

AN ACT

RELATING TO CORRECTIONS; CREATING AN INMATE FORESTRY WORK  
CAMP PROGRAM FOR MINIMUM SECURITY INMATES; PROVIDING POWERS  
AND DUTIES; CREATING A FUND; MAKING AN APPROPRIATION.

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

Section 1. SHORT TITLE. -- This act may be cited as the  
"Inmate Forestry Work Camp Act".

Section 2. DEFINITIONS. -- As used in the Inmate  
Forestry Work Camp Act:

- A. "department" means the corrections department;
- B. "forestry division" means the forestry  
division of the energy, minerals and natural resources  
department;
- C. "program" means the inmate forestry work camp  
program; and
- D. "work camp" means a minimum security facility  
operated by the department that houses inmates training or  
working in the program.

Section 3. INMATE FORESTRY WORK CAMP PROGRAM - PURPOSE -  
- LIMITATION. --

A. The department and the forestry division shall  
jointly establish the "inmate forestry work camp program" to  
provide inmate labor for natural resource work planned by the  
forestry division. The purpose of the program is to use

minimum security male and female inmates to work on natural resource projects on public lands, fire suppression and emergency response activities as directed in an emergency declaration issued by the governor.

B. The program is not an inmate-release program pursuant to the provisions of Sections 33-2-43 through 33-2-47 NMSA 1978.

Section 4. INMATE ELIGIBILITY.--The department shall screen and classify applicants for the program. To be eligible, an applicant must meet all of the standards provided in Section 33-2-44 NMSA 1978 and not be serving a sentence for first or second degree murder.

Section 5. WORK CAMPS.--The department may establish work camps as needed for the custody of inmates participating in the program.

Section 6. INMATES NOT EMPLOYEES.--An inmate participating in the program shall not be considered an employee of the state or of any other person deriving benefits from inmate services pursuant to the program. An inmate participating in the program shall not be covered by the provisions of the Workers' Compensation Act or be entitled to benefits pursuant to that act, whether on behalf of himself or another person. Inmates participating in the program may be compensated as provided in Section 33-2-26 NMSA 1978.

Section 7. FORESTRY DIVISION--INTERAGENCY COOPERATION--PROGRAM PARTICIPATION.--The forestry division shall cooperate with the department in the development and implementation of the program and shall:

A. plan and develop natural resource projects and provide technical direction and supervision for activities carried out by inmates participating in the program;

B. provide instruction in forestry and natural resource issues to inmates participating in the program; and

C. provide direction and instruction in the use of tools and equipment and conduct safety training for inmates participating in the program.

Section 8. INMATE FORESTRY WORK CAMP FUND.--The "inmate forestry work camp fund" is created in the state treasury. All money received by the department or the forestry division from public land management agencies for work performed by inmates in the program shall be deposited in the fund. Money in the fund shall not revert at the end of a fiscal year. Money in the fund is appropriated to the forestry division to administer the program, including acquisition of tools and equipment and expenses incurred by the forestry division or the department in planning and supervising program projects. Disbursements from the fund shall be made upon warrants drawn by the secretary of finance and administration pursuant to vouchers signed by the director of the forestry division or his authorized

representative. \_\_\_\_\_