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HOUSE BILL 281

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

MAX COLL

AN ACT

RELATING TO CORRECTIONS; PROVIDING THAT ADULT MALE INMATES
TRANSFERRED TO OUT-OF-STATE CORRECTIONAL FACILITIES SHALL BE
INCARCERATED THERE FOR A LIMITED PERIOD OF TIME; MAKING AN
APPROPRIATION; DECLARING AN EMERGENCY.

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

Section 1. ADULT MALE INMATES TRANSFERRED TO OUT-OF-STATE
CORRECTIONAL FACILITIES--LIMITED PERIOD OF TIME.--Adult male
inmates transferred to out-of-state correctional facilities for
the purpose of relieving overcrowding in New Mexico correctional
facilities may be kept in out-of-state correctional facilities
for a period of no longer than nine months.

Section 2. APPROPRIATION.--Two million five hundred
thousand dollars (\$2, 500, 000) is appropriated from the general
fund to the corrections department for expenditure in fiscal

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1 year 1997 for the purpose of paying for adult male inmates
2 transferred to out-of-state correctional facilities to relieve
3 overcrowding in state correctional facilities and paying for
4 accompanying costs, including medical costs and transportation
5 costs. Any unexpended or unencumbered balance remaining at the
6 end of fiscal year 1997 shall revert to the general fund.

7 Section 3. EMERGENCY. --It is necessary for the public
8 peace, health and safety that this act take effect immediately.

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**State of New Mexico
House of Representatives**

**FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997**

February 22, 1997

Mr. Speaker:

**Your APPROPRIATIONS AND FINANCE COMMITTEE, to
whom has been referred**

HOUSE BILL 281

**has had it under consideration and reports same with
recommendation that it DO NOT PASS, but that**

**HOUSE APPROPRIATIONS AND FINANCE COMMITTEE
SUBSTITUTE FOR HOUSE BILL 281**

DO PASS.

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

HAEC/HB281

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Respectfully submitted,

Max Coll, Chairman

Adopted _____

Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 16 For 0 Against

Yes: 16

Excused: Salazar

Absent: None

M \H0281

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HOUSE APPROPRIATIONS AND FINANCE COMMITTEE SUBSTITUTE FOR
HOUSE BILL 281

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

AN ACT

RELATING TO CORRECTIONS; PROVIDING THAT ADULT MALE INMATES
TRANSFERRED TO OUT-OF-STATE CORRECTIONAL FACILITIES SHALL BE
INCARCERATED THERE FOR A LIMITED PERIOD OF TIME; MAKING
APPROPRIATIONS; DECLARING AN EMERGENCY.

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

Section 1. ADULT MALE INMATES TRANSFERRED TO OUT-OF-STATE
CORRECTIONAL FACILITIES--LIMITED PERIOD OF TIME. --Adult male
inmates transferred to out-of-state correctional facilities for
the purpose of relieving overcrowding in New Mexico correctional
facilities may be kept in out-of-state correctional facilities
for a period of up to twelve months.

Section 2. TEMPORARY PROVISION--EARLY RELEASE. --In fiscal
years 1997 and 1998 if inmates of a custody class are in out-of-
state facilities, the corrections department shall consider for
emergency release either in-state or out-of-state incarcerated
nonviolent offender inmates in that custody class who are within

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1 thirty days of projected release.

2 Section 3. APPROPRIATION. --One million one hundred
3 thousand dollars (\$1,100,000) is appropriated from the general
4 fund to the corrections department for expenditure in fiscal
5 year 1997 for the purpose of paying for adult male inmates
6 transferred to out-of-state correctional facilities to relieve
7 overcrowding in state correctional facilities and paying for
8 accompanying costs, including medical costs and transportation
9 costs. Any unexpended or unencumbered balance remaining at the
10 end of fiscal year 1997 shall revert to the general fund.

11 Section 4. APPROPRIATION. --One million eight hundred
12 thousand dollars (\$1,800,000) is appropriated from the general
13 fund to the corrections department for expenditure in fiscal
14 year 1998 for the purpose of paying for adult male inmates
15 transferred to out-of-state correctional facilities and paying
16 for accompanying costs, including medical costs and
17 transportation costs. Any unexpended or unencumbered balance
18 remaining at the end of fiscal year 1998 shall revert to the
19 general fund.

20 Section 5. EMERGENCY. --It is necessary for the public
21 peace, health and safety that this act take effect immediately.