

LEGISLATIVE BULLETIN

VOL. 2015-5

FEBRUARY 20, 2015

At the Half-Way Mark

The Senate this week finally confirmed Public Education Department Secretary-designate Hanna Skandera. She has been serving in the designate position for the last four years without a confirmation hearing. The vote was 22-19 with five Democrats joining all Republicans to confirm her. One Senator recused himself from the vote due to a potential conflict of interest resulting from a lawsuit pending against the PED in which he is involved. The last day for bill introductions is February 19.

A key bill addressing the hold harmless issue was introduced in the House this week. House Bill 421, Local Government Gross Receipts & Hold Harmless, introduced by Representative Jason Harper, has been first referred to the House Government, Elections and Indian Affairs Committee. The bill does several things, including reducing the amount of hold harmless distributions to municipalities and counties by the amount of a municipal or county hold harmless gross receipts tax. It provides for a schedule for the imposition of a municipal or county hold harmless gross receipts tax to certain years to be eligible for an additional hold harmless distribution. The bill reduces the county hold harmless gross receipts tax to 1/8th percent and restricts the authority to pledge revenue from a hold harmless gross receipts tax. A previously-imposed municipal or county hold harmless gross receipts tax that does not conform to the bill shall remain in effect if a municipality or county has issued revenue bonds secured by the tax. The League will be closely monitoring Representative Harper's bill.

House Bill 87, Water Quality Control Commission Meetings, introduced by Representative Candy Spence Ezzell, passed the House on a vote of 43-21. As amended on the House floor, the bill requires the Water Quality Control Commission to set the time and place of a hearing on regulations or water quality standards within the area that is substantially affected by the regulations or standards. The bill now goes to the Senate.

Some bills the League is monitoring saw committee action last week and this week. House Bill 238 as amended, Workers' Comp Benefits & Intoxication introduced by Representative Dennis Roch and Senator Joseph Cervantes, and House Bill 250, Workers' Comp Return to Work & Benefits, introduced by Representative Randal Crowder, both received a Do Pass Recommendation from the House Business and Employment Committee. The bills address certain specifics of workers' comp benefits.

House Bill 366, Oil & Gas Preemption, introduced by House Majority Leader Nate Gentry, received a Do Pass recommendation from the House Energy, Environment and Natural Resources Committee on a party line 6-5 vote. The bill adds provisions to Section 70-2-6 NMSA 1978, which delineates the powers and duties of the Oil Conservation Commission and Energy, Minerals and Natural Resources Department's Oil Conservation Division, to expressly declare the state's exclusive jurisdiction and authority over all matters relating to oil and gas operations in municipalities and counties. The bill now goes to House Judiciary Committee.

Senate Bill 425, Municipal Code Streamlining introduced by Senate Minority Leader Stuart Ingle, was tabled in Senate Rules Committee. The bill would have provided for no elections in municipal elections that had uncontested races.

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.*
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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.

The **Bulletin** will be sent by first class mail from Santa Fe each Friday afternoon so that it should arrive at its destination by the following Monday morning.

If you would like to receive the Bulletin electronically, we will send you a link by email each Friday. You can contact Roger Makin via e-mail (rmakin@nmml.org) or by fax (505-984-1392). Please be sure to include your name, title, municipality or agency, mailing address, and e-mail address. The Bulletin will also be posted each Friday on the League’s website at www.nmml.org. We urge you to take advantage of this service in order to reduce mailing costs and time delays.

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.

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 legis.state.nm.us (click on Bill Finder on the left, then 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. We checked the site today and think you will find it an easy way to find your special projects. 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 30th day of a 60-day session (**February 19**). 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 very 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, March 21**). The Governor has 20 days following the close of the session (**Noon, April 10**) 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.

ABBREVIATION CODE

HB	House Bill	SB	Senate Bill
HCR	House Concurrent Resolution	SCR	Senate Concurrent Resolution
HJR	House Joint Resolution	SJR	Senate Joint resolution
HJM	House Joint Memorial	SJM	Senate Joint Memorial
HM	House Memorial	SM	Senate Memorial

* Contains Emergency Clause (effective immediately on Governor's signing)
 CA - Constitutional Amendment (requires approval by statewide electorate)

<p>HOUSE COMMITTEES</p> <p>HAFC Appropriations and Finance</p> <p>HAWC Agriculture, Water & Wildlife</p> <p>HBEC Business & Employment</p> <p>HCW Committee of the Whole</p> <p>HEC Education</p> <p>HEENC Energy, Environment & Natural Resources</p> <p>HEEC Enrolling and Engrossing</p> <p>HGEIC Government, Elections & Indian Affairs</p> <p>HHC Health</p> <p>HJC Judiciary</p> <p>HRPAC Regulatory & Public Affairs</p> <p>HPSC Printing and Supplies</p> <p>HRC Rules and Order of Business</p> <p>HTPWC Transportation and Public Works</p> <p>HSCAC Safety & Civil Affairs</p>	<p style="text-align: center;">SENATE COMMITTEES</p> <p>HWMC Ways & Means</p> <p>SCC Committee's Committee</p> <p>SCONC Conservation</p> <p>SCORC Corporations and Transportation</p> <p>SCW Committee of the Whole</p> <p>SEC Education</p> <p>SFC Finance</p> <p>SIAC Indian and Cultural Affairs</p> <p>SJC Judiciary</p> <p>SPAC Public Affairs</p> <p>SRC Rules</p>
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Bill Introductions Through Wednesday, February 18, 2015

- HB 421 LOCAL GOV'T GROSS RECEIPTS & HOLD HARMLESS (Harper)** Amends §§§§7-1-6.46, 7-1-6.47, 7-19D-18 and 7-20E-28 and enacts new material; the bill changes the hold harmless distribution provisions for municipalities and counties. Municipalities and counties are grouped by population and whether the hold harmless gross receipts increment has been imposed. Municipalities under 10,000 in population or a county under 48,000 in population with no hold harmless gross receipts increment imposed will continue to receive the applicable maximum distribution. All other municipalities and counties will have their hold harmless distribution adjusted so that the amount the local government receives does not exceed its maximum distribution. The new material prohibits the pledging of hold harmless gross receipts revenue for the payment of bonds, but bonds already issued and revenue already pledged is protected by the bill. A municipality is limited to imposing no more than 3/8% in municipal hold harmless gross receipts tax and a county is limited to no more than 1/8% of county hold harmless gross receipts tax, in the aggregate. EMERGENCY. Effective 1/1/16 are Sections 1-3, 5 and 7. HGEIC/HWMC
- HB 425 LIMIT CERTAIN LOAN FEES & CHARGES (Lundstrom)** Amends §§§§§§§§§§§§§§§§56-8-9, 58-7-1, 58-7-3, 58-7-6, 58-7-7, 58-15-2, 58-15-3, 58-15-17, 58-15-19, and 58-15-20, enacts new material and repeals §58-15-18; the bill amends the New Mexico Bank Installment Loan Act of 1959 and the New Mexico Small Loan Act of 1955 to provide rules for fees, interest and other charges associated with short-term installment loans and any other loans covered by those Acts and Chapter 56, Article 8. The bill repeals lender exchange provisions in the New Mexico Small Loan Act of 1955. Effective 7/1/15. HRPAC/HBEC
- HB 428 COUNTY OFFICER SALARIES (Garcia Richard and Sen. D Ivey-Soto)** Enacts new material; the bill enacts a new section of Chapter 4, Article 44 of the statutes to authorize an incorporated county with a five-member or larger board of county commissioners that has adopted a charter to set the annual salaries of elected or appointed officers, provided that no salary exceeds \$95,000 per year. Effective 7/1/15. HGEIC/HJC
- HB 430 MOUNTED PATROL SURVIVORS BENEFITS (Wooley)** Amends §§§§29-4A-1, 29-4A-2, 29-4A-4 and 29-4A-5; the bill amends the Peace Officers' and New Mexico Mounted Patrol Members' Survivors Supplemental Benefits Act to include New Mexico Mounted Patrol members in supplemental benefits for patrol members lost in the line of duty. HSCAC/HWMC
- HB 434 VETERANS SAFE FUNERAL ESCORT ACT (Trujillo)** Enacts new material; the bill enacts the Veterans Safe Funeral Escort Act, providing procedures and safe transport processes for funeral processions of military veterans involving two or more vehicles. HSCAC/HJC
- HB 436 RETIREE HEALTH CARE CONTRIBUTION RATES (Salazar, Tomás)** Amending §10-7C-15; the bill amends the Retiree Health Care Act to increase the employee and employer contribution rates for members of both enhanced retirement plans and members of plans that are not enhanced retirement plans, over the next three fiscal years. The rates remain in effect in subsequent fiscal years. Effective 7/1/15. HHC/HWMC
- HB 441 TAOS SKI VALLEY BOND SALE (Gonzales)** Same as SB 556. HWMC/HGEIC
- HB 442 TELECOMMUNICATIONS SAFEGUARDS ACT (Baldonado)** New material prohibits a municipality from directly or indirectly offer or provide to one or more subscribers video service, telecommunications service or broadband service; also prohibits the purchase, lease or construction of any facility that would enable distributions of those services; prohibits a municipality to use the power of eminent domain to enable distribution. Removes any immunity from antitrust violations if a municipality does serve subscribers. HBEC/HGEIC
- HB 447 ALTERNATIVE PROJECT DELIVERY METHODS FOR TRANSPORTATION (Brown)** New material creates the Transportation Procurement Act; states the design-bid-build delivery method is the preferred project procurement delivery method for transportation projects; sets criteria for design-build

delivery method; allows for two-phase design-build for transportation projects; authorizes construction manager general contractor delivery methods and sets criteria. Effective 7/1/15. HTPWC/HGEIC

- HB 450 SOLO-WORKER JOB CREATION (Martinez, R.)** New material creates the solo-worker program to improve the state's rural and urban economies by creating and sustaining economic-based jobs and expanding businesses owned and operated by solo workers; certified business incubators and community colleges are to create opportunities for residents to become solo workers, support continued employment and business expansion, recruit from outside the state solo workers engaged in economic-based jobs; appropriates \$500,000 from the General Fund. HBEC/HAFC
- HB 456 MOVE FIRE MARSHAL FROM PRC (Gentry)** New material moves the Fire Marshal Division from the Public Regulation Commission to the newly created State Fire Board; sets the Board's powers that include hiring the State Fire Marshal and approving fire codes and rules; the State Firefighter Training Academy is under the State Fire Marshal's office; establishes distributions for municipal fire departments; creates the Fire Protection Grant Council that has a representative of the Municipal League as a member. Effective 7/1/15. HJC/HAFC
- HB 458 OFFENSES FOR DRIVER'S LICENSE REVOCATION (Brown)** Amends §66-5-29; any offense under the federal Controlled Substances Act, the New Mexico Controlled Substances Act or any other drug offense is grounds for immediate revocation of a New Mexico driver's license; if a person's driver's license is revoked for a drug offense, the person may not re-apply or receive a new license until 6 months from the date of the conviction and all appeals have been exhausted. Effective 7/1/15. HSCAC/HJC
- HB 461 FOOD SERVICE SANITATION EXEMPTIONS (Larrañaga)** New material; provisions of the Food Service Sanitation Act shall not apply to charitable organizations, chartered branches, lodges or chapters of a national or state organization, educational organizations, environmental organizations, religious organizations or veterans' organizations that provide food to the general public on 6 or fewer occasions during the calendar year. Effective 7/1/15. HAWC/HHC
- HB 474 FIRE PROTECTION FUND TO WATERSHED RESTORATION (Bandy)** Amends §59A-53-5.2; the bill amends the Fire Protection Fund Act to transfer, after all other obligations have been satisfied, an increasing amount of the remaining balance in the fund to the Forest and Watershed Restoration Fund until 6/30/25 when the transfer will remain at 36.6% of the remaining balance. The bill only becomes effective if the Forest and Watershed Restoration Fund is established by law prior to 6/30/15. Effective 6/19/15. HEENC/HWMC/HAFC
- HB 475 TAX & REV. DEPT. INFO TO NMFA (Hall)** Amends §7-1-8.8; the bill allows tax information to be revealed by an employee of the Taxation and Revenue Department to the New Mexico Finance Authority regarding the amount of local option municipal or county gross receipts tax and governmental gross receipts tax collected from a municipality or county. Effective 7/1/15. HGEIC/HWMC
- HB 486 LAW ENFORCEMENT BACKGROUND CHECKS (Powdrell-Culbert)** Enacts new material; the bill enacts a new section of law regarding background checks on police officers transferring from one law enforcement agency to another, requiring that the hiring agency request a copy of files regarding actions to discipline, caution, reprimand the police officer by a former employer. HJC/HSCAC
- HB 487 CITY COURT FEE TO GENERAL FUND (Powdrell-Culbert)** Amends §35-14-11; the bill authorizes municipalities with populations of less than 10,000 to transfer balances in the municipality's special fund in which court fees are deposited to the municipality's general fund if the balances are in excess of the municipality's projected needs for the next fiscal year. HJC/HAFC
- HB 491 REDUCE MULTIPLE TAX RATES (Harper)** Amends multiple sections, repeals multiple sections and enacts new material; the bill reduces the corporate income tax rate, the gross receipts tax rate, the compensating tax rate and several other excise and special gross receipts tax rates. The corporate income tax bracket for corporation with taxable incomes over \$1,000,000 is included in the bracket for corporations with taxable incomes over \$500,000. The maximum bracket rate is then reduced to 4.9%. The gross

receipts and compensating tax rates are reduced to 2.0725%. Several tax credits and deductions are eliminated including the investment tax credit, the laboratory partnership with small business tax credit, the technology jobs tax credit, the film production tax credit, the high-wage tax credit, the rural job tax credit and the research and development small business tax credit. All municipal local option gross receipts taxes are rolled into one municipal gross receipts tax credit that is allowed to be imposed at a rate not to exceed 1.24% and the county local option gross receipts taxes are combined into one county gross receipts tax that is allowed to be imposed at a rate not to exceed .4375%. The distribution of the motor vehicle excise tax is changed from deposit in the general fund to deposit in the state road fund. The state investment council will no longer be able to make loans to New Mexico film projects, but will continue to be able to make investments in film productions. Changes are made to the distribution for indigent funding into the safety net pool fund and the Medicaid fund. The bill makes at least two appropriations totaling \$820 million from the general fund to the state road fund. Effective 1/1/16. HTPWC/HBEC/HGEIC/HEENC/HHC/HMWC/HAFC

- HB 496** **14-DAY VOTER REGISTRATION (Roybal Caballero)** Amends §1-4-8; the bill allows a voter who can appear at the county clerk's office in the county in which the voter is qualified to register to vote to register to vote up to 5:00 p.m. on the 14th day prior to an election, unless that day is a Saturday, Sunday or legal holiday, in which case the registration will close on the next succeeding regular business day. HGEIC/HJC/HSCAC
- HB 498** **STATE PREEMPTION OF WAGE & LEAVE LAWS (Gentry)** Amends §50-4-22.1 and enacts new material; the bill makes permanent the preemption by the state of laws dealing with the minimum wage. Minimum wages higher than the state minimum that are in effect on January 1, 2015 are authorized to continue in effect, notwithstanding the provisions of the bill. The new section enacted by the bill preempts the field of employee leave, of any type, but a law, ordinance, resolution of a political subdivision of the state that mandates employee vacation, annual, sick, family, personal day or other leave that is in effect on January 1, 2015, is authorized to remain in effect until repealed by the political subdivision. HRPAC/HBEC
- SB 551** **PROCUREMENT OF SOME PROFESSIONAL SERVICES (Cervantes)** Amends §§13-1-98 & 119 to require competitive sealed qualification-based proposals for the services of architects, landscape architects, engineers or surveyors, including home-rule municipalities. SCORC/SJC
- SB 553** **WORKERS' COMP BENEFITS & INTOXICATION (Cervantes)** Same as HB 238 as amended. SCORC/SJC
- SB 554** **SALE & REPORTING OF PUBLIC SECURITIES (Cervantes)** New material; a public body may adopt an authorizing instrument that delegates to one or more members, officers or employees of the public body the authority to sign a contract for the purchase or sale of public securities or to accept a binding bid for public securities and to determine the final terms for public securities to be issued; authorizing instrument shall be effective for 180 days or for a specified shorter period; lists information that is to be contained in the instrument; gives the delegate broad authority as to setting conditions of a sale; requires an annual report to the New Mexico Finance Authority Oversight Committee. Effective 7/1/15. SJC/SFC
- SB 555** **EXCLUDE SOME LOCAL GOVERNMENTS FROM HOLD HARMLESS (Muñoz)** New material states that a hold harmless distribution to a municipality or county that does not have in effect and has not had in effect a municipal or county hold harmless gross receipts tax shall not be further reduced if: 1) for fiscal year 2017, the average annual growth of the taxable gross receipts tax base of the municipality or county from the end of fiscal year 2013 to the end of the fiscal year 2015 is less than two percent of the average of the taxable gross receipts tax base for fiscal years 2012, 2013 and 2014; 2) each subsequent fiscal year, the average annual growth of the taxable gross receipts tax base of the municipality or county from the end of the fiscal year 2013 to the end of the fiscal year that ended 12 months earlier is less than two percent of the average of the taxable gross receipts tax base for the years 2012, 2013 and 2014; and 3) the poverty rate for the county in which the municipality is located is greater than 30%. Effective 7/1/16. SCORC/SFC

- *SB 556 TAOS SKI VALLEY BOND SALE (Cisneros)** New material authorizes the issuance of \$44 million for the Taos Ski Valley tax increment development district; legislature shall not approve any capital outlay projects within the Village of Taos Ski Valley tax increment development district during the period in which any bonds are outstanding except for buildings, facilities or infrastructure that are owned by the state or one of its political subdivision and that are buildings and facilities for: 1) public schools; 2) higher education; 3) cultural; 4) public safety; or) buildings and facilities used for public purposes. Once the developer of the TIDD project has been fully reimbursed, the Village of Taos Ski Valley shall provide to the State Board of Finance the estimated amount of state gross receipts tax increment revenue required to pay the debt service on the outstanding bonds and to meet any debt-service coverage; the Board shall determine: 1) the reduced amount of state gross receipts tax increment revenue necessary each year to meet the requirements; and 2) the reduction to the percentage of dedicated state gross receipts tax increment revenue corresponding to that reduced amount. EMERGENCY CLAUSE. SCORC/SFC
- SB 557 RELEASE ON WON RECOGNIZANCE FOR SOME CRIMES (Candelaria)** Amends §31-3-1; a designated person at a detention center shall not release a person on personal recognizance if that person is charged with aggravated battery against a household member or aggravated driving under the influence of intoxicating liquor or drugs. Effective 7/1/15. SPAC/SJC
- SB 567 SWAT DEPLOYMENT ANNUAL REPORTING (Martinez)** New material requires every law enforcement agency that has a special weapons and tactic (SWAT) team to annually file with the Secretary of Public Safety a report regarding all deployments of that agency's team during the previous calendar year; report is to be filed on or before May 1 of each year; the report is to contain the purpose of deployment, location, whether forcible entry was required, whether any type of weapon was discharged, whether a person's domestic animal was injured or killed, the race, sex and age of each individual encountered and a list of any controlled substances, weapons or crime evidence found on the premises. Effective 1/1/16. SPAC/SJC
- SB 575 CHANGE POPULATION ESTIMATE METHODS (Ortiz y Pino)** Amends §3-37A-2; the definition of population as used in the Small Cities Assistance Act is the most recent official census or estimate determined by the United States Census Bureau in years in which a census is taken, and the most current estimate prepared by the Geospatial and Population Studies at the University of New Mexico in other years; if neither the census nor geospatial estimates are available, population means the estimate made by the Local Government Division; the same UNM program applies to county populations. SPAC/SFC
- SB 579 LIMIT CERTAIN LOAN FEES & CHARGES (Neville)** Amends §56-8-9; a loan in the amount less than or equal to \$2,500 shall be made only pursuant to the New Mexico Bank Installment Loan Act of 1959 or the New Mexico Small Loan Act of 1955; limits delinquency charge to \$.10 for each dollar not to exceed \$25; processing fees are limited to 10 % of the loan principal; insufficient funds charges are limited to \$35; no lender shall make a loan subject to the New Mexico Installment Loan Act if the maturity is less than 120 days; new material sets out permitted charges for installment loans; the state has exclusive jurisdiction and authority regarding the terms and conditions of permitted installment loans and counties, municipalities and other political subdivisions are preempted from any regulation of terms and conditions or permitted installment loans by ordinance, resolution or otherwise. Repeals §58-15-18. Effective 7/1/15. SCORC/SJC
- SB 580 LOCAL ECONOMIC DEVELOPMENT PROJECTS – GF (Campos)** Appropriates \$10 million from the General Fund to the Economic Development Department to support local economic development projects. SCORC/SFC
- SB 583 CRIMINAL OFFENDER EMPLOYMENT ELIGIBILITY (O'Neill & Rep. Baldonado)** Amends §28-2-3; any employer is subject to provisions of the Criminal Offender Employment Act that would prohibit any employer from using arrest records not followed by a conviction or misdemeanor violations not involving moral turpitude in employment applications. Effective 7/1/15. SJC
- SB 585 MILITARY BASE OFFICE RFP (Ingle)** New material requires the Office of Military Base Planning and Support to solicit proposals through a request for proposal from prospective contractors to conduct a study

of the overall strengths and advantages of New Mexico in meeting the strategic objectives of the United States Department of Defense; the study is to focus on the alignment of New Mexico's military installations and communities; lists several factors the study should contain; requires the contractor to be fully independent from the state, any political subdivisions and the Department of Defense; asks for the report by April 15, 2016; appropriates \$300,000 for the study. SPAC/SFC

- SB 586 CREATE DWI & DUI CODE & DWI FUND USES (Brandt)** New material creates the Driving Under the Influence Code; defines penalties for first through seventh and subsequent convictions of driving under the influence; defines aggravated driving under the influence; requires mandatory drug or alcohol abuse screening after a conviction; requires alcohol monitoring ankle bracelets and interlocks; a court may impose original sentence and not give credit for time on probation; only a physician or licensed professional, or a practical nurse, laboratory technician or technologist employed by a hospital or physician, shall withdraw blood from a person in the performance of a blood alcohol test. Repeals §§66-5-502 and 66-8-102. Effective 7/1/15. SPAC/SJC/SFC
- SB 593 IMPLEMENT LOCAL ECONOMIC DEVELOPMENT ACT – GF (Campos)** Appropriates \$50 million from the General Fund to the Economic Development Department for projects pursuant to the Local Economic Development Act. SCORC/SFC
- SB 598 RIO RANCHO TEEN COURT PROGRAM – GF (Campos)** Appropriates \$40,000 from the General Fund to the Local Government Division for operation and administration of a teen court program in Rio Rancho. SJC/SFC
- SB 600 VIETNAM VETERANS MEMORIAL PARK NEEDS - GF (Campos)** Appropriates \$311,500 from the General Fund to the State Parks Division of the Energy, Mineral and Natural Resources Department for the critical needs of the Vietnam Veterans Memorial Park in Angel Fire. SCONC/SFC
- SB 608 LOCAL LIQUOR EXCISE TAX & RATES (Sanchez, M.)** Amends §7-24-10 to authorize a Class B County with a population between 56,000 and 75,00 with a net taxable value between \$500 million and \$800 million to impose an excise tax on any liquor retailer of up to 6%, subject to approval by voters; county commissioners in a county not fitting the limitations may enact an ordinance imposing an excise tax on wholesalers of alcoholic beverages; tax shall be in effect for four years from the effective date; proceeds shall be dedicated to fund direct program services for the prevention and treatment of alcohol abuse within the county. Repeals §7-24-15. Effective 7/1/15. SPAC/SFC
- SB 613 CREATE DRIVING UNDER THE INFLUENCE CODE (Ivey-Soto & Rep. Garcia Richards)** New material creates the Driving under the Influence Code; creates several new definitions under the new Code; sets penalties for a first through seventh convictions; requires alcohol and substance abuse counseling; references the Driving Under the Influence Code in the State Motor Vehicle Code. Repeals §§66-5-502 and 66-8-102. Effective 7/1/15.SPAC/SJC
- SB 617 ELECTION CODE CHANGES (Ivey-Soto & Rep. Smith)** The 80-page bill makes several changes to the State Election Code including: prohibit proxy voting; allows county clerk employees as election clerks; requires sufficient staff at polling locations; allowing county clerks access to the driver's license database; prescribing the order of office on the ballot; exempting certain voting records from the Inspection of Public Records Act until after all recounts; a county canvassing board in a county with a population of 250,000 or more shall complete the canvass and declare results within 13 days from the date of the election; amends sections of the code for school board elections. Repeals §1-10-11. SRC/SJC
- SB 618 INVESTMENT IN LOCAL ECONOMIC DEVELOPMENT (Muñoz)** Amends §7-25-5.15; requires between 6 and 10 percent of the market value of the Severance Tax Permanent Fund be invested in local economic development infrastructure projects; investment shall be made in land, buildings, roads and other fixed assets of municipalities and counties as necessary to attract and maintain business development in the state; the State Investment Officer shall annually report to Legislative Finance Committee the amounts invested in each fixed asset of each municipality and county. SCORC/SFC

- SB 619 PUBLIC SAFETY RETURNING TO WORK EXCEPTIONS (Muñoz)** Amends §10-11-8; effective July 1, 2015 through July 1, 2108, if a retired member who retired with at least 20 years of service credit under a municipal police, municipal fire or state police and adult correctional officer member coverage plan returns to employment with an affiliated public employer in a position that is covered under a municipal police, municipal fire or state police and adult correctional officer plan, the retired member may continue to receive retirement benefits during the period of employment of not more than three years, provided that: 1) the retired member shall receive 50% of the monthly pension; 2) the retired member's cost-of-living adjustment shall be suspended upon employment; 3) the retired member and the affiliated employer shall make contributions during employment; 4) the retired member is not entitled to accrue service credit or purchase additional service credit; and 5) upon termination of employment, the retired member's pension shall resume and cost-of-living adjustment shall resume. SPAC/SFC
- SB 621 ELIMINATE HOLD HARMLESS REDUCTIONS (Muñoz)** Amends §7-1-6.46 & 47 to eliminate the reduction in hold harmless distributions to municipalities and counties; a distribution pursuant to §7-1-6.1 shall be made to municipalities and counties in an amount, subject to any increase or decrease made pursuant to §7-1-6.15 equal to the applicable maximum distribution, less the amount of any hold harmless gross receipts tax revenue transferred pursuant to §7-1-6.2; defines maximum distribution for municipalities with a population of 10,000 or less and counties with a population of 48,000 or less. Effective 7/1/15. SCORC/SFC
- SB 624 COMPETITIVE SEALED BID ELECTRONIC INITIATION (Campos)** Amends §13-1-104 to authorize invitation for bids to be done electronically on the central purchasing agent's web site. SCORC/SPAC
- SB 626 PROCUREMENT NONDISCLOSURE REQUIREMENTS (Campos)** Amends §13-1-116; the content of proprietary or financial documentation contained in a proposal shall not be disclosed; during the negotiation process, the contents of a proposal shall not be disclosed. SCORC/SPAC
- SB 631 CROP DUSTIN TANKS AS ABOVE GROUND TANKS (Pirtle)** Amends §74-4-3; tanks used by a crop dusting or crop spraying service are not considered "above ground storage tanks." SCONC/SCORC
- SB 632 CREATE TRANSPORT OF HAZARDOUS MATERIALS FUND (Leavell & Rep Brown)** New material creates the Safe Transport of Hazardous Materials Fund for the purpose of improving the design and structural safety of infrastructure used to transport hazardous materials throughout the state. Effective 7/1/15. SCONC/SFC
- SB 633 ELIMINATE SOME HOLD HARMLESS REDUCTIONS (Muñoz)** Amends §§7-1-6.46 & 47; eliminated the reduction in hold harmless distributions to municipalities and counties; on or after January 1, 2016, a municipality or county that does not have in effect and has not had in effect at any time prior to January 1, 2016 a hold harmless gross receipts tax, a distribution pursuant to §7-1-6.1 shall be made to the municipality or county in an amount, subject to any increase or decrease made pursuant to §7-1-6.15, equal to the applicable maximum distribution for the municipality or county; a municipality or county that has in effect at any time on or after January 1, 2016 a hold harmless gross receipts tax shall not receive a distribution set out in this section. Effective 1/1/16. SCORC/SFC
- SB 635 REMITTANCE OF GOVERNMENT GROSS RECEIPTS (Rue)** Amends §6-21-6.1; transfers a portion of the distribution from the governmental gross receipts from the Water and Waster Planning Fund to the Local Government Planning Fund; an annual distribution pursuant to §7-1-6.1 shall be made each October 1 to each agency, institution, instrumentality and political subdivision of the state that paid governmental gross receipts tax in the previous fiscal year in an amount equal to each entity's percentage of governmental gross receipts tax paid in the previous fiscal year multiplied by the amount remitted to the department from the New Mexico Finance Authority for the previous fiscal year. SCORC/SFC
- SJM 21 ZIA SYMBOL USE & CULTURAL DEVELOPMENT FUND (Padilla)** Requests the United States Patent and Trademark Office, the Economic Development Department, the Tourism Department and

equivalent agencies in municipal and county governments in New Mexico to place a notice on their own web sites stating that the Pueblo of Zia would appreciate the courtesy of a request prior to use of the Zia sun symbol and that the Pueblo of Zia Cultural Development Fund is available for individuals or businesses that wish to assist in continued development of the Zia culture. SRC/SIAC

SM 84 **CONSIDER LAW ENFORCEMENT OFFICERS SAFETY ACT (Beffort)** Requests an interim committee that considers criminal justice issues to hear testimony on the benefits of passing a Law Enforcement Officers Safety Act in New Mexico that is modeled on the federal Law Enforcement Officers Safety Act of 2004, which allows qualified law enforcement officers and qualified retired or separated law enforcement officers to carry concealed firearms in any U.S. jurisdiction, regardless of state or local laws, with certain exceptions. SRC/SJC