

# LEGISLATIVE BULLETIN

VOL. 2016-2

JANUARY 29, 2016

## **Driving the Session So Far**

During a 30-day session, most of the issues that come before legislators concern the state budget and other appropriation and finance matters. The Governor has the ability to add other issues for consideration in what is referred to as her “call,” or specific messages to either house naming issues she wants to be considered by lawmakers. As of the middle of this week, she has sent more than 100 such messages to the House and Senate covering topics as varied as local curfews, natural gas vehicles, medical cannabis and workers’ comp benefits and much more. Two budget bills have been introduced – House Bill 2 and Senate Bill 158 – but any action on those bills will probably won’t occur until the end of the session.

Several bills that the League are monitoring saw some committee action this week.

House Bill 233, Hold Harmless Payments & Tax Distributions, introduced by Representatives Jason Harper and Cathrynn Brown, received a Do Pass recommendation from the House Transportation and Public Works Committee on a 7 to 5 vote. The bill states that a county or municipality that has enacted a portion or all of the Hold Harmless Gross Receipts Tax that is in excess of the hold harmless gross receipts tax distribution would lose the hold harmless distribution immediately. If the hold harmless gross receipts tax is less than the distribution, the local government would receive the difference between the tax and the distribution. The bill also changes the distribution of revenue from the Motor Vehicle Excise Tax from the General Fund to the State Road Fund and the Local Government Road Fund over the next six years.

House Bill 29, Allow Local Governments Curfew Ordinances, introduced by House Majority Leader Nate Gentry, received a Do Pass as amended recommendation from the House Regulatory and Public Affairs Committee. The bill authorizes counties and municipalities to enact curfew ordinances that would apply to those under 16 years of age between 12 midnight and 5 a.m. The bill contains several exceptions to the curfew regulations. An amendment in the committee requires a law enforcement agency to file reports of any curfew violations. The bill was heard in House Judiciary and received a Do Pass recommendation on a 9-4 vote. It will now go to the House floor.

Two bills dealing with increasing funding for law enforcement training were heard in the House Safety and Civil Affairs Committee. House Bill 62, introduced by Representative Patricio Ruiloba and House Bill 101, introduced by Representative Bill Rehm, both increase funding for individual law enforcement agencies and satellite academies. Both received Do Pass recommendations from the Committee and now proceed to the House Appropriations and Finance Committee.

One of the most contentious topics during this session continues to be the issuance of driver’s license to undocumented immigrants. Several bills have been introduced that address the issue with the main effect of having a two tiered licensing system that allows for driver’s licenses that are REAL ID-compliant and creating driver’s privilege cards. House Bill 99, Driver’s License Issuance and Federal REAL ID, introduced by Representatives Andy Nuñez and Paul Pacheco, is being fast-tracked through the House. It received a Do Pass recommendation from both the House Regulatory and Public Affairs Committee and the House Judiciary Committee. Both votes were along party lines. On Wednesday evening, the House passed the measure by a 39-30 vote, mostly again along party lines. The Governor has repeatedly made the elimination of the state’s authority to issue driver’s licenses to undocumented immigrants one of her top legislative priorities since she took office in 2011. This was made even more relevant after the federal Department of Homeland Security said a current New Mexico driver’s license, along with several other states’, would not be accepted to board a commercial airline after 2018 because they are not REAL ID-compliant.

---

---

## 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.

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](mailto: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](http://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](http://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](http://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 (**February 3**). 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 18**). The Governor has 20 days following the close of the session (**Noon, March 9**) 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)

#### HOUSE COMMITTEES

HAFC	Appropriations and Finance
HAGC	Agriculture and Water Resources
HBEC	Business and Employment
HEC	Education
HEENC	Energy, Environment and Natural Resources
HGEIC	Government, Elections and Indian Affairs
HHC	Health
HJC	Judiciary
HRPAC	Regulatory and Public Affairs
HRC	Rules and Order of Business
HSCAC	Safety and Civil Affairs
HTPWC	Transportation and Public Works
HWMC	Ways and Means
HCW	Committee of the Whole
HEEC	Enrolling and Engrossing

#### SENATE COMMITTEES

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

**Bill Introductions through Wednesday, January 27, 2016 (Includes Pre-Filed Bills)**

**HPREF = House Pre-Filed Bill**

**SPREF = Senate Pre-Filed Bill**

- HB 192** **LODGER'S TAX FOR TOURISM SERVICES (Ezzell)** Amends §§3-38-21 and 3-38-23; the bill authorizes the use of occupancy taxes to pay contracted minimum revenue guarantees for air service to the municipality or county to increase the ability of tourists to easily access the municipal or county tourist-related facilities. HRC
- HB 193** **PRISON ISOLATED CONFINEMENT RESTRICTIONS (Maestas)** Enacts the Isolated Confinement Act; the bill prohibits the use of isolated confinement beginning 7/1/16 for inmates under 18 years of age or pregnant women and beginning on 1/1/17 for inmates with serious mental illnesses. Reporting to the county commission and the legislature is required every three months by the correctional facility on its use in the prior three months of isolated confinement and, if a private correctional facility, the monetary settlements paid to inmates in the prior three months due to lawsuits filed by inmates. Appropriations are made to the corrections department and DFA. Effective 7/1/16. HRC
- HB 194** **WORKERS' COMP BENEFIT ENTITLEMENT (Brown)** Amends §§52-1-25.1 and 52-1-26; the bill amends the Workers Compensation Act in sections dealing with temporary permanent disability. Remedies and authorization for benefit modification provisions are added for employees terminated for post-injury misconduct connected with the employee's work, as well as for employers' acts to retaliate against or avoid paying benefits to an injured employee. HBEC/HJC
- HB 195** **MEDICAL MARIJUANA & WORKERS' COMP (Crowder)** Amends §§ 52-1-49, 52-3-15 and 52-4-5; this bill eliminates a workers' comp carrier's or employer's liability for reimbursement of the expense of purchase or use of medical marijuana for an employee receiving workers' comp benefits. HRC
- HB 196** **REGIONAL WATER UTILITY AUTHORITY ACT (Salazar, T.)** Enacts the Regional Water Utility Authority Act; this bill authorizes a process for regional water utilities to incorporate and provide water and wastewater services to multiple local governments or entities for distribution to consumers. Water utility authorities existing under the Joint Powers Agreement Act or other special laws may reorganize under the Regional Water Utility Authority Act. An authority may control the water within its jurisdiction but cannot limit the authority of the State Engineer over the water in the state. An authority may issue revenue bonds to be repaid from fees for services provided. Effective 7/1/16. HRC
- HB 199** **MOTOR VEHICLE TAX FUND (Little)** Amends §7-14-10; the bill reduces the distribution to the state general fund of the motor vehicle excise tax to \$0.00 over a four year period ending in FY 2019. The motor vehicle excise tax is distributed to the state road fund beginning in FY 2017 at the rate of 25% of the revenue from the tax to 100% of the revenue in FY 2019. HTPWC/HWMC
- HB 200** **PUBLIC WORKS PREVAILING WAGE & PROJECTS (Espinoza)** Amends §13-4-11; the bill amends the Prevailing Wage Act by eliminating public road projects and educational institution projects from those that must comply with the act. In addition the wage as determined by the director cannot exceed the rate paid for similar work on projects covered by the Davis-Bacon Act. The Director is required to set rates after canvassing the wages paid for similar work throughout the state and taking a weighted average for the job classification. Effective 7/1/16. HBEC
- HB 202** **POLICE OFFICERS REGISTRY FOR SPECIAL EVENTS (Ruiloba)** Amends §10-11-8 and enacts new material; the bill amends the Public Employees Retirement Act by moving all of the provisions regarding returning to work after retirement to a new section. Law enforcement officers are given an opportunity to return to work while continuing to draw their pensions and not make contributions to PERA. The Secretary of the Department of Public Safety is required to start and maintain a registry of retired but currently certified public safety personnel. HRC
- HB 203** **INCREASE AMOUNT FOR INDIGENT USE OF INTERLOCK (Ruiloba)** Amends §66-8-102.3; the bill authorizes the monthly fee that the Traffic Safety Bureau may pay up to \$50 per month for an interlock

device for indigent persons convicted of DWI or an offense requiring use of an interlock device.. Effective 7/1/16. HRC

- HB 204 DEATH BENEFITS TO REMARRIED FIRST RESPONDERS (Ruiloba)** Amends §§52-1-1.1, 52-1-17, 52-1-46; the bill amends the Workers' Compensation Act to permit remarried widows or widowers of deceased first responders to continue to receive death benefits if the first responder's death was the result of a compensable injury occurring in the course or scope of the first responder's employment. Effective 7/1/16. HRC
- HB 206 DESIGN & BUILD PROCUREMENT FOR SOME PROJECTS (Brown)** Amends §13-1-119.2; the bill amends one of the design and build sections of the Procurement Code to allow design and build project delivery systems for highway construction projects with maximum allowable costs of \$ 50 million or more and funded in whole or in part by federal highway funds. HTPWC/HBEC
- HB 211 EMPLOYMENT PREEMPTION & MINIMUM WAGE (Harper)** Enacts new material; this bill repeals §50-4-22.1 which provided the same provisions prior to July 1, 2010. The bill preempts any law or regulation adopted by a political subdivision of the state, including a home rule municipality, that provides for a minimum wage greater than the state minimum wage and prohibits a municipality or other local government from regulating or attempting to regulate the relationship between a private-sector employer and its employees. HRPAC/HBEC
- HB 212 FEDERAL ENERGY EMPLOYEE HEALTH GROSS RECEIPTS (Powdrell-Culbert)** Same as SB 93. Effective 7/1/17. HHC/HWMC
- HB 213 COLLECT LOCAL LEVEL JOB CREATION DATA (Maestas Barnes)** Makes an appropriation to the Economic Development Department of \$200,000 in FY 2017 to work with local governments to collect and update job creation data and to help local governments plan and coordinate economic job creation efforts. Use of the appropriation would be contingent on the EDD getting non-state matching funds. HBEC/HAFC
- HB 229 UTILITY FACILITY PROPERTY TAX VALUATION (Scott)** Amends §7-36-29; the bill amends the special valuation process for utility facilities to remove certain property from the value that has been contributed for expansion, improvement or replacement of service or facilities of the utility. H
- HB 233 HOLD HARMLESS PAYMENTS & TAX DISTRIBUTIONS (Harper, Brown)** Amends §§ 7-1-6.46, 7-1-6.47 and 7-14-10; the bill states that a county or municipality that has enacted a portion or all of the Hold Harmless Gross Receipts Tax that is in excess of the hold harmless gross receipts tax distribution would lose the hold harmless distribution immediately. If the hold harmless gross receipts tax is less than the distribution, the local government would receive the difference between the tax and the distribution. The bill also amends the Motor Vehicle Excise Tax Act to reduce distributions to the state General Fund over the next 6 years to \$0.00 as the distributions to the state road fund and to the Local Government Road Fund are increased over that period to a maximum of 60% of the revenue from the motor vehicle excise tax to the state road fund and 40% of the motor vehicle excise tax revenue to the Local Government Road Fund. Effective 7/1/16. HTPWC/HWMC
- HB 234 LAW ENFORCEMENT PENSION PLAN & FUND (Harper)** Amends §§§§§ 10-11-2, 10-11-4, 10-11-5, 10-11-8, 10-11-123,10-11-129 and enacts new material; this bill amends the Public Employees Retirement Act to allow public safety officers to return to work with an affiliated employer after retirement. The PERA member must place the PERA benefits the retiree would be receiving into the pension investment plan accumulation fund while working for the subsequent employer, but cannot draw on those funds until the employee is subsequently retired. The employee does not earn service credit while subsequently employed. The purpose of this change is to improve the funded status of the Public Employees' Retirement Association funds, while also providing an incentive for skilled and trained members who retire to return to work for affiliated employers, make applicable employee contributions and invest their pensions in PERA funds. Effective 7/1/16. HRC

- HB 239 LAW ENFORCEMENT FUND FOR OFFICER RETENTION (Ruilobo)** Amends §29-134-7; until July 1, 2021, lump-sum payments from the Law Enforcement Protection Fund may be made to counties and municipalities that request funds for the purpose of retaining uniformed law enforcement officers who: 1) perform patrol duties; 2) are certified; and 3) have 20 or more years of actual service credit under a municipal police coverage plan as determined by PERA; the amount must be matched by a municipal or county payment to the law enforcement officer; payment shall not constitute base salaries or wages or be considered to be salary or be used for determining pensions under PERA. Effective 7/1/16. HRC
- HB 242 PERMANENT DISTRIBUTION TO AVIATION FUND (Fajardo)** Amends §7-1-6.7; makes permanent the .46 percent distribution from the gross receipts tax to the State Aviation Fund. Effective 7/1/16. HTPWC
- HB 258 OFFENSES FOR DRIVERS LICENSE REVOCATION (Brown)** Amends §66-5-29; the bill amends the Motor Vehicle Code regarding offenses that require immediate revocation of a driver's license to include any drug offense included in the federal Controlled Substances Act, any offense under the New Mexico Controlled Substances Act or any other drug offense. Effective 7/1/16. HRC
- HB 260 PUBLIC CORRUPTION OFFENSES & PENALTIES (Gentry)** Amends §§§§§§§§§§§§§§ 10-11-135, 10-12B-7, 10-12C-7, 22-11-42, 30-16-8, 20-23-2, 30-23-3, 30-23-6, 30-24-1, 30-24-2, 30-41-1 and 30-41-2 and enacting new material; the bill adds additional penalties to certain crimes that are considered public corruption offenses if the perpetrator is an elected or appointed public official or is an employee of a public entity. Such a person convicted of one of the crimes that person's right to bid for a public contract or contract with a public agency to provide services, construction or items of tangible personal property to a public agency. In addition the person is prohibited from acting as a lobbyist. Effective 7/1/16. HRC
- HB 264 CAR RACE PURSE GROSS RECEIPTS (Rehm)** Enacts a new section of the Gross Receipts and Compensating Tax Act; this bill creates a new exemption from gross receipts for receipts of race car drivers from the race purses from New Mexico race tracks. Effective 7/1/16. HRC
- HB 265 BENCH AND ARREST WARRANT NOTIFICATION (Maestas)** Enacting a new section of the Criminal Procedure Act; the bill provides instructions to courts, district attorneys, sheriffs and bail bonds agencies on their responsibilities and activities to enforce bench warrants and arrest warrants that will facilitate timely enforcement of those warrants. HRC
- HJR 13 CA: DENIAL OF BAIL TO CERTAIN DEFENDANTS (Adkins)** Proposes an amendment to Article 2, Section 13 of the New Mexico Constitution; this joint resolution authorizes courts to deny bail if conditions of the bail cannot ensure the appearance of the defendant or cannot ensure the protection of any other person or the community. HRPAC/HJC
- HJR 15 LAS VEGAS LAND TRANSFER (T. Salazar)** Same as SJR 9. HRC
- HM 15 STATEWIDE EFFICIENT RESIDENTIAL WATER USE (McCamley)** A House Memorial requesting that a collaborative effort be initiated by the Albuquerque-Bernalillo County Water Utility Authority and the cities of Las Cruces, Rio Rancho and Santa Fe to design a series of recommendations for efficient water use. The collaborators are to report by August of 2016. HAWC
- SB 131 JOB CREATION PROGRAM MEASUREMENT (Papen)** Appropriates \$150,000 from the General Fund to the Economic Development Department to research, clarify and standardize measures of reporting protocols for state and local job-creation programs. SCORC/SFC
- SB 136 AIR AMBULANCE TAX REPORTING (Muñoz)** Amends §7-1-14 to require the reporting of gross receipts from the receipts of air ambulances to be from the jurisdiction where the consumer is picked up by the ambulance. Effective 7/1/16. SCORC/SPAC

- SB 138 EMPLOYMENT APPLICATION DATA INQUIRIES (Sanchez, M.)** New material prohibits an employer from making an inquiry or request information relating to an applicant for employment their date of birth, year of graduation or social security number on an initial application; the employer may request that information after the applicant has been offered a position. Effective 7/1/16. SCC/SPAC/SJC
- SB 139 GROSS RECEIPTS TAX PROFESSIONAL STUDIES (Sharer)** Appropriates \$500,000 from the General Fund to the Legislative Council Service to contract with a professional economic research firm, the Bureau of Business Research and Economic Research and the University of New Mexico and the Arrowhead Center at New Mexico State University to estimate the gross receipts tax base and evaluate options for replacing the gross receipts tax. SCORC/SFC
- SB 145 TAX REFORM (Sharer)** This 234-page bill proposes a substantial overhaul of New Mexico's current tax system, including: reducing the amount of gross receipts taxes; providing a flat income tax rate of two and one-half percent on incomes above a certain level; repealing the compensating tax and certain credits, deductions and exemptions; repealing the Corporate Income and Franchise Tax Act, the Estate Tax Act, the Motor Vehicle Tax Act, the Leased Vehicle Gross Receipts Tax Act, the Tax on Boats, certain Local Option Gross Receipts Taxes, the Supplemental Municipal Gross Receipts Tax, the Local Hospital Gross Receipts Tax Act, the County Correctional Gross Receipts Tax Act and the Special County Hospital Gasoline Tax Act. Repeal numerous sections of NMSA 1978. Various effective dates. SCORC/SFC
- SB 147 SPACEPORT LIQUOR LICENSE (Smith)** Amends §60-6A-10 to allow liquor sales under a governmental license at the Spaceport Authority. SPAC/SJC
- SB 154 ELECTRONIC COMMUNICATION PRIVACY ACT (Wirth, Dines)** New material creates the Electronic Communications Privacy Act; a governmental entity shall not compel or incentivize the production of or access to electronic communication information from a service provider or access information by means of physical interaction with the electronic device; a governmental entity may compel electronic information under a warrant or wiretap order or with the specific consent of the device's authorized possessor; a service provider may voluntarily disclose electronic communication information if the law otherwise permits disclosure; provide for disclosure under emergency situations; requires a governmental entity that obtains electronic information to file an annual report with the Attorney General. SCC/SPAC/SJC
- SB 156 ANNUAL DRIVER'S LICENSE RENEWAL AGE (Smith)** Amends §66-5-19 to raise the age for annual renewal of driver's licenses from 75 to 79. Effective 7/1/16. SCC/SCORC/SJC
- SB 157 LIMIT SPACEPORT BOND ISSUANCE AND USAGE (Cotter)** Amends several sections; restricts the use of proceeds from a county or municipal spaceport gross receipts tax after July 1, 2016 to: 1) bonds issued prior to July 1, 2016; 2) pay principal and interest on those bonds; 3) acceleration for the payment of principal and interest or to retire the bonds prior to their original term; or 4) refinancing of those bonds. Effective 7/1/16. SCORC/SFC
- SB 160 UPDATE STATE AND REGIONAL WATER PLANS (Campos)** Appropriates \$700,000 from the General Fund to the Interstate Stream Commission to update the state and regional water plans. SCONC/SFC
- SB 161 WATER TRUST FUND SOLVENCY (Campos)** Appropriates \$18 million from the General Fund to the Water Trust Fund to ensure solvency. SCONC/SFC
- SB 168 MUNICIPAL LIFE INSURANCE BENEFITS TRUST (Ortiz y Pino)** New material authorizes a municipality to establish a post-employment benefits trust maintained and used by a municipal treasurer with the advice and consent of the municipal board of finance; the municipality's contributions to the trust shall be irrevocable and money in the trust shall be dedicated exclusively to funding post-employment life insurance benefits; money in the trust shall be invested pursuant to the Uniform Prudent Investor Act; the

municipal treasurer shall serve as the trustee and may use the services of a trust company to manage the trust's investments. SCC/SPAC/SFC

- SB 171**    **COMMERCIAL DRIVER USE OF MOBILE DEVICES (Pirtle)** New material prohibits the use of handheld mobile communications device while driving a commercial motor vehicle except to summon medical or other emergency help; this prohibition is separate from the prohibition for texting while driving; defines commercial motor vehicle; amends §66-5-54 to add the prohibition into the New Mexico Commercial Driver's License Act; adds a penalty assessment fine of \$25 for a first offense and a \$50 fine for a second and subsequent offense. SCORC/SPSAC/SJC
- \*SB 174**    **DRIVER'S LICENSE ISSUANCE AND FEDERAL REAL ID (Ivey-Soto)** Amends §66-5-9 to allow a person applying for a license or for renewal of a license to indicate whether the applicant is applying for a license that meets federal requirements; an application by a foreign national with lawful status that meets federal requirement may be issued a license for a period not to exceed the duration of the applicant's lawful status; licenses compliant with REAL ID requirements and those that don't shall be differentiated by design and color; REAL ID license may not be renewed electronically; has same requirements for identity cards. Provides that a person applying for a REAL ID compliant license with proper documentation may exchange a New Mexico-issued license or identification card with identical expiration date at no cost. EMERGENCY CLAUSE. SPAC/SJC/SFC
- SB 175**    **LIQUOR DISPENSER RIGHTS LEASE (Griggs)** Amends §60-6A-3; a person who holds a dispenser's license may lease to one other person the right to sell, outside the local option district in which the dispenser's license was issued, alcoholic beverages in unbroken packages for consumption, but not for resale, off the licensed premises; or sell alcoholic beverages in unbroken packages for consumption, but not for resale, off the licensed premises may lease to one other person the right to sell, outside of the local option district in which the dispenser's license was issued, alcoholic beverage by the drink for consumption on the licensed premises; the department is to develop a lease form. Effective 7/1/16. SCC/SCORC/SJC
- SB 177**    **CHILD & FAMILY SERVICES INTEGRATED INITIATIVE (Padilla)** Appropriates \$100,000 from the General Fund to the Local Government Division for an integrated services initiative that includes extended learning opportunities, high-quality school-based health care, family engagement in learning and family supports and resources for children and families in a municipality with a population greater than 600,000 in a Class A county. SPAC/SFC
- SB 186**    **VIETNAM VETERANS MEMORIAL CRITICAL NEEDS (Campos)** Appropriates \$311,500 from the General Fund to the State Parks Division for critical needs of the Vietnam Veterans Memorial State Park in Angel Fire. SCONC/SFC
- SB 187**    **LOCAL ECONOMIC DEVELOPMENT ACT PROJECTS (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 193**    **SKI AREA ALCOHOLIC BEVERAGE SALES (Moores)** Amends §60-6A-3 to allow alcoholic beverage sales at ski areas; defines ski area. SCC/SPAC/SCORC
- SB 200**    **SUSPENSION OF CONCEALED HANDGUN LICENSES (Sanchez, M.)** Amends §29-19-6; adds to the list of reasons the department may suspend or revoke a concealed handgun carry license the following: 1) if a licensee is convicted of a felony; 2) receives a conditional discharge, a diversion or a deferment or is convicted of, pleads guilty to or enters a nolo contendere plea to a misdemeanor offense involving a crime of violence; 3) is convicted of a misdemeanor offense involving the possession or abuse of a controlled substance; or 4) is convicted of a misdemeanor offense involving assault, battery or battery against a household member. Effective 7/1/16. SCC/SPAC/SJC
- SB 202**    **HATE CRIMES AGAINST HOMELESS PEOPLE (O'Neill)** Amends §31-18B-2 to add homelessness to as one of the factors that could be used to determine a hate crime. Effective 7/1/16. SPAC/SJC



- SB 204 REGIONAL WATER UTILITY AUTHORITY ACT (Martinez)** Same as HB 196. SCC/SCONC/SJC
- SB 210 CREATE COURT LANGUAGE ACCESS FUND (Stewart)** New material creates the Language Access Fund to be administered by the Administrative office of the Courts; the fund is to provide funding for support programs that will help courts, improve or increase the availability of language access services; removes court interpreters from the uses of the Jury and Witness Fee Fund. The bill does not specify which courts are eligible to use the fund. SCC/SJC/SFC
- SB 214 WORKERS' COMP BENEFITS & INTOXICATION (Candelaria)** Amends §52-1-12.1; compensation benefits pursuant to the Workers Compensation Act shall be reduced by the degree to which the intoxication or influence contributes to the worker's injury or death; provided That the reduction shall be a minimum of 10 percent but no more than 90 percent; test results used to determine the reduction in compensation must meet standards and be done by organization nationally recognized to perform the tests; no compensation is to be paid if the worker refuses testing; testing shall be at the employer's expense; an employer shall be barred from reducing benefits if the employer fails to implement a written policy that declares a drug- and alcohol-free work-place; reduction or denial of benefits shall not affect medical benefits or benefits to the dependents of a deceased worker pursuant to the Act. Repeals §52-1-12. SCORC/SJC
- SB 215 DESIGN-BUILD PROCUREMENT FOR SOME PROJECTS (Smith)** Amends §13-1-119.2 to authorizes design-build method of procurement for federal-aid highway funds. SCORC/SFC
- SB 216 DRIVER'S LICENSE ISSUANCE & FEDERAL REAL ID ACT (Brandt)** Amends several sections of the Motor Vehicle Code to authorize the state to issue REAL ID-compliant driver's license and identification cards. EMERGENCY CLAUSE. SPAC/SJC/SFC
- SB 219 GALLUP HOMELESS SHELTER (Pinto)** Appropriates \$5 million from the General Fund to the Local Government Division for construction and operation of a homeless shelter in Gallup. SIAC/SFC
- SB 226 FINE ART SALE RECEIPTS & REPORTING (Smith)** Amends §7-1-14; for a person engaged in the business of selling fine art, the location of the seller's business from which the fine art is sold is a "place of business", and all receipts from that sale are to be reported from that place of business; fine art is defined any original work of visual or graphic art of any media, including any painting, print, drawing, sculpture, craft, object, photograph, audio or video recording, film or hologram or any combination or recognized quality; new material makes a distribution, prior to July 1, 2019, of 3.9 percent of the gross receipts attributable to the sale of fine art to the Cultural Affairs Department. Effective 7/1/16. SCORC/SFC
- SB 228 BONDS FOR NORTH CENTRAL NEW MEXICO PRISON – STB (Martinez)** Authorizes the sale of \$20 million in Severance Tax Bonds for the plan, design, construction and equipping a prison in north central New Mexico. SJC/SFC
- SCR 1 DISCLOSURE OF CAPITAL OUTLAY ALLOCATIONS (Rue)** Proposes to add a new Joint Rule 13-1 to read "A report of the funding allocated by each legislator or the governor to each project in a capital expenditures bill shall be published by the Legislative Council Service within three days after the governor has acted on the bill." SRC/SFC
- SCR 2 JOINT SESSION SEATING OPEN TO PUBLIC (Sanchez, M.)** Proposes amending Joint Rule 1-1 to provide that seating in a gallery during a joint session be open to the public. SRC/SPAC
- SJR 9 LOS LUNAS LAND TRANSFER (Sanchez, C.)** Proposes to approve the transfer of the Don Pasqual real property and the Highway 314 real property from the state to the Village of Los Lunas. SRC/SJC
- SJR 13 LAS VEGAS LAND TRANSFER (Campos)** Proposes to approve the transfer of real property located at 301 Mills Avenue from the state to the City of Las Vegas. SRC/SFC

- SJR 15 CA: ELECTION OF SUPREME COURT JUSTICES (Pirtle)** Proposes to amend the New Mexico Constitution to have Supreme Court justices elect from five districts statewide; a justice, at the time the justice is first appointed to fill a vacancy or elected to office, shall reside in the district from which the justice is appointed or elected. SRC/SJC
- SJR 16 ELIMINATE TERM LIMITS FOR SHERIFFS (Brandt)** Proposes to amend Article 10, Section 2 of the New Mexico Constitution to eliminate term limits for sheriffs. SRC/SJC
- SM 36 NORTHEASTERN NEW MEXICO WATER SUPPLY STUDY (Campos)** Requests the Office of the State Engineer, the Interstate Stream Commission and water stakeholders in northeastern New Mexico study and develop ways of addressing water shortage issues in northeastern New Mexico; includes identifying potential water sources outside of the region and developing a pipeline to some other large-scale regional water projects to bring water into the area. SRC/SCONC