

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE BILL 654

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

J. "Andy" Kissner

AN ACT

RELATING TO CORRECTIONS; PROVIDING THAT THE CORRECTIONS INDUSTRIES DIVISION MAY SELL SERVICES AND PRODUCTS TO ENTITIES THAT PROVIDE CORRECTIONAL SERVICES TO THE CORRECTIONS DEPARTMENT.

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

Section 1. Section 33-8-12 NMSA 1978 (being Laws 1981, Chapter 127, Section 12, as amended) is amended to read:

"33-8-12. PRODUCTS--SALE--LABELING REQUIREMENT--PENALTY--EXCEPTIONS.--

A. No product or service manufactured or provided in whole or in part by inmate labor shall be sold or furnished except to a qualified purchaser; provided that such products may be resold by the user for purposes of salvage. As used in this subsection, "qualified purchaser" means:

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

- 1 (1) a state agency;
- 2 (2) local public bodies;
- 3 (3) the state agencies of other states and
- 4 their local public bodies;
- 5 (4) agencies of the federal government;
- 6 (5) tribal and pueblo governments;
- 7 (6) nonprofit organizations properly
- 8 registered under state law and supported wholly or in part by
- 9 funds derived from public taxation;
- 10 (7) persons, partnerships, corporations or
- 11 associations that provide public school transportation
- 12 services to a state agency or local public body pursuant to
- 13 contract; [~~and~~]
- 14 (8) any business engaged primarily in the
- 15 manufacture or resale of the same type of product;
- 16 (9) a person, partnership, corporation or
- 17 association that provides correctional services to the
- 18 corrections department pursuant to a contract; and
- 19 (10) a person, partnership, corporation or
- 20 association that houses inmates on behalf of the corrections
- 21 department.

22 B. Every product manufactured pursuant to the

23 provisions of the Corrections Industries Act shall be

24 distinctively identified as inmate-made by brand, label or

25 mark consistent with the type and character of the product.

underscored material = new
[bracketed material] = delete

1 Every product manufactured pursuant to the provisions of the
2 Corrections Industries Act may be certified pursuant to the
3 federal private sector prison industry enhancement
4 certification program.

5 C. Any person who violates the provisions of
6 Subsection A of this section is guilty of a misdemeanor and
7 upon conviction shall be sentenced to imprisonment in the
8 county jail for a definite term not to exceed six months or to
9 the payment of a fine of not more than one thousand dollars
10 (\$1,000) or to both imprisonment and fine in the discretion of
11 the judge.

12 D. The provisions of this section shall not apply
13 to products produced pursuant to Section 33-8-13 NMSA 1978.

14 E. Notwithstanding the provisions of Subsection A
15 of this section, to assure the most effective use of
16 state-owned land, produce from agricultural and animal
17 husbandry enterprises may be sold to commercial sources upon
18 review and recommendation of the commission and pursuant to
19 procedures, including audit, established by the secretary of
20 finance and administration. "

21 Section 2. EFFECTIVE DATE. --The effective date of the
22 provisions of this act is July 1, 1999.

1 FORTY-FOURTH LEGISLATURE

2 FIRST SESSION, 1999

3
4
5
6 February 23, 1999

7
8 Mr. Speaker:

9
10 Your GOVERNMENT AND URBAN AFFAIRS COMMITTEE, to
11 whom has been referred

12
13 HOUSE BILL 654

14
15 has had it under consideration and reports same with
16 recommendation that it DO PASS, and thence referred to the
17 APPROPRIATIONS AND FINANCE COMMITTEE.

18 Respectfully submitted,

19
20
21
22 _____
23 James G. Taylor, Chairman
24
25

FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

HGUAC/HB 654

Page 5

Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 7 For 0 Against

Yes: 7

Excused: None

Absent: None

J: \99BillSWP\H0654

underscored material = new
[bracketed material] = delete

1 FORTY- FOURTH LEGISLATURE
2 FIRST SESSION, 1999

3
4 February, 26, 1999

5
6
7 Mr. Speaker:

8
9 Your APPROPRIATIONS AND FINANCE COMMITTEE, to
10 whom has been referred

11 HOUSE BILL 654

12
13 has had it under consideration and reports same with
14 recommendation that it DO PASS.

15
16 Respectfully submitted,

17
18
19
20 _____
21 Max Coll, Chair man
22
23
24
25

underscored material = new
[bracketed material] = delete

FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

Page 9

Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 13 For 0 Against

Yes: 13

Excused: Coll, Picraux, Wallace, Watchman

Absent: None

J: \99BillsWP\H0654

underscored material = new
[bracketed material] = delete

FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

Page 12

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

March 6, 1999

Mr. President:

Your CORPORATIONS & TRANSPORTATION COMMITTEE, to
whom has been referred

HOUSE BILL 654

has had it under consideration and reports same with
recommendation that it DO PASS.

Respectfully submitted,

Roman M. Maes, Chairman

. 127478. 1

underscored material = new
[bracketed material] = delete

FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Adopted _____ Not

Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 6 For 0 Against

Yes: 6

No: 0

Excused: Aragon, Kysar, Rawson, Robinson

Absent: None

H0654CT1

underscored material = new
[bracketed material] = delete

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

FORTY- FOURTH LEGISLATURE
FIRST SESSION

March 20, 1999

HOUSE FLOOR AMENDMENT number _____ to SENATE BILL 654

Amendment sponsored by Representative Jerry W. Sandel

1. On page 2, line 3, after the word "offices" insert the words
"or lounges".

Representative Jerry W. Sandel

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

underscored material = new
[bracketed material] = delete

FORTY- FOURTH LEGISLATURE
FIRST SESSION

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HF1/ HB 62

Page 15

Date _____

underscored material = new
~~[bracketed material]~~ = del ete