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SENATE BILL 437

**44TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION,  
2000**

INTRODUCED BY

Michael S. Sanchez

AN ACT

RELATING TO CORRECTIONS; CREATING A JOINT INTERIM LEGISLATIVE  
CORRECTIONS OVERSIGHT COMMITTEE; MAKING AN APPROPRIATION.

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

Section 1. CORRECTIONS OVERSIGHT COMMITTEE CREATED--  
TERMINATION.--There is created a joint interim legislative  
committee which 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 2. MEMBERSHIP--APPOINTMENT--VACANCIES.--

A. The corrections oversight committee shall be  
composed of six members. Three members of the house of  
representatives shall be appointed by the speaker of the  
house of representatives. Three members of the senate shall  
be appointed by the senate committees' committee or, if the

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1 senate appointments are made in the interim, by the president  
2 pro tempore of the senate after consultation with and  
3 agreement of a majority of the members of the senate  
4 committees' committee.

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

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

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

19 Section 3. DUTIES--SUBPOENA POWER--COOPERATION.--

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

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

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

5 (2) monitor other issues related to the  
6 operation of public and private correctional facilities; and  
7

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

10 C. The corrections oversight committee shall have  
11 the power to conduct hearings and to administer oaths. The  
12 committee shall have the power to subpoena, which may be  
13 enforced through any district court of the state. Service of  
14 committee process shall be made by any sheriff or any member  
15 of the New Mexico state police and shall be served without  
16 cost to the committee.

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

22 Section 4. SUBCOMMITTEES.--

23 A. Subcommittees shall be created only by majority  
24 vote of all members appointed to the corrections oversight  
25 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

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1 house of representatives, and at least one member of the  
2 minority party shall be a member of the subcommittee.

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

7 Section 5. REPORT.--The corrections oversight committee  
8 shall make a report of its findings and recommendations for  
9 the consideration of the first session of the forty-fifth  
10 legislature; the second session of the forty-fifth  
11 legislature; the first session of the forty-sixth  
12 legislature; the second session of the forty-sixth  
13 legislature; and the first session of the forty-seventh  
14 legislature. The reports and suggested legislation shall be  
15 made available to the New Mexico legislative council on or  
16 before December 15 preceding each session.

17 Section 6. STAFF.--The legislative council service may  
18 contract for staff services for the corrections oversight  
19 committee.

20 Section 7. APPROPRIATION.--One hundred thousand dollars  
21 (\$100,000) is appropriated from the general fund to the  
22 legislative council service for expenditure in fiscal years  
23 2000 and 2001 for the operation of and staffing of the  
24 corrections oversight committee. Any unexpended or  
25 unencumbered balance remaining at the end of fiscal year 2001  
shall revert to the general fund.