SENATE BILL 85

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Steve Komadina

AN ACT

RELATING TO STATE PARKS; PROVIDING STATE PARK LAW ENFORCEMENT
OFFICERS WITH AUTHORITY TO PROVIDE ASSISTANCE TO FULL-TIME
PEACE OFFICERS; AMENDING A SECTION OF THE NMSA 1978.

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

    Section 1. Section 16-2-30 NMSA 1978 (being Laws 1935,
Chapter 57, Section 17, as amended) is amended to read:

    "16-2-30. POLICE POWERS VESTED IN DIRECTOR AND [PARK AND
RECREATION] STATE PARKS EMPLOYEES DESIGNATED BY THE
SECRETARY.--

         A. The director of the state parks division and
[such state park and recreation] state parks division employees
[as may be] designated by the secretary are vested with general
police power and with the authority of conservators of the
peace within state parks and recreation areas [and]. It shall

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1   be their duty to enforce the laws of the state and the rules

2   and regulations of the energy, minerals and natural resources

3   department within state parks and recreation areas [and].   They

4   shall have the further power of forcibly ejecting from [any] a

5   state park or recreation area [any and all persons] a person

6   who knowingly, willfully or wantonly [violate any] violates a

7   rule or regulation of the department within a state park or

8   recreation area.

9   B.   State park law enforcement officers, in

10   emergency situations, shall be considered on duty and within

11   the scope of their employment for employee benefits when they

12   follow specific instructions from a duly qualified full-time

13   peace officer and aid the peace officer in carrying out his

14   duties.   The secretary shall expand insurance coverage to

15   provide protection for those situations."

16   Section 2.   EFFECTIVE DATE.--The effective date of the

17   provisions of this act is July 1, 2003.

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