MUNICIPAL DAY LEGISLATION

House Bills

HB 117  LODGERS' TAX EXEMPTIONS (Cathrynn N Brown)

HB 119  LODGERS' TAX EXEMPTIONS (George K. Munoz) This legislation will allow collection of the Lodgers’ Tax on long term rentals of taxable premises and allows the municipality to use certain proceeds to defray the cost of services to the long term renters. Tax revenue from the 31st day and subsequent days may be used for any municipal or county purposes as long as the uses are stated in the ordinance adopting the tax.

HB 163  COMMUNITY SUPPLEMENTAL SUPPORT FUND (Candie Sweetser) Creates the Community Supplemental Support Fund that will assist municipalities with 1) populations between ten thousand and twenty-five thousand and that have a percentage of population below the federal poverty that is greater than the percentage of population below the poverty level in the state. The following municipalities will be impacted: Artesia, Deming, Gallup, Las Vegas, Portales and Sunland Park.

HB 193  PERMANENT TAX DISTRIBUTION TO AVIATION FUND (Dayan Hochman-Vigil) Removes the sunset date and makes permanent a distribution of 0.046 percent from net gross receipts tax revenue otherwise distributable to the general fund to the state aviation fund. HB 220 MOTOR VEHICLE TAX DISTRIBUTIONS (Patricio D Ruiloba) Increases distributions of the motor vehicle excise tax for state and local road funding and prevents at least 25 percent of the distributions to the state and local road funds from being pledged for bond repayment. Beginning in FY22, the bill sends 35 percent of motor vehicle excise tax revenue to the state road fund and 23 percent to the local government transportation project fund. The remaining 42 percent of the revenue continues to flow into the general fund.

HB 308  DEFINE "AVERAGE DISTRIBUTION TRANSFER AMOUNT" (Jim R. Trujillo) Amends Section 7-1-6.15 NMSA 1978 to change the calculation of the “average distribution or transfer amount” for local option gross receipts tax (GRT) distribution adjustments to a municipality or county. It changes the distribution from an annual average to an average monthly amount.

HB 326  TAX CHANGES (Jason C. Harper) Implements the taxation of internet sales passed from last session in HB6. HB326 also does technical cleanup to the de-earmarking of local option gross receipt taxes passed in HB479 of last session.
SENATE BILLS

SB 72  PERA SOLVENCY (George K. Munoz) Makes the following changes to the Public Employees Retirement Act; it increases state and local government employee and employer pension contributions by 0.5 percent each year for four years for a total increase of 2 percent with the following exceptions; State police and adult correctional officers and annual salaries less than $25 thousand. Reduces the vesting period for tier 2 state employee and public safety members to 5 years and removes the 90 percent cap on pension earnings for all employees. It also makes changes to the cost of living adjustment (COLA) for current retirees; suspends the compounding COLA for three years and replaces it with a noncompounding 2 percent COLA for all members with the exception of those on disability retirement, those with 25 years of service or more and whose pension is less than $25 thousand per year, and those age 75 or older as of June 30, 2020.

SB 110  PUBLIC SECTOR COLLECTIVE BARGAINING CHANGES (Mimi Stewart)
- Abolishes Local Labor Relation Boards and give the bargaining units the right to veto the reestablishment of Local Boards
- Removes the 40% requirement of voter turnout for Certification Elections; and also deletes management’s right to require an election
- Establishes Perpetual Bargaining
- Return “No Strike” provision adds “other concerted efforts”
- Makes a number of changes to the use of the workplace and access to employers
- Requires local Government to furnish names, addresses, e-mail and cell phones of employees
- Changes the re-appropriation prohibitions and strikes the “availability of funds” language

SB 217  TAX DISTRIBUTIONS TO MUNICIPALITIES (Bill Tallman) Bill proposes to allow municipalities to take, on a monthly basis, an income tax-based distribution in lieu of 0.225% of the 1.225% distribution of state gross receipts tax revenues. Municipalities would get the higher of the two distributions.
LEAGUE OFFICE PARKING DURING THE SESSION

Because of the demand for parking around the Capitol during the session, we must protect the availability of parking for our municipal officials and staff. In order to reduce the possibility of accidents, a few areas in our lots are designated by signs as “NO PARKING” AREAS.” If you are visiting the session and need to park in the League lots, please help us by observing the following rules:

1. Do not park in the areas designated as “NO PARKING” zones
2. Obtain a League Parking Permit from the reception desk and leave it on the rear-view mirror of your car so that it’s easily visible
3. DOUBLE PARKING OR PARKING BEHIND ANOTHER CAR IS NO LONGER PERMITTED IN OUR LOTS

YOUR LEGISLATIVE BULLETIN

This is the first in the series of weekly League Legislative Bulletins designed to communicate with municipal officials, legislators and the Executive Branch of state government.

This year the League will publish the Bulletin electronically and will not distribute a printed copy. We will post the Bulletin on Friday mornings on the League’s website under the listing of “Publications.” We will then e-mail a link to the document to our membership through our list serve that we use to distribute The Municipal Reporter as well as send push notifications through the NMML App.

Municipal officials who receive the Bulletin include all mayors, commissioners, councilors, trustees, managers, clerks, municipal judges, police chiefs and many other municipal officials.

The Legislative Bulletin contains:
• a brief review of all bills of municipal interest of which we have received a copy since the prior Bulletin (it will save you and us time if you make a note of the House or Senate Bill number you are interested in);
• a brief analysis of key legislative developments of the past week;
• detailed explanations of key municipal bills; and, perhaps,
• an Action Call if any important municipal bill is scheduled to be heard in committee or on the floor of either house

For updated Committee assignments or additional information click here to be directed to the Legislative Home Page.

Your legislator can be reached by name through the Legislative Switchboard: (505) 986-4300 in Santa Fe. For those of you on line, the Legislature's web site also contains the e-mail addresses of those legislators who use the service. That address is: http://www.nmlegis.gov. Also check the League’s web site (www.nmml.org) for League information.

CAPITAL PROJECT FUNDING BILLS

Capital outlay project requests in recent years have not been introduced as legislative bills, but submitted as “capital outlay requests.” All approved requests are then included in a major capital outlay bill for final passage.

In past years we have reported these requests as we received the printed copies. The legislature will track all capital outlay requests electronically only. Therefore, we are no longer able to report the requests for you as we had in the past. However, the good news is that all requests will be listed on the legislative web site at nmlegis.gov (click on Capital Outlay). Each request is listed under the appropriate county and then alphabetically by title and includes the description of the request along with the dollar amount. Legislative Council Service will be updating the information every Tuesday and Friday evenings so the new introductions will be available for you early on Wednesdays and Saturdays. As always, you can contact your legislators directly to find out when your project will be scheduled for hearing.
BIOGRAPHY OF A BILL

A bill is introduced by a sponsoring legislator on the floor of either house, numbered by the clerk and referred for consideration to one or more committees of that house. The deadline for introduction of all bills except appropriations bills or bills requested by the Governor (special messages) is Noon on the 15th day of a 30-day session (January 31).

Committee recommendations usually determine the success or failure of a bill. A bill may be amended in committee or on the floor at any point in the process — sometimes changed so severely that its own author would not recognize it — or a substitute measure with the same number and general subject matter may be put in its place.

If you are interested in a particular bill, do not be dismayed if it seems to sit for a long time in committee, particularly in a tax, finance or appropriations committee. Bills which ask for money or for taxing authority often lie dormant until the last few days of a session and then move with unbelievable speed.

If a bill passes successfully through its committee referrals, it returns to the floor of the house in which it was introduced for floor consideration. If it passes that house, it goes to the other house. However, it may also be tabled, referred again or defeated.

In the second house the bill is again considered in one or several committees and it may again be amended or substituted. If it gets through its committee assignments, it returns to the floor of that house for consideration and may from there be referred, tabled, passed or defeated.

If the bill passes the second house and it has been amended or substituted by the second house, the originating house must concur or fail to concur with the changes. If the originating house fails to concur, a conference committee representing both houses is appointed to decide what to present to both houses for acceptance.

A bill that has been passed in some agreed-upon form by both the House and the Senate goes to the Governor for signature. The Governor may choose to sign or to veto the bill. If the bill contains an appropriation, the Governor may veto portions if she wishes (line item veto); if it does not, she may only veto the entire bill. If vetoed, 2/3 of the House and 2/3 of the Senate must vote in favor of the bill in order to override the veto. If the veto override fails, the bill is dead.

Most bills do not reach the Governor's desk before the Legislature adjourns (Noon, February 15). The Governor has 20 days following the close of the session (Noon, March 7) to sign, veto or fail to sign (pocket veto) any bill that he did not act on during the session. Any bill is much more likely to have died in committee or on the floor before even reaching the Governor's desk.

In New Mexico, no more than 1/4 to 1/3 of bills introduced ever make it all the way to enactment. The historic trend in New Mexico is for more and more introductions each succeeding session.

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<tr>
<th>ABBREVIATION CODE</th>
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* Contains Emergency Clause (effective immediately on Governor's signing)
CA - Constitutional Amendment (requires approval by statewide electorate)

HOUSE COMMITTEES

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SENATE COMMITTEES

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HCW | Committee of the Whole
HEEC | Enrolling and Engrossing
HPRF | House Pre-file
SCC | Committee's Committee
SCONC | Conservation
SCORC | Corporations and Transportation
SCW | Committee of the Whole
SEC | Education
SFC | Finance
SIAC | Indian and Cultural Affairs
SJC | Judiciary
SPAC | Public Affairs
SRC | Rules
SPRF | Senate Pre-file
HB 285 ADJOINING PROPERTY OWNERS FOR REZONING (Rehm)
Current Location: HRC

HB 285 would require notice to adjoining property owners for certain residential rezoning proposals, approval by the adjoining property owners or payment if the adjoining property owners do not approve.

HB 289 MVD EMERGENCY CONTACT DATABASE (Black)
Current Location: HRC

House Bill 289 (HB 289) requires the Taxation and Revenue Department to create and maintain an emergency contact database.

HB 294 LICENSE PLATES UPON TRANSFER CAR OWNERS (Ruiloba) Current Location: HRC

House Bill 294 (HB 294) requires license plate issuance upon transfer of motor vehicle ownership.

HB 303 RENEWABLE ENERGY PROJECT FINANCING (Rubio)
Current Location: HRC

House Bill 303 (HB 303) amends and enacts sections of the Renewable Energy Financing District Act. It authorizes renewable energy financing to occur through renewable energy improvement financing institutions. HB 303 directs the Financial Institutions Division of the Regulation and Licensing Department to develop rules to certify eligible financing entities.

HB 308 DEFINE "AVERAGE DISTRIBUTION TRANSFER AMOUNT" (Trujillo)
Current Location: HTRC

House Bill 308 (HB 308) changes the calculation of average distribution or transfer amount for local governments from an annual average to a monthly distribution.

HB 311 PROHIBIT TOWING CERTAIN VEHICLES (Figueroa)
Current Location: HRC

House Bill 311 (HB311) relates to motor carriers by making it an unfair practice to tow from or immobilize a motor vehicle in a parking facility for displaying an expired validating sticker, HB 311 alos provided for penalties.
HB 312 CREATE ENVIRONMENTAL HEALTH FUND (Small)
Current Location: HAFC

House Bill 312 (HB 312) creates the Environmental Health Fund and provides that the Environmental Health Fund may be used for regulation of liquid waste, water recreation facilities, food service sanitation, and hemp. It amends, repeals and enacts sections of the NMSA 1978.

HB 319 MULTIPLE SOURCE CONTRACTS AMOUNT LIMITS (Gallegos)
Current Location: HRC

HB 319 allows local public bodies to enter into indefinite quantity construction contracts without a total amount limit for multiple source contracts for architectural and engineering services and construction, while giving consideration to qualified local contractors. It sets forth, for both state agencies and local public bodies, annual and quarterly reporting requirements for aggregate amounts per contractor and corresponding amounts to be spent under every multiple source contract.

HB 320 PLACEMENT OF TEMPORARY CAR REGISTRATION (Barrone)
Current Location: HRC

House Bill 320 (HB 320) makes changes to Section 66-3-6. NMSA 1978 and Section 66-3-18. NMSA 1978 to require demonstration and temporary registration permits to be laminated and placed in the same location on a motor vehicle as the non-temporary registration plate. HB 320 is effective on July 1, 2020.

HB 325 CRIMINAL RECORDS CONSIDERED FOR EMPLOYMENT (Romero)
Current Location: HRC

House Bill 325 (HB 325) amends the Criminal Offender Employment Act by expanding which criminal records cannot be relied upon to bar employment or licensure; requires agencies to develop their own rules regarding mitigating circumstances and disqualifying criminal convictions; establishes employment or licensure eligibility considerations for applicants with criminal records; requires notice to applicants regarding disqualification due to criminal history and a right to challenge the disqualification; requires annual reporting by agencies regarding applicants with criminal records; and amends the Uniform Licensing Act to align with the Criminal Offender Employment Act.
HB 326 TAX CHANGES (Harper)
Current Location: HTRC

House Bill 326 (HB 326) makes tax changes concerning business location identification, Gross Receipt Tax (GRT) refunds applicable to taxes owed, the definition of manufacturing, taxability of construction services, and local option GRT. HB 326 eliminates a GRT deduction for internet sales to a person outside the state and a GRT credit for selling a service that is to be resold.

HB 332 LOCAL LIQUOR DISPENSER'S LICENSE (Maestas)
Current Location: HRC

House Bill 332 (HB 332) creates the Local Nontransferable Dispenser's License. HB 332 establishes procedures for issuance. HB 332 establishes fees. HB 332 provides for deductions from gross receipts tax for certain retailers and dispenser's license holders. HB 332 provides for deductions from income tax for certain retailers and dispenser's license holders. HB 332 prohibits the sale, lease or transfer of retailer's and dispenser's licenses after June 30, 2025. HB 332 makes conforming changes to sections of the NMSA 1978. HB 332 requires annual reporting. HB 332 defines terms. HB 332 is effective on July 1, 2020.

HB 333 STUDY PARENTAL PAID FAMILY & MEDICAL LEAVE (Chandler)
Current Location: HLVMC

HB 333 appropriates $1,000,000 to the Workforce Solutions Department to study and make recommendations for the establishment of a parental paid leave and paid family- and medical-leave program.

HJR 7 EXPAND SCOPE OF 30-DAY SESSIONS, CA (D Montoya)
Current Location: HSEIC

House Joint Resolution 7 (HJR 7) proposes an amendment to Article 4, Section 5 of the NM Constitution to broaden the scope of bills that the legislature may consider during even-numbered years.

HJR 8 TERMS OF NON-STATEWIDE ELECTED OFFICERS, CA (Trujillo)
Current Location: HJC

House Joint Resolution 8 (HJR 8) proposes to amend Article 20, Section 3 of the NM Constitution to permit the adjustment by law of terms of non-statewide elected officers and to standardize the date an officer begins to serve.
HM 32 LEGISLATIVE IMPROVEMENT TASK FORCE (Rubio)
Current Location: HSEIC

HM 32 requests the Legislative Council convene a Task Force to develop recommendations for improving the legislative process.

SB 207 2020 CAPITAL PROJECTS GO BOND ACT (Munoz)
Current Location: SFC

SB 207 is the 2020 Capital Projects General Obligation Bond Act that provides funds for capital expenditures and authorizes general obligation indebtedness for the purposes and amounts described in Section 10, pages 7-30.

SB 208 CRIME OF FALSE DOMESTIC VIOLENCE REPORT (Sanchez)
Current Location: SCC

Senate Bill 208 (SB 208) creates the fourth-degree felony crime of making a false report of domestic violence abuse.

SB 217 TAX DISTRIBUTIONS TO MUNICIPALITIES (Tallman)
Current Location: SCORC

Senate Bill 217 (SB 217) reduces the distribution of Gross Receipts Tax (GRT) revenue to municipalities and replaces it with a portion of GRT or GRT plus a percentage of personal income tax (PIT) revenue. SB 217 puts in place reporting requirements.

SB 220 PECOS ECONOMIC DEVELOPMENT (Stefanics)
Current Location: SCORC

SB 220 appropriates $75,000 to the Local Government Division of the Department of Finance and Administration for regional economic development initiatives to support recreational initiatives and local community development in Pecos and the Upper Pecos canyon.

SB 224 CHANGE LOCAL GOVERNMENT TRANSPO PROJECT FUND (Sanchez)
Current Location: SCORC

SB 224 changes the name of the Local Government Transportation Project Fund to the Transportation Project Fund, thereby broadening its purpose to allow Indian nations, tribes or pueblo transportation projects to be funded by this fund.
SB 229 HOUSING FOR DOMESTIC PARTNER VIOLENCE VICTIMS (Sedillo-Lopez)  
Current Location: SPAC

Senate Bill 229 (SB 229) appropriates $2,000,000 to the Local Government Division for expenditure by the City of Albuquerque to provide housing and renovations to housing for survivors of intimate partner domestic violence.

SB 231 LAW ENFORCEMENT TECH & EVIDENCE KEEPING (Brandt) Current Location: SFC

SB 231 appropriates $100,000,000 to the Department of Public Safety for grants to county and municipal law enforcement entities for system upgrades for evidence analysis, evidence handling, and evidence storage technology and real time communication crime reporting.

SB 232 DEPT. OF TRANSPORTATION EXPENDITURES (Smith)  
Current Location: SFC

Senate Bill 232 (SB 232) makes an appropriation to the Department of Transportation and authorizes expenditures for Fiscal Years 2020 and 2021.

SB 234 WATER ASSOCIATION INFRASTRUCTURE ACT (Martinez)  
Current Location: SCC

Senate Bill 234 (SB 234) enacts the Water Association Infrastructure Act. It creates a board and prescribes its powers and duties. SB 234 creates a trust fund and a project fund. It allocates severance tax bonding capacity for Water Association Infrastructure projects and authorizes severance tax bonds.

SB 242 GROSS RECEIPTS ON REMOTE PATIENT MONITORING (Padilla)  
Current Location: SCOC

SB 243 NM CENTRAL ARIZONA PROJECT ENTITY ACT (Ramos)  
Current Location: SCC

Senate Bill 243 (SB 243) creates the New Mexico Central Arizona Project entity as a political subdivision of the state. It provides powers and duties and bonding authority. SB 243 requires the transfer of assets relating to the New Mexico Unit and makes an appropriation.
SB 245 SEPARATE FIRE MARSHALL FROM PRC (Burt)
Current Location: SJC

SB 245 moves the Office of the State Fire Marshal from the Public Regulation Commission to become a Division of the Homeland Security and Emergency Management Department; transferring personnel, functions, property, contracts and funds.

SB 246 PUBLIC IMPROVEMENT DISTRICT ACT CHANGES (Ivey-Soto)
Current Location: SCORC

SB 265 AIRPORT PEER-TO-PEER VEHICLE SHARING & TAXES (Sapien) Current Location: SCC

SB 266 RURAL EQUITY OMBUD (Gonzales)
Current Location: SCC

SB 266 creates a new position, rural equity ombud, whose job it is to work on issues of concern to rural and frontier communities, to be located within the Local Government Division of the Department of Finance and Administration.

SB 270 ELECTRONIC COMMUNICATION SEARCH & SEIZURE (Ivey-Soto)
Current Location: SCC

Senate Bill 270 (SB 270) amends the Electronic Communications Privacy Act. It addresses the requirements and procedures for a warrant for the search and seizure of electronic information. SB 270 provides for the destruction or sealing of information in certain situations. It amends requirements for reporting actions to the attorney general.

SJM 9 BLOCKCHAIN TECHNOLOGY TASK FORCE (Ortiz y Pino)
Current Location: SPAC

Senate Joint Memorial 9 (SJM 9) requests the secretary of information technology to convene a blockchain technology task force to examine and report on the potential benefits and risks to the public associated with the use of blockchain technology in the public and private sectors.

SJR 9 LIMIT GENERAL FUND APPROPRIATIONS, CA (Pirtle)
Current Location: SRC

Senate Joint Resolution 9 (SJR 9) proposes an amendment to Article 4 of the NM Constitution to limit the legislature's ability to increase General Fund appropriations for the operations of state
government, either through a general appropriation act or by special appropriation. It requires a three-fourths vote of each house to increase appropriations above the limitation.

**SJR 10 REPEAL OF ENACTED LAWS, CA (Cliff R. Pirtle) Current Location: SRC**

Senate Joint Resolution 10 (SJR 10) proposes an amendment to Article 4, Section 1 of the NM Constitution to provide that a law enacted by the legislature may be repealed by resolutions of three-fourths of the counties in the state expressing objection to the law and assenting to its repeal.