



**Summary of
2007 LAWS
of Interest to
Municipalities**

May, 2007

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PREFACE

New Mexico Chapter Laws are numbered in the order in which the Governor signs them. If one or more chapters amended the same section of existing statutes, the version that becomes law is the version in the last bill signed.

The Governor has line-item veto power over bills containing appropriations. Partial vetoes are designated by striking through the deleted language.

The designation “CS/” or “FL/” before a bill means “Committee Substitute” or “Floor Substitute” indicating that a House or Senate Committee or the entire House or Senate, during a floor session, passed a rewritten version in place of the original bill.

The effective date of the signed bill is shown at the end of the chapter summary. Unless a specific effective date is listed in the bill, it is effective 90 calendar days after the close of the session (June 15 this year) or, if it is an appropriation, on July 1, the beginning of the new fiscal year. Bills with an emergency clause (*) become effective on the date signed by the Governor.

Proposed Constitutional Amendments (CA) are in the form of joint resolutions passed by both houses and are numbered in order of final passage. They do not require the Governor’s signature, but are enacted if they receive voter approval by a majority vote at a statewide general or special election.

Joint Resolutions and Memorials are expressions of intent and usually request state agencies or committees to perform some task and report back to the Legislature. They have passed both houses, but do not require the Governor’s signature. Memorials are also expressions of intent or request for some action but need only pass the house in which they were introduced. They do not require the Governor’s signature.

All bills that were vetoed by the Governor this year are reported at the end of the Summary. A “pocket veto” designation means the Governor took no action on the bill within the required time limit. This effectively vetoes the measure.

*Santa Fe, New Mexico
May, 2007*

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2007 SUMMARY OF NEW MEXICO LAWS of Interest to Municipalities

Chapter 2 (pv)

***SB 710**

CAPITAL OUTLAY PROJECTS – GF (Sanchez, M.). Appropriates money from the General Fund for numerous municipal projects. A summary may be found at the New Mexico Legislature’s web site at <http://legis.state.nm.us> under Capital Outlay. EMERGENCY CLAUSE. Effective 3/1/07.

Chapter 6

SB 10

PROHIBIT COCKFIGHTING (Garcia). Amends §30-18-9 to prohibit cockfighting in New Mexico; makes it unlawful to train, equip or sponsor a cockfight for monetary gain or entertainment. Effective 6/15/07.

Chapter 7

HB 53

WATER TRUST BOARD MEMBERSHIP & CHAIRPERSON (Nunez). Amends §72-4A-4. Increases the Water Trust Board from 15 to 16 members by adding the Secretary of Finance and Administration or designee; provides for designees for the other specified members; provides for election of the Board chair by a quorum of the members. Effective 6/15/07.

Chapter 10

HB 115

BOLO TIE AS OFFICIAL NEW MEXICAN TIE (Tripp). Adopts the bolo tie as the official tie of New Mexico. Effective 6/15/07.

Chapter 16

HB 507

WILDLAND FIREFIGHTER CRIMINAL LIABILITY (Gardner). Provides that employees or agents of governmental entities who authorize volunteer firefighters not certified according to national wildland firefighting standards to respond to wildland fires shall not be subject to criminal liability solely for allowing those volunteer firefighters to engage in firefighting activities. Effective 6/15/07.

Chapter 17

HB 510

HEALTH INSURANCE: COLORECTAL SCREENING COVERAGE (Barreras). Enacts one new section of Chapter 59A-22 & 24. Requires that individual, blanket or group health insurance policies, health care plans and HMOs provide coverage for colorectal screening as determined by the health care provider in accordance with the evidence-based recommendations established by the United States Preventive Services Task Force; coverage may be subject to deductibles and coinsurance consistent with those imposed on other benefits under the same policy. Effective 6/15/07.

Chapter 18

HB 613

BREAST PUMP USE IN WORKPLACES (Picraux). Enacts a new section to require employers, including the state and its political subdivisions, to provide a space for using a breast pump by nursing mothers that is: clean and private; near the employee’s workplace, not a bathroom, and to provide flexible break times. The employer shall not be liable for: storage or refrigeration of breast milk, payment for a nursing mother’s break time in addition to established employee breaks; or, payment of overtime while a nursing mother is using a breast pump. Effective 6/15/07.

Chapter 20

CS/HB 283

DEE JOHNSON CLEAN INDOOR AIR ACT. Amends §§24-16-1, 3 & 4; enacts 9 new sections. Renames the Clean Indoor Act as the Dee Johnson Clean Indoor Air Act, in honor of the former First Lady. Prohibits smoking in any indoor workplace or indoor public place, or in buses, taxicabs or other means of public transit not specifically exempted by this Act; defines “indoor public place” as the

enclosed area in any governmental or nongovernmental place to which the public is invited or permitted regardless of whether work of public business, meetings or hearings occur at any given time; “indoor workplace” is any enclosed place where one or more persons engage in work, including areas such as lobbies, offices, meeting rooms, break rooms, hallways, elevators and restrooms. Areas where smoking is permitted are: private residences, except during business hours when used for child, adult or health care; retail tobacco stores; cigar bars, tobacco factories, licensed gaming facilities; state-approved smoking cessation program and tobacco research sites; designated outdoor smoking areas; private clubs, privately hired limousines; hotel or motel rooms designated as smoking permitted rooms; enclosed areas within restaurants, bars, hotel and motel conference or meeting rooms while being used for private functions; sites used in connection with Native American ceremonies in accordance with federal law; businesses with fewer than two employees, with certain conditions; and, motion picture sets when necessary as part of the production. No more than 25% of smoking rooms in hotels and motels may be designated as smoking rooms. Prohibits smoking near entrances, windows and ventilation systems of all workplaces and public places where smoking is prohibited by this Act; outdoor smoke-free areas must be of sufficient distance to ensure that persons entering and leaving are not subjected to the smoke and to ensure the smoke does not enter the building; requires employers to adopt, implement, post and maintain a written smoking policy pursuant to this Act; requires employers to post signs designating no smoking and smoking permitted areas and sets requirements for their posting. Local fire, police and sheriff’s departments shall enforce the Act by issuing citations; allows persons to register complaints regarding violations with local law enforcement; authorizes law enforcement to inspect establishments for compliance with the Act; makes it unlawful for building owners or managers to violate provisions of the Act, but they are not subject to a penalty as long as they have posted signs, implemented policy, and informed the person smoking that they are in violation; establishes penalties for persons 18 years of age or older as follows: first violation – fine of up to \$100; second violation within 12 months – up to \$200; and third and subsequent violations within 12 months – up to \$500. Prohibits retaliation by employers against an employee for exercising any rights under the Act. The Act does not preempt or preclude specific provisions of municipal or county ordinances, provided that the provisions are inclusive of all minimum standards and provisions for smoke-free areas in this Act; repeals Sections 24-16-5 through 11 of the current Clean Indoor Air Act. Effective 6/15/07.

Chapter 21 (pv) **CS/SB 611**

STATE AGENCY EXPENDITURES. Makes appropriations from different funds to state agencies for the following local projects: **Alamogordo** - \$57,500 for the Flickinger Center for Performing Arts; **Albuquerque** - \$50,000 to promote economic development and revitalization of the West Central Corridor by contracting with a community organization and 10 neighborhood associations; \$40,000 for a science fair; \$40,000 for community policing rapid response; \$45,000 for outreach programs at the Children’s Museum; \$65,000 for a summer ballet program; \$25,000 for the shooting range park; **Columbus** - \$100,000 for ambulance and emergency services; **Cuba** - \$75,000 to contract for ambulance services; **Española** - \$15,000 to plan a promote a fiesta; **Encino** - \$12,000 to pay for bookkeeping and accounting services; **Farmington** - \$104,000 for education and sports programs; **Estancia** - \$40,000 for a trolley operational expenses; **Las Cruces** - \$20,000 for community youth programs; \$30,000 for homeless veterans shelter services; **Los Ranchos de Albuquerque** - \$25,000 for fetal alcohol awareness media campaign; **Mesilla** - \$50,000 for the annual border book festival; **Northwest Council of Governments and South Central Council of Governments** - \$20,000 to develop regional transit plans; **Northwest Council of Governments** - \$50,000 to develop a regional transit plan; \$35,000 to develop a native heritage scenic byways plan; **Pecos** - \$25,000 to update technology and train staff; \$60,000 for an ambulance; **Roswell** - \$30,000 for a youth center operational expenses; \$30,000 for domestic violence shelter operations; **Ruidoso Downs** - \$43,700 for domestic violence programs; **Santa Fe** - \$50,000 for the International Folk Art Market; \$50,000 to contract with a children’s museum for children’s art and education programs; \$75,000 to support performances of

traditional and contemporary Native American performing arts; **Tijeras** - \$30,000 for Los Vecinos community center; **Statewide** - \$192,000 for animal sheltering services; \$100,000 for the Spaceport Authority operational expenses; \$50,000 for MainStreet Program operational expenses. Effective 6/15/07.

Chapter 31
SB 886

STRATEGIC WATER RESERVE INFRASTRUCTURE (Cisneros). Authorizes the Interstate Stream Commission to develop, construct, operate and maintain infrastructure for a strategic water reserve. Effective 7/1/07.

Chapter 32
***HB 24**

NMFA PUBLIC PROJECT REVOLVING FUND PROJECTS (Varela). Authorizes the New Mexico Finance Authority to make loans from the Public Project Revolving Fund for the following municipal projects: **Alamogordo:** roads and infrastructure; **Albuquerque:** roads and infrastructure; **Angel Fire:** roads, building, equipment, refinancing and infrastructure; **Artesia:** equipment, building, infrastructure, refinancing, water, wastewater, water rights, solid waste, road and land projects; **Aztec:** equipment, building, infrastructure, refinancing, water, wastewater, water rights, solid waste, road and land projects; **Carrizozo:** building, equipment, road and infrastructure projects; **Bayard:** equipment, building, infrastructure, land, road and refinancing; **Belen:** roads, equipment, building, refinancing and infrastructure; **Bernalillo:** roads, water rights and infrastructure; **Bosque Farms:** roads and infrastructure; **Capitan:** roads, building and infrastructure; **Chama:** equipment, building, infrastructure, refinancing, water, wastewater, water rights, solid waste, road and land projects; **Cimarron:** roads and infrastructure; **Clayton:** roads and infrastructure; **Cloudcroft:** roads and infrastructure; **Clovis:** roads and infrastructure; **Columbus:** equipment, land, building, infrastructure, refinancing, road and water projects; **Des Moines:** equipment, building, refinancing and infrastructure; **Deming:** equipment, building, infrastructure, refinancing, land, road and water projects; **Dexter:** roads and infrastructure; **Eagle Nest:** roads, building, equipment, refinancing and infrastructure; **Elida:** roads and infrastructure; **Espanola:** equipment, building, infrastructure, refinancing, water, wastewater, water rights, solid waste, road and land projects; **Estancia:** roads, building and infrastructure; **Eunice:** roads and infrastructure; **Farmington:** roads, building, equipment, refinancing and infrastructure; **Fort Sumner:** roads and infrastructure; **Gallup:** roads, equipment, building, refinancing, land and infrastructure; **Grants:** roads, building, equipment, refinancing and infrastructure; **Hatch:** roads, equipment, building and infrastructure; **Hope:** roads and infrastructure; **House:** roads and infrastructure; **Hurley:** roads and infrastructure; **Jal:** roads and infrastructure; **Jemez Springs:** roads and infrastructure; **Lake Arthur:** building, equipment and infrastructure projects; **Las Cruces:** equipment, building, infrastructure, refinancing, water, wastewater, water rights, solid waste, road and land projects; **Las Vegas:** roads and infrastructure; **Lordsburg:** equipment, building, infrastructure, water, roads and refinancing; **Los Alamos:** roads and infrastructure; **Los Lunas:** roads, building, equipment, refinancing and infrastructure; **Los Ranchos de Albuquerque:** roads, building, land, equipment and infrastructure; **Lovington:** roads and infrastructure; **Mesilla:** roads, equipment, building and infrastructure; **Milan:** roads and infrastructure; **Moriarty:** roads and infrastructure; **Mosquero:** roads and infrastructure; **Mountainair:** roads and infrastructure; **Pecos:** roads and infrastructure; **Questa:** roads, building, and infrastructure; **Raton:** roads and infrastructure; **Red River:** roads and infrastructure; **Rio Rancho:** roads and infrastructure; **Roswell:** roads, building, equipment, refinancing and infrastructure; **Roy:** roads and infrastructure; **Ruidoso Downs:** roads and infrastructure; **Santa Clara:** equipment, building, infrastructure, refinancing, water, roads and land; **San Ysidro:** roads and infrastructure; **Santa Fe:** roads and infrastructure; **Santa Rosa:** roads and infrastructure; **Silver City:** equipment, building, infrastructure, refinancing and roads; **Socorro:** roads and infrastructure; **Springer:** roads and infrastructure; **Sunland Park:** roads, equipment, building, and infrastructure; **Taos:** equipment, building, infrastructure, refinancing, water, wastewater, water rights, solid waste, road and land projects; **T or C:** roads and

infrastructure; **Tucumcari:** roads and infrastructure; **Vaughn:** roads and infrastructure; **Viriden:** roads and infrastructure; **Williamsburg:** roads and infrastructure; **Willard:** roads and infrastructure. EMERGENCY CLAUSE. Effective 3/15/07.

Chapter 33
HB 143

GRT DEDUCTION: COLLEGE SPECIAL EVENTS (Garcia, MH). Provides for a Gross Receipts Tax deduction from the gross receipts from admissions to non-athletic special events held at a venue located on a college campus within 50 miles of the New Mexico border and that accommodates at least 10,000 persons; applies from July 1, 2007 to June 30, 2012. Effective 6/15/07.

Chapter 35
HB 333

ROADSIDE MEMORIAL DESECRATION PENALTIES (Garcia, MP). Enacts one new section of the Criminal Code. Establishes a new crime of desecration of roadside memorials, known as descansos, that consists of knowingly or willfully defacing or destroying a descanso placed alongside a public road right of way to memorialize the death of one or more persons; 1st offense is a petty misdemeanor, 2nd and subsequent offenses are a misdemeanor; exempts law enforcement officials or other employees of the state or a political subdivision who remove a descanso that obstructs or damages a public road; also exempts owners of private property upon which a descanso is located. Effective 6/15/07.

Chapter 37
HB 508

CREATE UNIFORM CRIME REPORTING SYSTEM (Taylor, T). Enacts one new section. Requires the Department of Public Safety to develop, operate and maintain a uniform crime reporting system that shall be the central repository for collection, storage, retrieval and analysis of crime incident and arrest reports generated for all law enforcement agencies in the state; the new system shall be operational as of January 1, 2008; the data compiled shall be forwarded to the FBI or appropriate Department of Justice agency; D.P.S. shall also provide forms, standards and procedures and related training to state and local law enforcement for them to report incident and arrest activity for inclusion in the statewide system; D.P.S., in conjunction with the New Mexico Sentencing Commission, shall publish an annual report on the nature and extent of crime in New Mexico and submit it to the Governor and legislature; the report and other statistical data shall also be made available to state and local law enforcement agencies and the general public; requires every law enforcement agency in the state to: submit crime incident reports on the required forms; submit any other crime data that D.P.S. may require; and use the state uniform statutory charge codes for the automated fingerprint ID system and use uniform crime incident reporting as provided by D.P.S. for all incidents and arrests. Effective 6/15/07.

Chapter 38
HB 610

SOLAR COLLECTOR CONSTRUCTION STANDARDS (Stewart). Enacts two new sections, amends §71-6-6 & 7. Amends the Solar Collector Standards Act and the Construction Industries Licensing Act to require the Energy, Minerals & Natural Resources Department, the Construction Industries Division and the Construction Industries Commission to jointly promulgate rules, standards or codes that establish requirements for new construction that will accommodate the installation of solar collectors on new construction after the construction is otherwise complete. Redefines a passive system (under the exclusion from the definition of a “solar collector”) as a system that uses structural elements of a building to provide for the collection, storage and distribution of solar energy for heating or cooling without the use of a motor-driven fan or pump. Repeals §71-6-9. Effective 7/1/07.

Chapter 39
***HB 664**

HORSE RACING LICENSURE & REGULATION (Lujan, B). Repeals the current law and enacts a new Horse Racing Act to regulate horse racing; requires that \$150 of the \$650 daily pari-

mutuel tax imposed on Class A live racetrack licensees be paid to a municipality in which the racetrack is located, provided the municipality has a population of less than 6,000 located in a county with a population between 10,000 and 15,000, or, the municipality has a population between 8,000 and 10,000 located in a county with a population between 100,000 and 150,000. A Class A racetrack is one whose gross amount wagered in a year is \$10 million or more; prohibits any political subdivision of the state from imposing an occupational tax or excise tax on a racetrack licensee; permits local option gross receipts taxes to be imposed to the extent authorized and imposed by a subdivision of the state on a horse racetrack. EMERGENCY CLAUSE. Effective 3/15/07.

Chapter 42 (pv)
***CS/SB 827**

SEVERANCE TAX BOND PROJECTS. Authorizes Severance Tax Bonds for several local projects. A summary may be found at the New Mexico Legislature's web site at <http://legis.state.nm.us> under Capital Outlay. EMERGENCY CLAUSE. Effective 3/15/07.

Chapter 46
SB 289

STATUTORY LANGUAGE RECONCILIATIONS (Rodriguez). The bill makes changes to several sections of NMSA 1978, including §§3-1-5, 3-8-22 and 3-21-1 to remove the word "handicapped" and replace it with "person with a disability." Effective 6/15/07.

Chapter 47
SB 324

INCREASE STATE MINIMUM WAGE (Altamirano). Removes the exemption for municipalities thereby placing municipalities under the State Minimum Wage Act; raises the state minimum wage rate from the current \$5.15 per hour to \$6.50 per hour until January 1, 2009, then \$7.50 thereafter; exempts an employee engaged in the handling, drying, packing, packaging, processing, freezing or canning of any agricultural or horticultural commodity in its un-manufactured state; prohibits political subdivisions, including home-rule municipalities, from enacting any ordinance that would mandate a minimum wage rate higher than the state rate until January 1, 2010, but grandfathers any wage rate set prior to January 1, 2007. Effective 1/1/08.

Chapter 48
CS/HB 365

MV: FEMALE VETERANS' LICENSE PLATES. Provides for issuance of a special license plate for motor vehicles and motorcycles for women veterans of the armed forces or who are retired from the National Guard or military reserves; imposes an additional original issuance fee of \$15 for motor vehicle plates and an additional \$7 annual fee for motorcycle plates. Effective 7/1/08.

Chapter 49
SB 534

LOCAL GOVERNMENT AFFORDABLE HOUSING (Rodriguez). Amends the Affordable Housing Act to authorize the New Mexico Mortgage Finance Authority, along with the state, county or municipality, to donate, provide or pay for the cost of land or buildings for affordable housing projects; also allows the Authority to provide for financing of infrastructure for housing projects; counties, municipalities and the Authority may also provide for the costs of acquisition, development, construction, financing, operating or owning of affordable housing; a county or municipality must submit a proposed housing assistance ordinance to the MFA for its review and then submit the actual ordinance 15 days after adoption; the MFA may provide housing assistance grants after adopting a resolution authorizing grants to qualified grantees; the resolution may allow matching funds from federal sources or through participation with other MFA programs; the Attorney General is to investigate any alleged violations of the Affordable Housing Act. Effective 6/15/07.

Chapter 50
***SB 519**

REGIONAL HOUSING LAW AMENDMENTS (Papen). Makes several changes to the New Mexico Regional Housing Act; a Regional Housing Authority created pursuant to the Act shall operate only within the area of its housing region; prohibits common jurisdiction with another Authority; the Board of Commissioners of the Authority for each of the seven regions shall consist of seven commissioners and not more than three commissioners may be from the same county. Authorizes each Board to employ an executive director subject to the approval of the New Mexico Mortgage Finance Authority. Upon receipt of the annual audits, the Department of Finance and Administration shall review each audit and on a finding of a non-approval may suspend the Authority's statutory powers until those conditions are remedied; effective October 1, 2007, every regional housing Authority shall submit quarterly reports to DFA, the Mortgage Finance Authority Act Oversight Committee and the Legislative Finance Committee; prohibits any Authority from purchasing its own bonds or to use eminent domain to acquire real property; prohibits any two or more cities or authorities to cooperate with one another to exercise their powers for the purpose of financing, including bonds, of housing projects within the areas of operation of the authorities; prohibits a city or Authority to delegate powers to another Authority to act on its behalf; requires State Board of Finance and New Mexico Mortgage Finance Authority approval for each Authority's bylaws. The bill prohibits any Authority to enter into any contract or memorandum of understanding with a value of \$50,000 without prior approval from the Department of Finance and Administration; prohibits the sale or transfer of real property valued at \$20,000 without prior DFA approval; within 30 days prior to the beginning of its fiscal year, each Authority shall submit operating budgets to DFA for approval; authorities must operate according to the approved budget, except budget adjustment of 5% or less may be made with prior notice and those above 5% must receive prior approval; the Mortgage Finance Authority is to conduct an annual needs assessment and work with authorities to remedy any needs. Requires Mortgage Finance Authority approval of all authorities' bylaws and prohibits any Authority operation after September 1, 2007 without bylaw approval; by September 1, 2007, each executive director must be approved by the Mortgage Finance Authority or will be deemed to be resigned; with prior approval from DFA, each Authority may sell any property held as of April 1, 2007 that is not suitable for the purposes of the Act; appropriates \$200,000 from the General Fund to the State Auditor to audit the entire state-wide housing Authority system; repeals sections of the Regional Housing Law. EMERGENCY CLAUSE. Effective 3/28/07.

Chapter 52
***SB 131**

ALBUQUERQUE SCIENCE & ENGINEERING FAIR – GF (Altamirano). Appropriates \$100,000 from the General Fund to the Local Government Division to provide for a science and engineering fair in Albuquerque. EMERGENCY CLAUSE. Effective 3/29/07.

Chapter 59
SB 433

PEACE OFFICER SUPPLEMENTAL DEATH BENEFITS (Altamirano). Amends §29-4A-5 to increase the amount of supplemental death benefits from \$50,000 to \$250,000 to be paid to the family of a peace officer killed in the line of duty; the benefit is in addition to any other benefit paid. Effective 6/15/07.

Chapter 60
SB 458

ANIMAL SHELTERING SERVICES ACT (Garcia). The Act creates licensing procedures for euthanasia providers, euthanasia agencies and certification procedures for euthanasia instructors; creates the Animal Sheltering Services Board to issue euthanasia licenses and sets euthanasia standards; recommends standards pertaining to infrastructure and operations for animal shelters; the Board shall include one member from the Municipal League; an "animal shelter" is defined as a county or municipal facility that provides shelter to animals on a regular basis, including a dog pound,

or a private humane society or private animal shelter that temporarily houses stray, unwanted or injured animals through administrative or contractual arrangement with local government agencies, but does not include a municipal zoological park; authorizes the board or its designee to seek injunctive relief for violations of the Act; creates the Animal Care and Facility Fund. The Board is terminated on July 1, 2011 and shall continue to operate until July 1, 2012 when the Act is terminated. Effective 6/15/07.

Chapter 66
SB 397

CHILD HELMET SAFETY ACT (Lopez). New material makes it unlawful for a parent or legal guardian to knowingly permit a minor to operate or be a passenger on a bicycle, skates, scooter or skateboard unless the minor wears a well-fitted protective helmet; a parent found guilty is subject to a \$10 civil fine; the bill states that magistrate and municipal courts shall have concurrent jurisdiction (municipal courts lack jurisdiction in civil matters and may only enforce penalties for violation of municipal ordinances). Effective 7/1/07.

Chapter 67
SB 1106

CRIMINAL SEXUAL COMMUNICATIONS WITH A CHILD (Lopez). Creates the crime of criminal sexual communications with a child that consists of a person knowingly and intentionally communicating directly with a specific child under 16 years old by sending the child obscene images of a person's intimate part by means of an electronic communications device when the perpetrator is at least four years older than the child; crime is a fourth degree felony; "electronic communications device" is a computer, video recorder, digital camera, fax machine, telephone, pager or any other device that can produce an electronically-generated image; "intimate parts" means the primary genital area, groin, buttocks, anus or breast. Effective 7/1/07.

Chapter 68
CS/SB 735

CHILD SOLICITATION BY ELECTRONIC DEVICE. Amends §30-37-3.2. Changes the name of the crime of child solicitation by computer to child solicitation by electronic communication device; a person convicted of solicitation by electronic device is guilty of a fourth degree felony if the child is between 13 and 16 years of age and is guilty of a third degree felony if the child is 13 or younger; if the person committing the crime attends or is present at a meeting that the person arranged pursuant to the solicitation, the offense is a third degree felony if the child is between 13 and 16 and a second degree felony if the child is 13 or younger; includes child solicitation by electronic communication device in the definitions of "sex offender" for the conditions of parole statutes and for purposes of the Sex Offender Registration Act. Effective 7/1/07.

Chapter 69
CS/SB 528

CRIMINAL SEXUAL PENETRATION OF A CHILD. Amends §30-9-11. Aggravated criminal sexual penetration consists of all criminal sexual penetration perpetrated: (1) on a child under nine years of age; or (2) with an intent to kill or with a depraved mind regardless of human life. Whoever commits aggravated criminal sexual penetration is guilty of a first degree felony for aggravated criminal sexual penetration; criminal sexual penetration in the second degree consists of all penetration perpetrated by the use of force or coercion on a child 13 to 18 years of age; the penalty for first degree felony for aggravated criminal sexual penetration is life imprisonment; authorizes the court to impose, in addition to the sentence, a fine of \$17,500 for aggravated criminal sexual penetration; authorizes the court to impose on a person convicted of criminal sexual penetration a parole period of not less than five years to life; requires the Parole Board to require every sex offender paroled to wear electronic monitoring devices during the entire time of parole. Effective 7/1/07.

Chapter 78
HB 124

ALLOW REMOVAL OF PARTIALLY CONSUMED WINE (Trujillo). Enacts a new section of the Liquor Control Act to allow customers to remove a partially consumed bottle of wine from a restaurant that is a licensed premise, provided the customer has purchased a full-course meal and a bottle of wine and has consumed a portion with the meal; the practice is at the option of the restaurant; a receipt for the wine must be attached and the wine must be re-corked and placed in a tamper-proof bag; the customer must transport the wine in their vehicle per Motor Vehicle Code requirements (Section 66-8-138), i.e. in the trunk or other normally unoccupied area. Effective 7/1/07.

Chapter 80
HB 329

LOCAL HOSPITAL GROSS RECEIPTS ELIGIBILITY (Moore). Expands the eligible counties authorized to impose the Local Hospital Gross Receipts Tax to Quay County (a Class B county with a population of more than 3,500 but less than 10,000 and having a net taxable value of more than \$100 million and less than \$116,500,000). Effective 6/15/07.

Chapter 81
HB 467

COURT PROTECTION ORDERS DATABASE (Rodella). Amends §40-13-6. Requires a local law enforcement agency receiving an order of protection issued under the Family Violence Protection Act to enter the order in the National Crime Information Center's order of protection file within 72 hours of receipt; this requirement does not apply to temporary orders of protection. Effective 6/15/07.

Chapter 82
FL/HB 580

STATE ENGINEER COMPLIANCE ORDER ENFORCEMENT. Amends §72-2-18. Expands the State Engineer's enforcement authority regarding compliance orders to include regulations, codes, orders or special orders; specifies that a compliance order shall not be effective against any party other than the person against whom the order is issued; adds Conservancy Districts and state courts to those whose jurisdiction this Section does not affect; a compliance order may include an order to cease violation of a requirement of Chapter 72, a directive issued per §72-2-8, a condition of a permit or license issued by the State Engineer or an order entered by a court adjudicating a water right; changes the public hearing request procedures to require the written request from the person named in the compliance order be received within 30 days after receipt of the notice of the order instead of within 30 days of its issuance; provides that the order is final unless the person named in the order submits the request for hearing within the 30 days of receiving the order; specifies that the order shall be enforceable only upon becoming final; a person may still pursue an informal resolution of the matter after a timely request for a hearing has been made; any requirement to repay water shall not be enforceable until the compliance order becomes final; any appeal to district court shall not stay enforcement of the compliance order unless ordered by the district court; provides that any civil penalty assessed shall accrue from the date of assessment of the penalty. Effective 6/15/07.

Chapter 83
HB 655

RURAL LIBRARY DEVELOPMENT ACT (Arnold-Jones). Enacts 5 new sections. Establishes a Rural Library Development Program, administered by the State Library, to provide grants-in-aid for rural libraries; rural libraries are public libraries in a municipality or unincorporated village, tribes, Indian nations, pueblos, or communities with a population of less than 15,000. The grants may be used to: (1) improve existing libraries' collections and services and provide resources to plan and establish new libraries; (2) improve access to library materials and technology; (3) connect the libraries to communications networks, such as Wire New Mexico and National Lambdarail; (4) provide professional development to librarians and staff; and, (5) provide support for rural libraries to participate in the New Mexico Group Catalog and the New Mexico Library Portal. Authorizes municipalities and counties to apply for the rural library development grants-in-aid to improve or connect a rural library and provide training and supplemental salaries not to exceed 40% of

compensation for a period not to exceed three years; the State Library Division shall establish rules for the application and grant process and priority shall be given to rural libraries that are located more than 20 miles from a municipality with a population over 50,000 and being connected to Wire New Mexico and National Lambdarail; establishes the Rural Library Development Fund, administered by the State Library Division, to disburse the grants; monies in the Fund are subject to appropriation by the legislature. Effective 6/15/07.

Chapter 87
HB 160

MV: CHILD ADOPTION AWARENESS PLATES (Anderson). Establishes a special license plate with a logo promoting awareness of the need for adoption of children in New Mexico; an additional \$10 fee is charged for only the original issuance to cover MVD's costs. Effective 7/1/08.

Chapter 89
HB 271

IDENTIFY MINORS & DEPENDENTS UPON ARRESTS (Maestas). Requires that training to ensure child safety upon the arrest of a parent or guardian be included in the basic law enforcement training curriculum and as part of annual in-service training for police officers; requires state and local law enforcement officers to inquire, at the time of an arrest, whether the person is a parent or guardian of minor or dependent children who may be at risk as a result of the arrest; the officer must make reasonable efforts to ensure the safety of the children in accordance with guidelines established by the Department of Public Safety; requires D.P.S, in consultation with the Children, Youth and Families Department, to establish guidelines and a training program for law enforcement officers which shall include: (1) procedures to ensure that law enforcement officers inquire whether arrestees have minor or dependent children who may be present or at another location; (2) procedures for the proper arrangement of temporary care for children to ensure their safety and well-being; and, (3) education on how the effects of witnessing a violent crime or other event causes emotional harm to children and how law enforcement can assist in mitigating the long-term effects of the trauma. Effective 6/15/07.

Chapter 92
HB 321

MV: PEDESTRIAN RIGHT-OF-WAY IN CROSSWALKS (Wirth). Amends §66-7-334. Requires the driver of a vehicle to yield the right-of-way whenever the pedestrian is in the crosswalk, deleting language that only required yielding when the person was on or approaching the driver's half of the roadway. Effective 7/1/07.

Chapter 96
HB 738

PUBLIC DISCLOSURE OF CHILD INFO (Swisstack). Enacts one new section of the Children's Code. Prohibits state agencies and political subdivisions, including school districts, counties, municipalities and home-rule municipalities, from disclosing on a public access web site any information concerning: the arrest or detention of a child; delinquency proceedings for a child; adjudication of a child; an adult sentence imposed on a child, except information required to be disclosed pursuant to the Sex Offender Registration Act; or, social records pertaining to a child as provided in §32A-2-32. Effective 7/1/07.

Chapter 103
CS/HB 1266

MAIN STREET REVOLVING LOAN ACT. Enacts the MainStreet Revolving Loan Act to provide owners of eligible property with low-cost financial assistance in the restoration, rehabilitation and repair of eligible properties that would contribute substantially to the state's economic well-being and a proper balance between preservation and development; "eligible property" is a site, structure, building or object that is subject to the MainStreet Act or otherwise found pursuant to rule of the MainStreet Revolving Loan Committee to merit preservation pursuant to the Act; creates the MainStreet Revolving Fund Committee consisting of six members; the Committee's duties include establishing criteria for properties and owners and procedures to govern application and marketing of

the loan program; requires the Historical Preservation Division of the Office of Cultural Affairs Department to review loan applications, and make recommendations; administer all loans; serve as staff for the Committee; and report annually to the Governor; establishes the MainStreet Revolving Loan Fund; loans may be made for periods not to exceed five years and loans are to be repaid in equal installments of not less than annually at a rate equal to the U.S. Treasury one-year rate plus one-half of one percent. If the property owner transfer the property, the outstanding balance comes due; loans are to be made only for eligible costs, such as: architectural and design, graphic design, construction and engineering, document costs, inspections, contracted restoration and other costs needed to meet code requirements; eligible costs do not include land acquisition or legal costs and loans are not assignable. Effective 6/15/07.

Chapter 107
CS/SB 197

INSURANCE COVERAGE FOR CERTAIN DISORDERS. The Human Services Department, in collaboration with private insurance companies and consumers, shall conduct a study of autism spectrum disorder services, study the systems that serve the population affected by autism spectrum disorders and determine the most appropriate funding mechanisms, including health insurance, state disability insurance or developmental disability waivers or autism waivers. The Human Services Department shall report its findings and recommendations to the Legislative Finance Committee and the appropriate interim legislative committee on or before November 1, 2007. Effective 7/1/07

Chapter 119
SB 912

ENDANGERED PERSON ADVISORIES (Martinez). Amends §29-15-2, the Missing Persons Act, to define an endangered person as a missing person who is in imminent danger of causing harm to oneself, causing harm to another or being harmed by another, who has been harmed by another or who has Alzheimer's disease; requires law enforcement agencies upon receiving a missing person report to determine if the person is an endangered person; if the person is determined to be endangered, the law enforcement agency must immediately notify the Department of Public Safety in a manner prescribed by the Department; requires the Department of Public Safety to issue an endangered person advisory if a person is determined to be endangered by using an AM radio station that has been determined to be the state primary station designated by the Federal Communication Commission for emergency alerts. Effective 7/1/07.

Chapter 120
CS/HB 13

LOCAL GOVERNMENT WATER PRESERVATION. Provides that, for the purpose of preserving and protecting water resources and to provide an assured water supply for the community, a municipality or county may require: (1) site development standards to conserve water and minimize water loss; (2) water harvesting and storage; (3) low water use landscaping and plant materials; (4) nonagricultural residential and commercial water use limitations; or (5) recycling and reuse of water. these provisions shall be implemented consistent with State Engineer rules; excludes from these provisions agricultural water users and agricultural water rights owners. Effective 6/15/07.

Chapter 121
CS/HB 14

CERTAIN TORT CLAIMS MAXIMUM LIABILITY AMOUNT. Amends §41-4-19. Increases the maximum liability amount against a governmental entity or public employee for damage to or destruction of each legally described real property arising out of a single occurrence from \$100,000 to \$200,000; the total liability for all damages other than real property damage and for non-medical related expenses that arise out of a single occurrence remains at \$750,000. Applies to claims for damages resulting from torts committed on or after July 1, 2008. Effective 7/1/08.

Chapter 130
HB 194

MUNICIPAL DEPOSITS OF PUBLIC MONEY (Moore). Amends §6-10-36.1. Authorizes a municipality having no suitable banking facility within its limits to extend the time period within which it must deposit receipts of public money from five to ten working days from the date of collection if inclement weather or natural disaster conditions exist. Effective 6/15/07.

Chapter 132
FL/HB 219

ADOPTION OF MUNICIPAL CODES BY REFERENCE. Amends §3-17-6, a municipality's authorization to adopt codes by reference; a building code may be adopted that includes provisions for plan review, permitting and inspections for general, electrical, mechanical and plumbing construction. Effective 7/1/09.

Chapter 136
HB 244

MV: CUMBRES & TOLTEC RAILROAD LICENSE PLATE (Rodella). Provides for a new license plate featuring artwork related to the Cumbres & Toltec Scenic Railroad; distributes \$25 of the fee collected to the Cumbres & Toltec Scenic Railroad Commission. Effective 7/1/08.

Chapter 137
HB 247

UNEMPLOYMENT PAYMENT RATE INCREASES (Stewart). Amends the Unemployment Compensation Act. Increases the "weekly benefit amount" from 52.5% to 53.5% of the average weekly wage for insured work paid to the individual in the quarter; increases the dependent payment for children under 18 from \$15 to \$25 for each dependent; provides that an employer's account will not be charged if the worker voluntarily left work because a military spouse receives permanent change of station, activation or deployment orders; repeals the standard contribution rate of 5.4% and makes future contributions based on the experience of the employer; repeals sections of the law that are antiquated and not of effect at this time; changes the contribution levels based on reserves held for the period beginning July 1, 2007 to December 31, 2010. Creates the "State Unemployment Trust Fund." Requires that all funds be deposited into the Fund and that all earnings on investment of the Fund be credited to the Fund. Effective 7/1/07.

Chapter 138
HB 266

LIQUOR TAX DISTRIBUTION TO LOCAL DWI FUND (Gonzales). Amends §7-1-6.40. Increases the percentage of liquor excise tax distributed to the Local DWI Grant Fund from 34.57% to 41.50%. Effective 7/1/07.

Chapter 139
***HB 268**

NMFA: WATER FUND PROJECTS (Gonzales). Authorizes the New Mexico Finance Authority to make loans and grants from the Water Project Fund for the following: **Alamogordo** – water project, water conservation and reuse project; **Bloomfield** – water project; **Carlsbad** – water project; **Clovis** (as fiscal agent for Eastern NM Rural Water Authority) – regional water project; **Deming** – water project; **Columbus** – water project; **Elephant Butte** – water conservation and reuse project; **Los Alamos** – water conservation and reuse project; **Lovington** – water conservation and reuse project; **Rio Rancho** – water conveyance project; **Santa Fe** – water conservation and reuse project; **Taos** – water conservation and reuse project; **Tucumcari** – water conservation and reuse project. EMERGENCY CLAUSE. Effective 4/2/07.

Chapter 144
HB 336

PROHIBIT CERTAIN USES OF IMAGES OF CHILDREN (Gardner). Amends §30-6A-3. Makes it a 4th degree felony to intentionally manufacture any obscene visual or print medium depicting any prohibited sexual act or simulation if that person knows or has reason to know that the medium depicts a prohibited act and if the person knows or has reason to know that a real child under 18, who

is not a participant, is depicted as a participant in that act; makes it a 3rd degree felony to intentionally and knowingly distribute any obscene visual or print medium depicting any prohibited sexual act or simulation if the person knows that a real child who is not a participant is depicted as a participant. Effective 7/1/07.

Chapter 148
HB 374

GRT: MUNICIPAL HIGHER EDUCATION (Swisstack). Authorizes eligible municipalities (those located in Class B counties with a population over 50,000 and have a net taxable value of more than \$2 billion [Rio Rancho]) to impose a ¼% Municipal Higher Education Facilities Gross Receipts Tax, subject to approval by the voters at a regular or special election; the tax may be imposed in 1/16% increments; the proceeds of the tax shall be dedicated for acquisition, construction, renovation or improvement of facilities of a four-year post-secondary public educational institution located within the municipality, and acquisition of or improvements to land for those facilities; revenues may also be used for payment of authorized revenue bonds issued pursuant to the tax. Effective 7/1/07.

Chapter 149
HB 377

FIREFIGHTERS' SURVIVORS SUPPLEMENTAL BENEFITS (Stapleton). Enacts 5 new sections. Provides for payment of \$50,000 to the surviving spouse or children as a supplemental death benefit whenever a firefighter is killed in the line of duty; if there is no surviving spouse, the benefits are distributed pro rata to the children; if there are no surviving children or spouse the benefits go to the surviving parents; establishes a Firefighters' Survivors Fund from which the benefits are paid consisting of all gifts, donations and bequests of money and any appropriations and distributions made to the Fund; the Fund is administered by the State Fire Marshal; establishes a review committee of the Attorney General and the presidents of the New Mexico Fire Chiefs' Association, Professional Firefighters Association and State Fire Fighters Associations who will determine whether a firefighter has been killed in the line of duty and advise the State Fire Marshal of their determination; "firefighter" means any full- or part-time member or a volunteer member of a fire department that is part of or administered by the state or any political subdivision and any red-carded firefighter trained in wildland firefighting skills and hired by the State of New Mexico. Provides for a distribution from the Fire Protection Fund whenever the Survivor's Fund drops below \$50,000. Effective 6/15/07.

Chapter 152
HB 466

FIRE PROTECTION GRANT FUND TRANSFERS (Rodella). Creates a phased-in transfer of the remaining balances after statutory distributions from the Fire Protection Fund to the Fire Protection Grant Fund in the following percentages: on June 30, 2007 – 6.7%; 2008 – 13.4%; 2009 – 20.1%; 2010 – 26.8%; 2011 – 33.5%; 2012 – 40.2%; 2013 – 46.9%; 2014 – 53.6%; 2015 – 60.3%; 2016 – 67%; 2017 – 73.7%; 2018 – 80.4%; 2019 – 87.1%; 2020 – 93.8%; and on June 30, 2021 and subsequent years – 100%; repeals §59A-53-15 that provides for balances in the Fund to revert to the General Fund; prohibits transfers of remaining balances in the Fund to the General Fund after June 30, 2020. Effective 6/15/07.

Chapter 153
HB 471

ESTABLISH LINKED DEPOSIT SYSTEM (Campos, J). Amends §6-10-24.2. Authorizes the State Treasurer to invest up to 14% of state deposits, not to exceed \$49 million, in qualified banks, trusts or credit unions with a qualifying branch in financially at risk rural communities; a "financially at risk rural community" is defined as having: no more than one insured bank, thrift institution or credit union within the community and a population of not more than 3,500; and, either (1) a declining population as shown by the two most recent censuses; or, (2) a median household income less than 80% of the state's median income. No more than \$10 million may be deposited in any one institution; authorizes the State Treasurer to accept a rate of return that is not more than 1% below the market rate; the Regulation and Licensing Department shall promulgate rules addressing eligibility criteria,

application procedures and verification that the institution is meeting the banking needs of the community. Effective 6/15/07.

Chapter 154
HB 484

FIREFIGHTERS' SURVIVORS FUND DISTRIBUTIONS (Stapleton). Distributes \$15 of the \$25 fee for firefighter special license plates to the Firefighter's Survivor's Fund established by Laws of 2007, Chapter 149. Effective 6/15/07.

Chapter 158
HB 588

CONCEALED HANDGUNS IN CERTAIN BUSINESSES (Heaton). Amends §30-7-3. Allows persons with concealed handgun licenses to carry their concealed guns into liquor establishments that do not sell alcoholic beverages for consumption on the premises; authorizes law enforcement officers to carry firearms in liquor establishments when acting in accordance with their agency's policies. Effective 7/1/07.

Chapter 160
CS/HB 606

ARTS AND CULTURAL DISTRICTS ACT. Authorizes municipalities over 50,000 population to create Arts and Cultural Districts that are authorized by the New Mexico Arts Commission; also authorizes citizens and non-profit organizations to submit applications to designate a district; amends the Local Economic Development Act to provide for art and cultural projects as part of a local economic development plan that can be funded from the Local Government Infrastructure Gross Receipts Tax. Effective 7/1/07.

Chapter 161
HB 622

PRC FIRE MARSHAL DIVISION (Wallace). Amends §8-8-1, 6, 9 & §59-52-1; enacts one new section. Creates the Fire Marshal Division within the Public Regulation Commission (PRC); eliminates it as a bureau under the PRC's Insurance Division; included in the Fire Marshal Division are the following bureaus: firefighter training academy, fire service support, fire investigations, and fire code enforcement. Authorizes the State Fire Marshal to employ staff with the consent of the chief of staff of the PRC. Effective 6/15/07.

Chapter 167
HB 719

PROPERTY TAX EXEMPTION: VETERANS' ORGANIZATIONS (Steinborn). Enacts one new section, amends §7-38-17. Exempts from property taxation the property of a veterans' organization chartered by the U.S. Congress and that is used by a local, state or federal governmental entity for events or by nonprofit community organizations or other veterans' organizations. In order to become effective, this law was contingent upon passage of an amendment to the New Mexico Constitution proposed by a joint resolution; the joint resolution did not pass.

Chapter 168
HB 728

DISTRIBUTIONS TO RETIREE HEALTH CARE FUND (Varela). Enacts one new section. Provides that, in addition to the distribution made per §7-1-6.30 for the period between July 1, 2007 and June 30, 2010, a distribution of \$250,000 from the Tax Administration Suspense Fund (§7-1-6.1) shall be made to the Retiree Health Care Fund; appropriates \$100,000 from legislative cash balances to the Legislative Council Service for a study by staff of the Council, Governor, and Retiree Health Care Authority on issues relating to the Fund. The study shall include: long-term actuarial trends and condition of the Fund; equitable nature of the current contribution rates; percent of the Fund balance derived from state sources versus those from political subdivisions and the feasibility of creating two separate programs for those two classes; options to improve actuarial soundness; the feasibility of securing the Fund as an irrevocable trust; consult with experts as necessary; and, report findings and

recommendations to the Governor, Legislative Council, Legislative Finance Committee and Retiree Health Care Authority by December 15, 2007. Effective 7/1/07.

Chapter 172
HB 839

GRT DEDUCTION: MILITARY MISSION TRANSITION (Campos, J). Provides for a Gross Receipts Tax deduction for military construction services provided at New Mexico military installations to implement special operations mission transition projects pursuant to contracts with the Department of Defense; applies to contracts in effect from October 1, 2007 through September 30, 2010. Effective 6/15/07.

Chapter 175
HB 902

MV: STATE POLICE AUTHORITY TO CLOSE HIGHWAYS (Saavedra). Amends §66-7-11. Provides that the State Police shall use all means necessary to reroute traffic around an accident scene using lanes, shoulders, frontage roads or alternative routes that may be available and unaffected by the accident; the Department of Transportation shall be notified of the closure as soon as practicable and assist the State Police with traffic control; requires that any evidence be collected and documented first so the roadway can be cleared and traffic can be routed through the scene; any other law enforcement agency that may be investigating the accident and believes highway closure may be necessary is required to contact the State Police immediately; requires the State Police to evaluate the situation and reroute traffic if necessary, with the assistance of the investigating agency; gives the State Police the final authority to determine length of time necessary to close the highway and other agencies shall adhere to the directions of the State Police. Effective 6/15/07.

Chapter 176
HB 907

MV: FREE NATIONAL GUARD LICENSE PLATES (Barela). Amends §66-3-413 to provide free special registration plates for National Guard Members. Effective 6/15/07.

Chapter 177
HB 908

REVISE PIPELINE ONE-CALL NOTIFICATON SYSTEM (Vigil). Amends §62-14-2. Deletes current exceptions from the definition of a “pipeline” for purposes of the one-call notification system; “pipeline” now covers any pipeline or system of pipelines and appurtenances for the transportation or movement of any oil or gas, or oil or gas products and their byproducts subject to the jurisdiction of federal law or regulation; adds sewer and fire protection lines under the definition of “underground utility lines” subject to the notification system; owners and operators of an underground facility where a one-call system is operating must be a member of a one-call notification system by April 15, 2008, unless earlier membership is required by federal law; authorizes the Public Regulation Commission to prescribe reasonable maximum rates for the provision of one-call services; if the reasonableness of the rates is contested, the burden of proof to show unreasonableness of the rates is on the person contesting. Effective 6/15/07.

Chapter 179
HB 924

OFFICIAL ANSWER OF NEW MEXICO (Lujan, B). Adopts the official answer of New Mexico as “Red and Green or Christmas” (to respond to the official question: Red or Green?). Effective 6/15/07.

Chapter 182
CS/HB 984

CIGARETTE TAX ACT: DEFINITIONS & TAX RATE. Amends §7-12-2. Redefines “cigarette” as any roll of tobacco or any substitute for tobacco wrapped in paper or in any substance not containing tobacco, or any roll of tobacco that is wrapped in any substance containing tobacco, other than 100% natural leaf which because of its appearance, type of tobacco used, packaging or marketing and advertising, is likely to be purchased by consumers as a cigarette, adds to the definition of

“contraband cigarettes” those not sold in packages of five, ten, 20 or 25; raises the cigarette tax to \$.091 per cigarette if packaged in lots of ten and \$.182 if packaged in lots of five; the tax remains at \$.0455 for cigarettes packaged in lots of 20 or 25 . Effective 6/15/07.

Chapter 183
HB 998

WATER QUALITY CONTROL COMMISSION MEMBERS (Steinborn). Adds the Secretary of Health, or designated staff member, as a member of the Water Quality Control Commission; increases the number of representatives from the public from three to four. Effective 6/15/07.

Chapter 185
HB 1024

LAW ENFORCEMENT LOCATING MISSING CHILDREN (Berry). Amends §32A-3B-2 to change the definition of a “family in need of court ordered services” as one in which a child has been away from the place of residence for more than 12 hours without the consent of the parent or guardian; authorizes a law enforcement agent to help a parent or guardian locate a run-away child and return the child to the parent or guardian; hold the child for up to six hours if the parent or guardian cannot be located; or, after six hours, seek a court order for protective custody pursuant to the Children’s Code. Effective 6/15/07.

Chapter 190
HB 1103

REPEAL DWI PROGRAM FUND (Varela). Repeals §6-4-8, the law creating the DWI Program Fund; the balance in the Fund is appropriated to the Department of Finance and Administration for fiscal years 2008 and 2009 for the following statewide purposes: (1) enforcement of laws related to DWI, including: purchase of equipment, including cameras for law enforcement vehicles, checkpoint and undercover equipment; and, undercover operations; and (2) a study of DWI-drug courts, their cost-effectiveness, effect on recidivism rates and ways in which the courts may be improved. Effective 6/15/07.

Chapter 196
HB 1221

MUNICIPAL LEASE OF HOSPITALS (Gonzales). Amends §3-44-1. Authorizes a municipality that leases a hospital, sanitarium or other institution to include in-kind services provided to the municipality as part of the consideration for the lease; the lease agreement must set forth the respective value of services being provided to residents and the relative value of the use of property provided by the municipality. Effective 6/15/07.

Chapter 199
HB 1265

GRT: COUNTY REGIONAL TRANSIT (Silva). Amends §7-20E-23, the county authority to impose a Regional Transit District Gross Receipts Tax. Applies the tax to areas within municipalities as well as outside municipal boundaries; requires every county within a District to impose identical ordinances and to hold a joint election to impose the tax; the tax may be dedicated for the purposes authorized by the Regional Transit District Act.; repeals §7-19D-13, the transit tax authority of municipalities. Effective 7/1/07.

Chapter 201
CS/HB 1311

DWI RECIDIVISM REDUCTION PROGRAMS. Amends §66-7-506. Authorizes the Traffic Safety Bureau to include a DWI recidivism prevention component in all driver rehabilitation programs for alcohol or drugs approved by the Bureau. Effective 6/15/07.

Chapter 206
SB 479

ALTERNATIVE DISPUTE RESOLUTION DEPARTMENT (McSorely). Amends the Governmental Dispute Resolution Act and removes political subdivisions of the state from the Act’s

purview; creates the Alternative Dispute Prevention and Resolution Advisory Council and the Office of the Alternative Dispute Prevention and Resolution in the Risk Management Division; appropriates \$185,000 to the Risk Management Division. Effective 7/1/07.

Chapter 207
SB 486

CONSERVANCY DISTRICT LIABILITY IMMUNITY (Feldman). Amends §41-4-6 to provide irrigation and conservancy districts and their employees, acting lawfully and within the scope of their duties, and that authorize any part of their property to be used as a trail within a state park, the state trail system or a trail established and managed by a local public body are immune from liability for damages arising out of the operation or maintenance of that state park, state trail system or local public trail; immunity from liability is conditioned on the irrigation or conservancy district having entered into a written agreement with the state agency or local public body operating or maintaining the trail and that the agency or local public body has agreed to assume operation and maintenance of that portion of the district's property used for the trail; the state agency or local public body operating or maintaining that trail shall be subject to liability pursuant to the Tort Claims Act. Effective 6/15/07.

Chapter 210
FL/SB 523

COMPASSIONATE USE OF MEDICAL MARIJUANA. The bill's stated intent is "to allow the beneficial use of medical cannabis in a regulated system for alleviating symptoms cause by debilitating medical conditions and their medical treatments." The bill restricts the unlawful use of medical marijuana and prescribes criminal and civil penalties; establishes procedures for obtaining identification cards for users issued by the Department of Health; the Department is to promulgate rules and regulations in order to implement and administer the Act; prohibits the distribution of medical marijuana within 300 feet of a school, church or daycare center. Effective 7/1/07.

Chapter 213
CS/SB 604

PROCUREMENT: REPEAL RETAINAGE ACT. Changes the name of the Retainage Act to the Prompt Payment Act; eliminates the definition of "retainage" in the Act; prohibits an owner, contractor or subcontractor from retaining, withholding or holding back in any manner amounts owed for work performed; eliminates a municipality's exemption from the Prompt Payment Act. Effective 6/15/07.

Chapter 218
CS/SB 776

DENTAL SURGERY INSURANCE COVERAGE. Requires all group health care coverage providers, including self-insurers, to provide general anesthesia and hospitalization coverage for dental surgery. Effective 7/1/07.

Chapter 221
SB 820

INCREASE DOMESTIC VIOLENCE PROBATION TIME (Adair). Extends the probationary period from 364 days to a maximum of two years for a conviction pursuant to §30-3-15 NMSA 1978, battery against a household member. Effective 7/1/07.

Chapter 222
SB 823

JAIL CONTRACT DURATIONS (Campos). Agreements with a private independent contractor for the operation of a jail or for the incarceration of prisoners shall be for a period of up to five years with additional one- or two-year extensions not to exceed a total of five extensions. Effective 6/15/07.

Chapter 228
CS/SB 986

DEPOSIT OF PUBLIC MONIES. Amends §6-10-36. Public money placed in interest-bearing accounts shall be made available to all commercial banks and savings banks that have their main offices or a staffed branch office within the geographical boundaries of the governmental unit and that

desires to have deposits of public money; the definition of “net worth” in the section has been deleted. Effective 7/1/07.

Chapter 232
SB 1031

SOLAR RIGHTS ACT DEFINITIONS (Griego). Enacts one new section of Chapter 3; amends §47-3-3. Prohibits a county or municipality from restricting the installation of a solar collector, as defined under the Solar Rights Act, except that placement of solar collectors in historic districts may be regulated or restricted by the county or municipality; a covenant, restriction or condition, contained in a deed, contract, security agreement or other instrument effective after July 1, 1978 affecting the transfer, sale or use of, or an interest in, real property that effectively prohibits the installation or use of a solar collector is void and unenforceable; amends the definition of “solar collector” to include a substance that relies on sunshine as an energy source and those solar collectors that are used for the conveyance of light to the interior of a building. Effective 7/1/07.

Chapter 233
SB 1066

HOSPITALITY FEE ACT REPEAL DATE (Sanchez, B.) Extends the sunset date for Albuquerque’s Hospitality Fee imposed on lodging providers from July 1, 2013 to July 1, 2028; requires 25 percent of proceeds from the Hospitality Fee to be used by the municipality for advertising and promoting tourist-related Attractions and 25 percent to extinguish debt incurred by a municipality for a metropolitan court facility. Effective 6/15/07.

Chapter 234
SB 1074

PROCUREMENT: DISCLOSURE OF CAMPAIGN CONTRIBUTIONS (Feldman). Requires a disclosure form concerning campaign contributions to be included in the request for proposals or competitive sealed bids; the state agency or local public body shall indicate on the form the name or names of every applicable public official for which disclosure is required by a prospective contractor; prohibits a prospective contractor from making a campaign contribution or other thing of value to an applicable public official or official’s employees during the pendency of the procurement process. Effective 7/1/07.

Chapter 235
SB 1092

DOMESTIC VIOLENCE HOMICIDE REVIEW TEAM (Rodriguez). Creates a new section of the Crime Victims Reparation Act; creates the Domestic Violence Homicide Review Team to review facts and circumstances of domestic violence-related homicide and sexual assault-related homicides and to determine the causes of the fatalities and their relationship to government and non-government service delivery systems and develop methods of domestic violence prevention; team members are to include: medical personnel; criminologists; representatives from the New Mexico District Attorneys Association; representatives from the Attorney General’s office; victim services providers; civil legal services providers; representatives from the public defender; members of the judiciary; law enforcement personnel; representatives from the Department of Health and the Department of Children, Youth and Families; representatives from tribal organizations who deal with domestic violence; and other members deemed appropriate by the Director of the Crime Victims Reparations Commission. All records, reports obtained by the team and all communications made during a review are confidential; domestic violence homicide review team members, persons who provide records and persons who participate in a review are required to honor the confidentiality provision; team members are not subject to civil liability for any act related to a review of a domestic violence or sexual assault homicide; any organization or association that testifies is immune from civil liability; 30 days prior to the start of each regular session of the legislature, the team is to transmit a report of its activities to: 1) the Governor; 2) the Legislative Council; 3) the Chief Justice of the New Mexico Supreme Court; 4) the Secretary of Public Safety; 5) the Secretary of the Children, Youth and Families Department; 6) the Secretary of Health and 7) any other persons the team deems appropriate. Effective 7/1/07.

Chapter 237
SB 1138

GRT: EXEMPTION FOR DISABLED STREET VENDORS (Rainaldi). Provides a Gross Receipts Tax exemption for the sale of goods by a disabled street vendor; “disabled” means to be blind or permanently disabled pursuant to the federal Social Security Act or be permanently disabled pursuant to the Workers’ Compensation Act; “street vendor” means a person licensed by a local government to sell items of tangible personal property by newly setting up a sales site daily or selling the items from a moveable cart, tray, blanket or other device. Effective 6/15/07.

Chapter 240
SB 263

PUBLIC HOUSING AUTHORITY AUDITS (Altamirano). Amends §§12-6-3 & 12-6-4. Authorizes financial audits for a public housing authority that is determined to be a component unit per generally accepted accounting principles to be done separately from the audit of its local primary government entity; if a separate audit is made, the public housing authority audit shall be included in the local primary government entity audit and does not have to be conducted by the same auditor. Provides that the public housing authority shall not bear the cost of an audit conducted solely at the request of its local primary government entity. Excludes housing departments of a local government and regional housing authorities from these provisions. Effective 6/15/07.

Chapter 241
SB 925

FIREFIGHTER REMEMBRANCE DAY (Leavell). Sets September 11 of each year as “Firefighter Day of Remembrance” to “celebrate the important, brave and compassionate work of firefighters and honoring all firefighters who have fallen in the line of duty.” Effective 6/15/07.

Chapter 242
SB 478

ROADSIDE MEMORIAL DESECRATION PENALTIES (Rodriguez). Enacts one new section of the Criminal Code. Establishes a new crime of desecration of roadside memorials, known as descansos, that consists of knowingly or willfully defacing or destroying a descanso placed alongside a public road right of way to memorialize the death of one or more persons; 1st offense is a petty misdemeanor, 2nd and subsequent offenses are a misdemeanor; exempts law enforcement officials or other employees of the state or a political subdivision who remove a descanso that obstructs or damages a public road; also exempts owners of private property upon which a descanso is located. Effective 6/15/07.

Chapter 256
SB 162

12-MONTH EMBEZZLEMENT AGGREGATION (Neville). As introduced, penalties for the crime of embezzlement are based on occurrence within a consecutive 12-month period; however, the House Judiciary amendment removed the consecutive 12-month period provision restoring the statute to its original language. Effective 7/1/07.

Chapter 258
CS/SB 186

LAW ENFORCEMENT EMPLOYEE BENEFITS. Requires the state or any political subdivision to provide a minimum of \$250,000 in life insurance for law enforcement employees during any period of employment when the employee is working undercover as a narcotics agent; an “undercover narcotics agent” is a law enforcement officer who is actively involved in the investigation of alleged narcotics-related violations of state or federal law and whose identity as a law enforcement officer is being concealed; “law enforcement officer” is a state or municipal police officer, county sheriff, deputy sheriff, conservation officer, motor transportation enforcement officer or other state employee authorized by state law to enforce criminal statutes; requires the Department of Public Safety to promulgate rules necessary to determine eligibility of undercover narcotics agents to receive the life insurance benefits. Effective 7/1/07.

Chapter 260
SB 200

LIMITED IMMUNITY FOR SEEKING OVERDOSE ASSISTANCE (Martinez). Provides for immunity for a person, who in good faith, seeks medical assistance for someone experiencing a drug-related overdose; a person experiencing a drug-related overdose and in need of medical attention shall not be charged or prosecuted for possession of a controlled substance if the evidence for the charge of possession was gained as a result of the overdose and need for medical assistance; the act of seeking medical assistance may be used as a mitigating factor in a criminal prosecution. Effective 6/15/07.

Chapter 261
SB 201

REAL PROPERTY ELECTRONIC RECORDING ACT (Martinez). New material authorizes individuals, corporations, partnerships, governments and political subdivisions of the state to submit electronic documents and electronic signatures for real property filing purposes; the Information Technology Commission and the State Commission of Public Records, in consultation with county clerks, shall adopt standards to implement the measure. Effective 7/1/07.

Chapter 265
CS/SB 227

PROCUREMENT: PUBLIC WORKS SUBCONTRACTOR BONDING. Increases the value of a subcontractor's contract on public works projects from \$50,000 to \$125,000 at which point they must post a performance bond. Effective 7/1/07.

Chapter 268
***SB 267**

DEFINE PERMISSIBLE FIREWORKS (Taylor). Definition of fireworks does not include novelties or theatrical pyrotechnic articles; "novelties" are defined as devices containing small amounts of pyrotechnic or explosive composition that produce limited visible or audible effects, including party poppers and snappers intended to produce unique visual or audible effects; "theatrical pyrotechnic articles" means a device for professional use in the entertainment industry similar to permissible fireworks or consumer fireworks in chemical composition and construction but not intended and labeled for consumer use; permissible fireworks are termed "consumer fireworks" that comply with the latest construction, performance, composition and labeling requirements established by the U.S. Consumer Product Safety Commission and the U.S. Department of Transportation; removes toy smoke devices from the list of permissible fireworks and adds aerial shell kit reloadable tubes and multiple tube devices; stick type rockets having a tube less than five-eighths inch outside diameter and less than three-and one-half inches in length and fireworks intended for sale to the public that produce audible effect, other than a whistle, by a charge of more than 130 milligrams of explosives are not permissible. Requires all places where fireworks are stored, sold or displayed to be in compliance with the Code of Safety Standards published by the National Fire Protection Association for the manufacture, transportation, storage and retail sale of fireworks and pyrotechnic devices; sales clerks and ancillary personnel employed or volunteering at temporary retail locations must be at least 16 years old; prohibits the use of fireworks in wildlands and bosques; "wildlands" is defined as lands that are owned by the governing body of a county or municipality that are designated for public recreational purposes and that are covered wholly or in part by timber, brush or native grass; requires all places where theatrical pyrotechnic articles are manufactured, stored, sold or displayed to comply with the Code of Safety Standards published by the National Fire Protection Association; repeals §60-2C-2.1, which states that novelties are not fireworks. The bill also creates a new \$20 replacement permit and requires all licenses and permits to be issued for one year beginning on February 1 of each year; all licenses and permits shall be issued within 30 days from the receipt of the application and no application shall be processed during any holiday in which permissible fireworks may be sold; licenses issued pursuant to the Fireworks Licensing and Safety Act shall not be restricted in number or limited to any persons without cause. Municipalities and counties may require licenses or permits and reasonable fees not to exceed \$25 for the sale of fireworks; permits and license fees

paid to the State Fire Marshal shall be deposited in the Fire Protection Fund. EMERGENCY CLAUSE. Effective 4/3/07.

Chapter 270
CS/SB 285

MULTIGENERATIONAL HOUSING IN SOME DISTRICTS. Zoning authorities, including zoning authorities of home rule municipalities, shall accommodate multigenerational housing by creating a mechanism, such as conditional use permits, to allow up to two kitchens within a single-family zoning district; “multigenerational” means any number of persons related by blood, common ancestry, marriage, guardianship or adoption. Effective 6/15/07.

Chapter 274
SB 342

STATE ELECTION CODE: SIGNED STATEMENT TO WITHDRAW (Duran). Requires candidates in a general or primary election to file with the Secretary of State a written statement of withdrawal prior to withdrawing from the election. Effective 6/15/07.

Chapter 289
SB 541

INFO TECHNOLOGY COMMISSION MEMBERS (Martinez). Adds two members to the Information Technology Commission, one appointed by the New Mexico Municipal League and one appointed by the Association of Counties. Effective 6/15/07.

Chapter 291
HB 227

HOMELAND SECURITY & EMERGENCY MANAGEMENT ACT (Varela). Establishes a Homeland Security and Emergency Management Department with stated purpose to consolidate those functions and coordinate response and recovery for emergencies and disasters, regardless of cause, and acts of terrorism; the Department will also act as the central primary coordinating agency for the state and its political subdivisions and as the conduit for federal assistance and cooperation in response to emergencies, disasters and acts of terrorism. The Department will be part of the executive branch and not a separate cabinet department; the director is to be appointed by the Governor; sets the duties of the director and the duties and authority of the Department; transfers emergency planning and coordination from the Department of Public Safety to the new Department; all references in the law to the “State Civil Emergency Preparedness Act” are changed to the “All Hazard Emergency Management Act” and all references to the “Emergency Management Act” are changed to the “Hazardous Materials Emergency Response Act”. Effective 7/1/07.

Chapter 297
SB 222

STATE AVIATION FUND DISTRIBUTION & USES (Altamirano). Amends §7-1-6.7. Provides for a monthly distribution to the State Aviation Fund from state General Fund GRT revenues on an incremental basis as follows: July 1, 2007 to June 30, 2008 - \$80,000; from July 1, 2008 to June 30, 2009 - \$167,000; after July 1, 2009 - \$250,000. Earnings from investment of the Fund shall be credited to the Fund; the distribution shall be used for planning and program administration, construction, equipment, materials and maintenance of a system of airports, navigation aids and related facilities; balances in the Fund shall not revert to any other fund; extends the current sunset on the distributions to the State Aviation Fund from sale of jet fuel from 2007 to 2012. Effective 7/1/07.

Chapter 298
HB 205

STATE AVIATION FUND DISTRIBUTIONS & USES (Lujan, B). Amends §7-1-6.7. Provides for a monthly distribution to the State Aviation Fund from state General Fund GRT revenues on an incremental basis as follows: July 1, 2007 to June 30, 2008 - \$80,000; from July 1, 2008 to June 30, 2009 - \$167,000; after July 1, 2009 - \$250,000. Earnings from investment of the Fund shall be credited to the Fund; the distribution shall be used for planning and program administration,

construction, equipment, materials and maintenance of a system of airports, navigation aids and related facilities; balances in the Fund shall not revert to any other fund; extends the current sunset on the distributions to the State Aviation Fund from sale of jet fuel from 2007 to 2012. Effective 7/1/07.

Chapter 310
***SB 839**

GRT: BONDS FOR MESA DEL SOL PROJECT (Papen). Authorizes the sale of \$500 million in bonds secured by a Gross Receipts Tax increment for the Mesa Del Sol Tax Increment Development Project south of Albuquerque; the project is subject to: 1) the New Mexico Finance Authority first determining the proceeds of the bonds will be used for the project in accordance with the development plan; 2) the Authority reviewing the master indenture prior to issuing any bonds; and 3) a review by the Authority of any proposed amendments to the master indenture prior to issuance; prohibits the legislature from approving or authorizing any capital outlay projects within the Mesa del Sol Tax Increment District except for those projects that are owned by the state or one of its political subdivisions and that are: 1) public school building or facilities; 2) higher education buildings; 3) cultural buildings; 4) public safety buildings or facilities; or 5) buildings used for public purposes; authorizes the legislature to make expenditures for economic development projects within the District. EMERGENCY CLAUSE. Effective 4/3/07.

Chapter 312
SB 555

PROCUREMENT: MULTIPLE SOURCE CONTRACTS (Griego). Makes changes regarding multiple source contracts procured by state agencies; (a multiple source award per §13-1-153 shall be based on the lowest responsible bid or proposal in each geographic area unless the award is made in response to a qualifications-based proposal). Effective 7/1/07.

Chapter 313
***HB 1088**

GRT: BONDS FOR MESA DEL SOL DEVELOPMENT (Lujan, B). Authorizes the sale of \$500 million in bonds secured by a Gross Receipts Tax increment for the Mesa Del Sol Tax Increment Development Project south of Albuquerque; the project is subject to: 1) the New Mexico Finance Authority first determining the proceeds of the bonds will be used for the project in accordance with the development plan; 2) the New Mexico Finance Authority reviewing the master indenture prior to issuing any bonds; and 3) a review by the NMFA of any proposed amendments to the master indenture prior to issuance; the duration of authority for issuance of the bonds is unlimited. Prohibits the legislature from authorizing any capital outlay projects within the Mesa del Sol Tax Increments Development District during the time bonds are outstanding except for buildings owned by the state or its agencies or political subdivisions that are public schools, higher education, cultural, or used for public safety or other public purposes. Authorizes the legislature to approve expenditures for economic development projects within the District. EMERGENCY CLAUSE. Effective 4/3/07.

Chapter 315
CS/CS/HB 1147

PROCUREMENT: RAISE SMALL PURCHASE LIMITS. Amends §13-1-125. Increases the small purchase procurement limits for professional services, including architects and engineers, from \$30,000 to \$50,000; increases the limit from \$5,000 to \$10,000 for direct purchases of services, construction or tangible personal property; increases the limit for state and local public works projects using architects and engineers from \$25,000 to \$50,000. Effective 6/15/07.

Chapter 316
CS/SB 437

DWI: OTHER STATES' CONVICTION FOR LICENSING. Prohibits a person who has been convicted of DWI in another state or the District of Columbia from receiving a New Mexico driver's license unless the person has an ignition interlock device installed on the vehicle for one year for a first conviction, two years for a second, three years for a third and for the remainder of the offender's life

for a fourth or subsequent conviction, subject to a five-year review by a District Court. Effective 7/1/07.

Chapter 317
CS/HB 126

INTERLOCKS FOR CERTAIN OUT-OF-STATE DRIVERS. Amends §66-5-5 & 44. A driver's license shall not be issued to any person who was convicted on or after June 17, 2005 of DWI in any other state, the District of Columbia or any governmental subdivisions, unless the person obtains an ignition interlock license for: 1) a period of one year for a first conviction; 2) a period of two years for a second conviction; 3) a period of three years for a third conviction; or 4) the remainder of the offender's life for a fourth or subsequent conviction, subject to a five-year review. Authorizes the Taxation and Revenue Department to charge a fee of no more than \$15 for persons from out of state who apply for a New Mexico driver's license to defray the costs of checking for prior DWI convictions in other states; appropriates \$1.1 million from the General Fund for expenses relating to verifying qualifications for driver's licenses and issuing ignition interlock licenses. Effective 7/1/07.

Chapter 319
CS/SB 905

MV: MOTOR VEHICLE CODE AMENDMENTS. Makes numerous stylistic and technical changes and amends several sections of the State Motor Vehicle Code dealing with registration provisions; new material defines an "electric personal assistive mobility device" as a self-balancing device having two non-tandem wheels designed to transport a single person by means of electric propulsion with an average of one horsepower and with a maximum speed of less than 20 miles per hour; a "neighborhood electric car" is a four-wheeled electric motor vehicle that has a maximum speed of more than 20 miles per hour but less than 25 miles per hour and complies with federal regulations in 49 CFR 571.500; requires registration for an electric personal assistive mobility device and an off-highway motor vehicle; requires a license to operate a neighborhood electric car; defines a person with significant mobility limitations. New material makes it a fourth degree felony for a person to: 1) knowingly issue an identification card, driver's license, vehicle registration or vehicle title to a person not lawfully entitled to such; 2) knowingly accept and use fraudulent documents as a basis for issuing such documents; 3) knowingly alter a record of such documents without legal justification; and 4) solicit or accept, directly or indirectly, anything of value with the intent to influence a decision or action regarding those documents. Also requires background checks for those in the Department of Taxation and Revenue who have access to or are assigned to perform work associated with driver's licenses; information obtained from the background checks are confidential and are to be used only in determining the eligibility to work with driver's licenses. Effective 6/15/07.

Chapter 321
***HB 491**

MV: COMMERCIAL DRIVER'S LICENSE REQUIREMENTS (Silva). Changes the threshold from 15 to 16 passengers for a vehicle used for non-paying passengers to be considered a commercial vehicle; changes the exemption from New Mexico licensure from any federal employee to military personnel of the U.S.; includes assignment to a diversion program or a driver improvement school under the definition of "conviction"; includes any state of the Republic or Federal District of Mexico in the definition of "state"; adds a new definition of "state of domicile" and provides that a person shall not be issued a driver's license unless they can establish that New Mexico is their state of domicile; clarifies that a commercial driver's license may not be issued unless the applicant has passed the required knowledge and skills test; sets specific expiration times for commercial licenses with hazardous material endorsements; requires disqualification from driving a commercial vehicle for one year if the person has convictions of DWI, leaving the scene of an accident or using a vehicle in commission of a felony while driving any vehicle, not just a commercial vehicle; provides that for subsequent serious traffic violations, the current required 120 days of disqualification from driving a commercial vehicle shall be added to any other period of disqualification; when disqualifying, suspending, revoking or canceling a commercial driver's license, MVD shall treat a conviction

received in another state in the same manner as if it were received in this state; prohibits a person from taking any action to prevent a conviction of a traffic control law violation from appearing on a commercial driver's record, including masking or deferring imposition of a judgment or allowing the license holder to enter a diversion program; "traffic control law" does not include parking violations; records showing a conviction for a person holding a CDL shall be open for public inspection for 55 years from date of their receipt. EMERGENCY CLAUSE. Effective 4/3/07.

Chapter 322
***SB 440**

DWI: TEST RESULTS THREE HOURS AFTER DRIVING (Grubestic). Amends §66-8-110; if the test performed pursuant to the Implied Consent Act is administered more than three hours after the person was driving a vehicle, the test result may be introduced as evidence of the alcohol concentration in the person's blood or breath at the time of the test and the trier of fact shall determine what weight to give the test results for the purpose of determining DWI status. EMERGENCY CLAUSE. Effective 4/3/07.

Chapter 324
SB 591

MV: INTERLOCK PROGRAM CONFIDENTIALITY (McSorley). Makes it unlawful for an employee of the Taxation and Revenue Department or an employee of the Traffic Safety Bureau to divulge information regarding a driver's license or permit, titling or registration of a vehicle or the administration of the Ignition Interlock Licensing Act and the Interlock Device Fund; authorizes the parole board or a probation and parole officer, instead of the sentencing court, to determine indigency pursuant to the Ignition Interlock Act or as a condition of parole. Effective 6/15/07.

Chapter 329
SB 401

REPEAL CERTAIN EMINENT DOMAIN STATUTES (Neville). Amends §§3-46-43, 3-60A-2, 3, 10, 15 & 3-18-10. Eliminates the ability of municipalities to condemn property for economic development pursuant to the Metropolitan Redevelopment Code; repeals sections of the Urban Development Law and repeals the Community Development Law; authorizes municipalities to acquire property by eminent domain for the purpose of correcting obsolete or impractical planning and platting of subdivisions; applies only to property that was platted prior to 1971, has remained vacant and unimproved, and threatens the health, safety and welfare of persons or property due to erosion, flooding and inadequate drainage. Repeals 3-46-1 thru 42, 44, 45, 3-60-1 thru 37 and 3-60A-11. Effective 6/15/07.

Chapter 330
HB 393

REPEAL CERTAIN EMINENT DOMAIN STATUTES (Wirth). Amends §§3-46-43, 3-60A-2, 3, 10, 15 & 3-18-10. Eliminates the ability of municipalities to condemn property for economic development pursuant to the Metropolitan Redevelopment Code; repeals sections of the Urban Development Law and repeals the Community Development Law; authorizes municipalities to acquire property by eminent domain for the purpose of correcting obsolete or impractical planning and platting of subdivisions; applies only to property that was platted prior to 1971, has remained vacant and unimproved, and threatens the health, safety and welfare of persons or property due to erosion, flooding and inadequate drainage. Repeals §§3-46-1 thru 42, 44, 45, 3-60-1 thru 37 and 3-60A-11. Effective 6/15/07.

Chapter 331
HB 981

GRT: MUNICIPAL TAX AGGREGATE INCREASE (Park). Provides an additional ¼ percent Local Option Gross Receipts Tax for municipalities; the increment is subject to a positive or negative referendum; proceeds may be dedicated to police, fire, infrastructure and general fund purposes; a small distribution of approximately \$1.9 million of the State Compensating Tax is made to all municipalities in fiscal year 2009 and then \$5.9 million is distributed thereafter; freezes the food and

medical hold harmless provisions for local governments as of January 1, 2007, and local governments will no longer receive the food and medical hold harmless provisions for future enactments of local gross receipts tax; however, small local governments, as defined, are held harmless for future food and medical receipts. Effective 7/1/07.

Chapter 332
HB 919

LIABILITY FOR COSTS OF FIGHTING FOREST FIRES (King). A person who willfully or recklessly sets a forest fire or causes a forest fire to be set for which a response is made by the Forestry Division of the Energy, Minerals and Natural Resources Department, an agency under agreement with the Department, a county or municipality, or any fire protection agency of the United States may be liable for the costs incurred, including expenses for fighting the fire and costs of investigation; repeals §30-32-2 NMSA 1978. Effective 6/15/07.

Chapter 334
***CS/HB 936**

CAPITAL OUTLAY PROJECTS: REAUTHORIZATIONS. Changes the purpose of several 2007 General Fund and Severance Tax Bond appropriations for several projects including the following municipal projects: **Albuquerque:** \$100,000 (GF) for Avalon Park is changed to the Environment Department to plan, design and construct improvements to the sewer interceptor on Coors Boulevard between Yucca Drive and Central; \$48,000 (GF) for El Valle de los Padres Road in **Pecos** is changed to road projects in San Miguel County; **Corrales:** \$300,000 (STB) for the north Belen interchange is changed to plan, design and construct improvements to Casa San Ysidro, including a visitor center and bridge in Corrales; **Hagerman:** \$250,000 (GF) for an airport in Hagerman is changed to plan, design and construct, including infrastructure, an industrial park in Hagerman; **Los Ranchos de Albuquerque:** \$525,000 (GF) for land purchase for open space in Los Ranchos is changed to purchase land for open space near Anderson fields in Los Ranchos; **Silver City:** \$1 million (GF) for an equestrian facility in Lincoln County is changed to plan, design, construct and equip a civic center in Silver City; **Sunland Park:** \$200,000 (STB) for the north Belen interchange is changed to plan, design, construct and equip a fire and police station in Sunland Park. Establishes conditions and deadlines for reversions of any unexpended funds. EMERGENCY CLAUSE. Effective 4/3/07.

Chapter 336
***CS/HB 1155**

STATE ELECTION CODE: PROCEDURE REVISIONS. Requires the county clerk to report to the Secretary of State the vote totals in each precinct on election night; requires the county clerk to maintain voting data by precinct that includes the number who voted early in-person, absentee by mail and on election day and the number who voted on each type of voting system; the county clerk must report this data to the Secretary of State within 60 days after the election, and to no other person; the Secretary of State shall combine the data within a precinct to the extent necessary to protect ballot secrecy before the data becomes a public record. Separate training manuals for voting systems may be provided for each county; clarifies that a qualified elector who has a valid order of protection need not provide their physical address on their voter registration form; the Secretary of State shall issue rules regarding acceptable forms of non-physical addresses. Requires registration agents working on behalf of an organization to supply the names and addresses of its officers; provides for civil penalties for third party registration agents in violation of the law. Requires the Secretary of State to issue rules to exempt federal qualified electors and overseas voters from submitting identification only as required by federal law; changes language on mailing of absentee ballots to provide the ballots be "sent" to applicants without specifying how they are to be sent; requires the absent voter precincts be opened at 7:00 a.m. on election day; the filing date for minor party candidates is changed to the 21st day following the primary; requires the Secretary of State instead of the county clerk to send voter information (replaced by the term voter ID card) to all active voters in each precinct between 60 and 75 days prior to each general election; authorizes a precinct board to deliver unopened absentee ballots received on election day to the county clerk in addition to the absent voter precinct board; deletes

specific dollar amounts charged to applicants for recounts and rechecks and requires payment of actual costs as determined by the state canvassing board. Repeals §1-6-10.2. EMERGENCY CLAUSE. Effective 4/3/07.

Chapter 337

CS/CS/HB 1156 STATE ELECTION CODE: VARIOUS CHANGES. Prohibits the Secretary of State, county clerks and registration agents from releasing to the public a voter's social security number or date of birth; establishes procedures for recounts for electronic vote tabulating systems using a random selection of ballots to be tallied by hand and then tabulated by the electronic system; ballots tallied must be equal to at least 2% of the ballots cast in each county for statewide and federal offices; for all other offices the number is equal to the greater of 100 or 5% of the ballots cast; specifies whether the remaining ballots are to be recounted by hand or electronic system, depending on the percentage difference between the results of the random hand-tally and electronic system tabulation; candidates may still request a hand recount; requires the creation of a "unique identifier" for each voter which shall not be the voter's social security number or date of birth; authorizes messengers to collect absentee ballots from polling places and deliver as designated by the county clerk; deletes current notification procedures regarding registration of convicted felons who become eligible to register to vote and directs the Secretary of State to establish rules for implementation and enforcement; makes it a 4th degree felony for third party registrars to intentionally alter a voter's absentee ballot application; specifies how paper ballots that are hand-tallied are to be counted; authorizes the Secretary of State to assist in preparing and supplying ballots; makes changes to conform to the new electronic vote tabulating systems; allows a person providing assistance to read the ballot to the voter; prescribes that the ballot for state constitutional amendments be prescribed by the Secretary of State, deleting the requirement that the full title of the joint resolution proposing the amendment be printed on the ballot; changes the date for filing of a proclamation by a school superintendent to the county clerk for a school district election to the last Tuesday in November. Effective 7/1/07.

Chapter 341

***CS/SB 826**

UNEXPENDED CAPITAL OUTLAY PROJECTS. Reauthorizes Severance Tax Bonds for several local projects. A summary may be found at the New Mexico Legislature's web site at <http://legis.state.nm.us> under Capital Outlay. EMERGENCY CLAUSE. Effective 4/3/07.

Chapter 342

SB 1058

RURAL INFRASTRUCTURE LOAN CAP & RATE (Rodriguez). Makes several changes to the Rural Infrastructure Act to include the planning and design of solid waste systems as eligible for loans; up to 10% of money in the Rural Infrastructure Revolving Loan Fund may be used for administrative expenses; loans may be repaid in annual installments or in a manner approved by the Environment Department; raises the amount an individual eligible entity may receive in a year from \$200,000 to \$500,000; raises the maximum assistance of both loans and grants to a local authority in any one year from \$500,000 to \$2 million; authorizes the Department to: make periodic reviews of the operation of a local authority that has received funds; require the local authority to submit information relevant to the loan; require financial reports of the local authority; and review and require changes to the rate-setting analysis that supports the loan payments; the Department may enforce its rights by suit or mandamus and may utilize all other available remedies under state law. Effective 7/1/07.

Chapter 344

SB 1060

WASTEWATER FACILITY CONSTRUCTION LOAN FUND (Rodriguez). Creates the Clean Water Administrative Fund, which is a dedicated fund, and money in the fund is appropriated to the Environment Department to administer the Wastewater Facility Construction Loan Fund; money from the Construction Loan Fund may be used to include water quality planning and water quality analysis

and protection studies authorized by the Environment Department or federal EPA; authorizes an administrative fee not to exceed five percent on loans to each local authority. Effective 7/1/07.

Chapter 346
CS/HB 1032

GRT: WATER & SANITATION DISTRICT AUTHORITY. Authorizes water and sanitation districts to impose a Gross Receipts Tax of 0.25% within the area of the county located within the district, upon approval of the voters in the district; the revenues shall be used only for the operation of the district and shall be imposed for six years. Effective 7/1/07.

Chapter 351
HB 21

JUVENILE CONTINUUM GRANT FUND (Wallace). Creates a new Juvenile Continuum Grant Fund administered by the Children, Youth and Families Department to award grants to local and tribal governments for juvenile justice continuums within their communities; grant applications may not exceed 60% of the annual cost of the continuum and a local match of 40% may consist of money, land, equipment or in-kind services; a “continuum” is a system of services and sanctions for juveniles arrested or referred to juvenile probation and parole, or at risk of such referral, and consists of a formal partnership among one or more units of local or tribal governments, the Children’s Court, the District Attorney, the Public Defender, local law enforcement agencies, the public schools and other entities such as private non-profit organizations, the business community and religious organizations; the continuum shall be established by a MOU and a continuum board; monies in the Fund are subject to appropriation by the legislature. Effective 7/1/07.

Chapter 361
HB 638

GRT DEDUCTION: HEALTH CARE PROVIDERS (Sandoval). Adds a number of health care providers (such as acupuncturists, chiropractors, counselors, massage therapists, nutritionists, pharmacists, psychologists, social workers) to those eligible for a deduction from Gross Receipts Tax for receipts from payment by the U.S. government; defines all the newly listed categories of practitioners; adds clinical laboratories to those eligible for a GRT deduction from payments by a managed health care provider, health care insurer or Medicare; provides for a deduction from Gross Receipts and Governmental Gross Receipts Tax from the sale of oxygen and oxygen services; provides for a Gross Receipts Tax deduction for the sale of vision aids, hearing aids or related services; provides for a phased-in credit for the state portion of the GRT for certain hospitals; provides for a phased-in credit against gross receipts taxes for unpaid charges for physicians on call; provides a deduction from Gross Receipts Tax for receipts from payments by the U.S. Indian Health Service; provides an income tax credit for rural health care practitioners; revises tax incentives for health insurers assessed per the medical insurance pool. The income tax credit for rural health care applies to tax year beginning 1/1/07, the remaining sections are effective 7/1/07.

Chapter 362
HB 823

PROCUREMENT: PROHIBIT CERTAIN ACTS BY PUBLIC OFFICIALS (Cervantes). Makes several amendments to the Governmental Conduct Act which applies only to state public officials and employees; however, the law amends §10-16-13 to add political subdivisions to the prohibition on accepting any bid or proposal from a person who directly participated in the preparation of specifications, qualifications or evaluation criteria on which the specific competitive bid or proposal was based; a person accepting a bid or proposal on behalf of a state agency or political subdivision shall exercise due diligence to ensure compliance with this section. Effective 7/1/07.

Chapter 368
SB 861

MV: TRAFFIC CAMERA & SIGNAL WARNING SYSTEM (Payne). New material requires any county or municipality, including home rule municipalities, that use red-light cameras to install warning lights supplemented by a warning beacon and rumble strips in every direction on streets

approaching camera monitors used for recording violations of running red lights or speeding violations (currently only affects Albuquerque); “rumble strips” means grooves in pavement or rows of raised markers placed perpendicular to the direction of travel in a street or highway lane to alert inattentive drivers to the lane or traffic condition; beacons must flash a yellow light to alert drivers that they will reach a red light, or a queue of vehicles stopped at a red light at the monitored location; warning signs and beacons must comply with signs and beacons appropriate for uniform traffic control set out in the State Motor Vehicle Code. Effective 6/15/07.

RESOLUTIONS AND MEMORIALS OF INTEREST

- HJM 7** **STUDY STATE’S RESPONSE TO SEVERE WEATHER (Moore).** Requests the appropriate legislative interim committee to study and take testimony on the ability of state and local governmental agencies to adequately respond to severe weather and to make recommendations to the 2008 legislature. SIGNED
- HJM 26** **BORDER SECURITY & AFFAIRS COMMITTEE (Steinborn).** Cites that complex border issues and federal, state and local attention to border security efforts mandate involvement by the New Mexico Legislature; requests appointment of a legislative interim “Border Security and Border Affairs Committee” to study border issues, including security, health and environmental concerns, traditional ranching and agricultural border commerce and human rights; findings are due to the Legislature by January 1, 2009. SIGNED
- HJM 29** **SUNLAND PARK PORT OF ENTRY (Garcia, MH).** Supports the establishment of a vehicle and pedestrian, noncommercial customs port of entry at the international border between Ciudad Juarez-Anapra, Mexico and Sunland Park, New Mexico. SIGNED
- HM 18** **ALBUQUERQUE: HOMELESS STUDY IN BARELAS NEIGHBORHOOD (Garcia, MP).** Requests the Human Services Department to establish a new working group focused entirely on homelessness, with a high priority given to focus on the problems of the Barelas community in Albuquerque as an example of a pattern occurring throughout New Mexico; a data report is due to the Health and Human Services Committee before December 1, 2007 that includes recommendations for ways to keep homeless people in their home towns by providing better services in smaller cities and providing better housing and employment options in urban areas where homeless persons are drawn by services. SIGNED
- HM 20** **IMPROVE EMERGENCY MEDICAL SERVICES (Wirth).** Requests the Governor to convene an emergency medical services task force to study and make recommendations to improve the statewide delivery of emergency medical care in New Mexico. The recommendations shall be made to the interim legislative Health and Human Services Committee by October 2007. SIGNED
- HM 27** **CHANGE COLUMBUS DAY TO INDIGENOUS DAY (Harrison).** Offers reasons to change the celebration of Columbus Day to Indigenous Day in New Mexico and proposes that the day be used to celebrate New Mexico’s cultural diversity and its multiculturalism. SIGNED
- HM 35** **TRANSPORTATION NEEDS AND FUNDING STRATEGIES (Lundstrom).** Requests the Secretary of Transportation to appoint a technical committee to develop data and information regarding influences on the future outlook of transportation in New Mexico and alternative funding strategies to be available for use by decision-makers to aid in addressing sustainable transportation

systems for New Mexico; the committee would include representatives of DOT, Federal Highway Administration, Associated Contractors of New Mexico, American Council of Engineering Companies, New Mexico Passenger Transportation Association, regional planning organizations, municipal planning organizations and other transportation and aviation associations; the study is due to the Governor and Legislature by October 15, 2007. SIGNED

- HM 42 REVIEW WATER DEVELOPMENT PLANNING AUTHORITY (Stewart).** Requests the State Engineer to convene representative stakeholders to inform and make recommendations relating to planning authority that should be allowed to municipalities, counties, school districts, state universities, member-owned community water systems, special water users associations and regulated water and electric public utilities; requests that interstate commerce limitations on the state's ability to conserve the state's water supplies be included in the evaluation; report is due by the State Engineer to the appropriate interim committee by August 1, 2007. SIGNED
- HM 45 SANTA FE: TRAFFIC SIGNAL COORDINATION (Varela).** Requests the City of Santa Fe to synchronize the City's traffic signal controls so that they provide for continuous movement of traffic at a definite speed; requests that the units be monitored at least every 18 months. SIGNED
- HM 62 ESTABLISH LEGAL NOTICE WEB SITE (Begaye).** Requests a work group to be assembled from among state and local agencies that publish legal notices to study means of implementing a workable, user-friendly, state-sponsored web site that aggregates previously published state, county, municipal and other legal notices and legal advertisements; members would include representatives of the New Mexico Municipal League, Association of Counties, one representative each from a state agency, county agency and a municipal agency and a member of the New Mexico Press Association; recommendations are due to the Information Technology Oversight Committee during the 2007 interim. SIGNED
- HM 71 STUDY AGGRAVATED STALKING AS SEX OFFENSE (Hall).** Requests the New Mexico Sentencing Commission to study the feasibility and appropriateness of including as a sex offense, subject to the Sex Offender Registration and Notification Act, the crime of aggravated stalking when the victim is less than 16 years old; report is due to the appropriate legislative interim committee by October 1, 2007. SIGNED
- HM 74 CONSTRUCTION INDUSTRIES FUNDING TASK FORCE (Swisstack).** Requests the Governor to form a task force to study the relationship between funding and industry growth and inspection processes at the state and local government levels and make recommendations to the Legislative Finance Committee and Department of Finance and Administration for means and methods of funding the Construction Industries Division that correspond to growth and other relevant changes in the construction industry and improving the efficiencies of all local government inspection processes; requests consideration of whether the CID should continue to be a division of the Regulation and Licensing Department and how funding can be structured with flexibility to respond effectively to growth and declines in the industry at state and local levels, including whether enterprise funding is a viable method of accomplishing this goal; lists suggested representatives to serve on the task force including the New Mexico Municipal League, Association of Counties, Legislative Finance Committee, Senate Finance Committee, House Appropriations and Finance Committee and others. Recommendations are due to the Legislative Finance Committee and DFA by August 1, 2007. SIGNED
- HM 85 STUDY PROPERTY TAX VALUE INEQUITIES (Berry).** Requests the Property Tax Division of the Taxation and Revenue Department to review the assessment process as it is actually carried out by county assessors and the status of "current and correct" values in all counties; a report is due by

September 15, 2007 to the interim Revenue Stabilization and Tax Policy Committee on whether there are inequities in property tax valuation; requests the interim committee to develop recommendations for statutory changes to make the residential property valuation system more equitable. SIGNED

- HM 92** **COMBINE EDUCATIONAL & PUBLIC RETIREMENT (Stewart).** Requests the Legislative Education Study Committee and the State Investments and Pensions Oversight Committee, or other designated committee, to study the feasibility of combining the Educational and Public Employee Retirement Systems; requests that the study include legal, practical and monetary consequences as well as basic inequities of maintaining two separate systems. SIGNED
- HM 96** **LIQUOR LICENSING LAWS REVIEW COMMITTEE (Garcia, T).** Requests the appointment of a 20-member interim “liquor licensing laws review committee” to study liquor licensing issues, including the quota system, ownership and location transfer of licenses, whether more licenses would encourage economic development, the marketing of licensees and the impact of additional licenses on health, safety and morals of New Mexicans; committee members are to be appointed with political party affiliation proportionate to that of the legislative membership; report is due to the Legislature by January 1, 2008. SIGNED
- HM 97** **STUDY DEPT. OF ENVIRONMENT DECISIONS (Garcia, MP).** Requests the Environment Department to study how to effectively address the cumulative impacts, economic impacts and social impacts of its permitting decisions and how to determine and take into account the impacts of its decisions on quality of life of residents; requests that the study include the legality and feasibility of adopting rules to require these considerations by the Department; report is due to the appropriate interim legislative committee by December 15, 2007. SIGNED
- HM 101** **PERA INFO TO INTERIM COMMITTEES (Garcia, MP).** Requests PERA to assemble detailed information on the number of retirees who have returned to employment, number of years of subsequent employment of these retirees, number subsequently employed by each department, agency and political subdivision and amount of retirement pension and salary the retirees have received during the subsequent employment; report is due to the interim Legislative Investments and Pensions Oversight committee prior to November 30, 2007. SIGNED
- HM 102** **STUDY DRIVING WHILE ON DRUGS (Rehm).** Cites that 22% of fatal motor vehicle crashes between 2000 and 2006 involved drugs other than alcohol; requests that the Chief of the Traffic Safety Bureau, Director of the Scientific Laboratory and Secretary of Department of Public Safety convene a task force to study the extent of the problem of driving under the influence of drugs and how it can be addressed; recommendations for possible changes in the law are due to the appropriate interim committee by November, 2007. SIGNED
- HM 107** **NM INTEROPERABILITY COMMUNICATIONS SYSTEMS (Arnold-Jones).** Requests the Governor’s Homeland Security Advisor to form a committee to study the interoperability of local, tribal, and state emergency communications systems in New Mexico and their interface with federal systems; the committee includes representatives from the first responder community, the chief information officer, D.P.S. Secretary, Secretary of General Services, and additional representatives from other sectors of local, tribal, state and federal stakeholders as identified by the Homeland Security Advisor; recommendations to the Governor and Legislature regarding resolution of interoperability issues are due by October 1, 2007. SIGNED
- HM 110** **LANL TAX STATUS ECONOMIC IMPACT STUDY (Salazar).** Requests the state, through its appropriate agencies, to immediately conduct a comprehensive assessment of fiscal impacts on cities and counties in Los Alamos National Laboratory’s employment base area resulting from the changed

tax status of the Lab's new contract; also requests the state to conduct a comprehensive economic development plan for that area. SIGNED

HM 111 REGULATORY REFORM TASK FORCE (Park). Requests the New Mexico Legislative Council to convene a regulatory reform task force to make recommendations on reform of administrative rulemaking, licensing, enforcement and adjudication processes, including any necessary reforms to administrative procedures as recommended by the National Conference of Commissioners on uniform state laws and the American Bar Association; the task force is to have 15 members, including: one member appointed by the Governor who represents the public interest; one member appointed by the Governor who represents the business community; one member appointed by the Governor who is an attorney licensed to practice law in the state of New Mexico; three members appointed by the Governor who represent the interests of agencies, boards and commissions; the Attorney General or his designee; three senators appointed by the President Pro Tem, with at least one of the senators coming from the minority party; one person appointed by the President Pro Tem who is not a legislator; three representatives appointed by the Speaker of the House, with at least one of the representatives coming from the minority party; and one person appointed by the Speaker who is not a legislator; a report is due to the appropriate interim legislative committee by October, 2007. SIGNED

Constitutional Amendment 1

SJR 7 CA: MIDTERM SALARY INCREASES FOR COUNTY OFFICIALS (Rodriguez). Proposes to amend Article 10, Section 1 of the New Mexico Constitution to allow a board of county commissioners to provide a midterm salary increase for elected county officers. SIGNED

SJR 13 LAS CRUCES LAND SALE (Papen). Authorizes the Property Control Division of the General Services Department to sell or exchange land with the City of Las Cruces and ratifies the sale pursuant to §13-6-3 NMSA 1978, sale of public property. SIGNED

SJM 49 MITIGATION OF LANL DOWNSIZING IMPACT (Cisneros). Requests the New Mexico congressional delegation and the entire U.S. Congress to reestablish the federal funding and support that existed in order to help mitigate the negative economic impacts caused by the downsizing at Los Alamos National Laboratory, and to help build a diverse, sustainable economy in north central New Mexico. SIGNED

SM 73 STUDY "LOSS OF USE" FOR WORKERS' COMP (Leavell). Requests the director of the Workers' Compensation Administration to appoint a task force to review current law and valuation of "loss of use" of various parts of the body; task force is to include representatives of labor, business, the insurance industry and Workers' Compensation attorneys; report of the task force is to be delivered to the appropriate interim committee by November, 2007. SIGNED

SM 77 ALBUQUERQUE REGIONAL AIR QUALITY AUTHORITY (Ortiz y Pino). Requests Bernalillo, Sandoval and Valencia Counties, and the municipalities contained therein, be encouraged to establish a regional air quality authority; copies of this memorial are to be sent to the governing bodies of Bernalillo, Sandoval and Valencia Counties and to the governing bodies of Albuquerque, Bernalillo, Corrales, Rio Rancho, Belen and Los Lunas. SIGNED

2007 48th Legislature, First Session
Vetoed Legislation

HB 44	ESTABLISH HIGHER EDUCATION DEPT. DIVISIONS (Heaton)
HB 85	INSURANCE COVERAGE FOR CHILD HEARING AIDS (Wallace)
HB 114	SOIL & WATER CONSERVATION DISTRICT ASSESSMENT (Crook)
HB 235	REQUIRE TAX EXPENDITURE BUDGET (Moore)
HB 237	PUBLIC HOUSING AUTHORITY AUDITS (Tripp)
HB 261	NATURAL RESOURCES TRUSTEE FUND & OFFICE (Wirth)
HB 272	CORRECTIONS POPULATION CONTROL ACT CHANGES (Maestas)
HB 277	FINANCE BOARD CAPITAL EXPENDITURE THRESHOLD (Salazar)
HB 287	FIREFIGHTER DAY OF REMEMBRANCE (Stapleton)
HB 296	CRIMINAL PENALTY LEGISLATION REQUIREMENTS (Cervantes)
HB 313	CERTAIN RETIREES RETURNING TO WORK (Heaton)
HB 328	PUBLIC SCHOOL CAPITAL OUTLAY OMNIBUS BILL (Miera)
HB 341	WILDLIFE ENHANCEMENT AUTHORIZATION PACKAGES (Moore)
HB 343	DEAF & HARD OF HEARING INTERPRETERS (Larranaga)
CS/HB 359	GEOSPATIAL RESOURCES ACT (Arnold-Jones)
*HB 465	SAFETY BELT WAIVER PLACARD (Ezzell)
HB 513	CHARTER SCHOOL PROGRAM COST CALCULATIONS (Hall)
HB 528	INMATE OPIATE REPLACEMENT THERAPY (Stewart)
CS/HB 577	PHARMACISTS AS PROVIDERS FOR INSURANCE (Picraux)
CS/HB 611	SOLAR RIGHTS ACT DEFINITIONS & INSTALLATIONS (Stewart)
HB 651	INTERIOR DESIGNER LICENSURE & BOARD (King)
HB 727	BEHAVIORAL HEALTH PURCHASING COLLABORATIVE (Varela)
HB 832	3RD PARTY LIABILITY CLAIM TIME LIMITS (Maestas)
HB 900	BROADEN UNIVERSITY RESEARCH & DEVELOPMENT (Silva)
HB 937	MEDICAL RECORD COPYING FEE LIMITS (Powdrell-Culbert)
HB 1008	SIGNED LANGUAGE INTERPRETING PRACTICES ACT (Wallace)
HB 1055	USE OF TERMS FOR PERSONS WITH DISABILITIES (Picraux)
HB 1235	NMFA LOCAL TRANSPORTATION PROJECT APPROVAL (Lundstrom)
HB 1270	MEDICAL INSURANCE POOL ACT ADMINISTRATORS (Chasey)
*HB 1278	PECOS RIVER SETTLEMENT WATER RIGHTS (Ezzell)
*CS/HB 1333	PUBLIC PEACE, HEALTH, SAFETY & WELFARE (Chasey)
SB 17	REQUIRE STILLBIRTH CERTIFICATE REGISTRATION (Rawson)
SB 19	BOLO TIE AS OFFICIAL NEW MEXICAN TIE (Komadina)
*SB 80	NMFA PUBLIC PROJECT REVOLVING FUND LOANS (Garcia MJ)
*SB 100	NMFA WATER PROJECT FUND GRANTS (Taylor JG)
SB 102	COURT OF APPEALS BUILDING COMMISSION (Lopez)
SB 159	PUBLIC SCHOOL CASH BALANCE CREDITS (Asbill)
SB 194	CORRECTIONS POPULATION CONTROL ACT CHANGES (Martinez R)
SB 202	LEGISLATIVE APPROVAL FOR SOME NMFA PROJECTS (Snyder)
SB 204	COLLEGE NON-ATHLETIC EVENT GROSS RECEIPTS (Rawson)
SB 212	TRANSFER BEHAVIORAL HEALTH SERVICES DIVISION (Papen)
SB 220	ELIMINATE COAL SURTAX (Altamirano)
SB 250	SOIL & WATER CONSERVATION DISTRICT ASSESSMENT (Taylor JG)
SB 264	FINANCE BOARD CAPITAL EXPENDITURE THRESHOLD (Altamirano)
SB 287	PUBLIC SCHOOL ACCOUNTABILITY & ASSESSMENT (Sharer)

CS/SB 290 ADD AGENCIES WITH GOVERNMENT LICENSE PLATES (Asbill)
 CS/SB 296 HEALTH & DENTAL INSURANCE AS CHILD SUPPORT (Griego)
 SB 298 APPROVAL FOR AGENCY PRIOR YEAR OBLIGATIONS (Beffort)
 *SB 323 LOW-INCOME HOME HEATING RELIEF (Altamirano)
 CS/SB 329 FIREFIGHTERS' SURVIVORS SUPPLEMENTAL BENEFITS (Taylor JG)
 SB 339 MULTIPLE LANGUAGES FOR CERTAIN DOCUMENTS (Duran)
 *SB 343 TOLLING TIME LIMIT FOR TAX COURT ACTION (Taylor JG)
 CS/SB 351 GSD TELECOMMUNICATIONS SERVICES (Sharer)
 *SB 363 ELECTRONIC CAMPAIGN REPORT FILING PROVISIONS (Sanchez M)
 SB 365 CONSISTENT TRAFFIC FINES (Sanchez M)
 *SB 435 COMMERCIAL DRIVER'S LICENSE REQUIREMENTS (Taylor JG)
 SB 491 DISTRICT COURT & ATTORNEY QUARTERS (Snyder)
 SB 494 COUNSELING & THERAPY LICENSURE REQUIREMENTS (Griego)
 *SB 501 STATE PAYMENT FOR MANDATORY ASSESSMENTS (Asbill)
 SB 511 LOCAL GOVERNMENT PERMANENT FUND INVESTMENTS (Jennings)
 SB 514 MEDICAL LICENSES & RECORD CONFIDENTIALITY (Jennings)
 SB 530 FOOD TAX DEFINITION CHANGES (Neville)
 SB 538 HEALTH INFORMATION TECHNOLOGY (Beffort)
 CS/SB 578 ESTABLISH LINKED DEPOSIT SYSTEM (Campos P)
 SB 599 CRIMINAL RECORD EXPUNGEMENT ACT (Sanchez M)
 SB 671 CANDIDATE WITHDRAWAL REQUIREMENTS (Lopez)
 SB 680 REVISE LEGISLATIVE RETIREMENT (Griego)
 SB 683 PAYMENT FOR PUBLIC WORKS MATERIALS (Rawson)
 SB 698 PROTECTION FOR SMALL BUSINESSES (Martinez R)
 SB 732 PRC FIRE MARSHAL DIVISION (Leavell)
 SB 733 MUNICIPAL HIGHER EDUCATION GROSS RECEIPTS (Komadina)
 SB 741 BONDS TO PROMOTE FILMMAKING (Robinson)
 SB 765 ALZHEIMER'S DISEASE SERVICES TASK FORCE (Rawson)
 SB 786 NEW MEXICO YOUTH DAY (Beffort)
 SB 794 UNDERGROUND PIPELINE ONE-CALL NOTIFICATION (Leavell)
 SB 797 CONTRIBUTIONS AGAINST STATE AGENCIES (Rawson)
 SB 845 "ABOVE GROUND STORAGE TANK" DEFINITION (Asbill)
 SB 851 COLORECTAL CANCER SCREENING INSURANCE (Nava)
 CS/SB 853 CONTROL ACCESS TO SPRAY PAINTS & MARKERS (Nava)
 SB 872 COUNTY CLERK RECORDING FEE USES (Duran)
 SB 924 FIREFIGHTERS' SURVIVORS FUND DISTRIBUTIONS (Leavell)
 SB 979 DEPT. OF INFORMATION TECHNOLOGY ACT (Lopez)
 SB 1043 WHISTLEBLOWER PROTECTION ACT (Beffort)
 SB 1065 EMPLOYEE LEASING CONTRACT BONDING REQUIREMENT (Grubestic)
 SB 1105 ALTERNATE NATIVE AMERICAN VOTING LOCATIONS (Lovejoy)
 *SB 1147 CHARTER SCHOOL ENROLLMENT LIMITS (Asbill)
 SB 1158 DRIVER EDUCATION LICENSE EXPIRATION DATES (Grubestic)
 SB 1168 COUNTY FORMATION OF SPECIAL HOSPITAL DISTRICT (Jennings)
 SB 1170 WATER QUALITY CONTROL COMMISSION MEMBERS (Lovejoy)
 SB 1174 HPV VACCINE IN SCHOOL-BASED CLINICS (Komadina)