexico legislative council on or before December 15 preceding each session.

Section 7. STAFF.--The staff for the corrections oversight committee shall be provided by the legislative council service. The legislative council service may also contract for staff services for the corrections oversight committee.

Section 8. APPROPRIATION.--One hundred thousand dollars (\$100,000) is appropriated from the cash balances of the legislative council service to the legislative council service for expenditure in fiscal years 2000 and 2001 for the operation of and staffing of the corrections oversight committee. Any unexpended or unencumbered balance remaining at the end of fiscal year 2001 shall revert to the cash balances of the legislative council service.

Section 9. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect

immediately. \_\_\_\_\_