

SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS
MEETING

February 26, 2019

Anna T. Hamilton, Chair - District 4
Henry Roybal, Vice Chair - District 1
Rudy Garcia - District 3
Anna Hansen, Chair - District 2
Ed Moreno - District 5

SFC CLERK RECORDED 03/28/2019

SANTA FE COUNTY
REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

February 26, 2019

I. A. This regular meeting of the Santa Fe Board of County Commissioners was called to order following the CDBG Special Meeting at approximately 3:03 p.m. by Chair Anna Hamilton in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

B. Roll Call

Roll was called by County Clerk Geraldine Salazar and indicated the presence of a quorum as follows:

Members Present:

Commissioner Anna Hamilton, Chair
Commissioner Henry Roybal, Vice Chair
Commissioner Rudy Garcia
Commissioner Anna Hansen
Commissioner Ed Moreno

Members Excused:

None

C. Pledge of Allegiance

D. State Pledge

E. Moment of Reflection

The Pledge of Allegiance was led by Marcus Barela, the State Pledge by Douglas Burrion, and the Moment of Reflection by Daniel Martinez of the Public Works Department.

I. F. Approval of Agenda

1. Amendments

2. Tabled or Withdrawn Items

CHAIR HAMILTON: Manager Miller, do we have any amendments to the agenda?

KATHERINE MILLER (County Manager): Yes, Madam Chair, we have quite a few so I'll try to go through it slowly. This is actually our second amended agenda but it was posted last Friday at 3:31 pm and we had a few items. On page 2 there's an

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item that actually is not changed in color on your agenda. It is under Consent Calendar, item II. B. 3, that has been withdrawn. That's a budget adjustment for Community Services. We actually just found out that we will not need to make that. They are going to give us some additional funds from the State.

Then on page 3, under Action Items, item III. C. 2, we had a corrected caption, adding the word "Districts" for Fire Districts. Then under III. D. 2, that item has been withdrawn by the department. They're working on some amendments to that. Then on page 4, these are items that were added to the agenda under Matters from the County Commissioners, item VI. A. 2, a resolution has been added. Then under VI. E, Request for approval of a position and comments, that item has been added.

Under Matters from the County Attorney, Discussion of bargaining strategy preliminary to collective bargaining negotiations under VIII. A. was added, and then VIII. A. 4, reflects that, and then VIII. A. 5, Evaluation, was added, of the County Manager. Then on page 5, action items as a result of executive session or potential items were also added and that is item VIII. C. and item VIII. D.

So that's the amended agenda that we have and as I said, everything is in color, either in red if it was added last Friday or withdrawn is in blue, except for that item on page 2, item III. B. 3 has been withdrawn.

CHAIR HAMILTON: Thank you very much. So when I mess up somebody can coach me through. So what's the pleasure of the Board with regard to the agenda?

COMMISSIONER GARCIA: Madam Chair, motion to approve the amended agenda.

COMMISSIONER ROYBAL: Second.

The motion passed by unanimous [5-0] voice vote.

I. G. Approval of Minutes

1. Request Approval of the January 29, 2019, Board of County Commission Meeting Minutes.

CHAIR HAMILTON: Are there changes to the meeting minutes that have been submitted?

COMMISSIONER HANSEN: The meeting minutes had changes and they have been submitted. There was an entire section though that Commissioner Hamilton was attributed to me, that was really stated by you. So I changed all of those and I hope that it is correct, but I took care of that.

CHAIR HAMILTON: Thank you. So what's the pleasure of the Board?

COMMISSIONER HANSEN: I move to approve as amended.

COMMISSIONER ROYBAL: Second.

CHAIR HAMILTON: Thank you. I have a motion and a second.

The motion passed by unanimous [5-0] voice vote.

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I. H. Employee Recognitions

1. Recognition of Years of Service for Santa Fe County Employees

MS. MILLER: Madam Chair, under employee recognitions, as you know we recognize employees who have contributed significant years of service to the County, specifically those who have hit a five-year milestone of consecutive time at the County and we just want to give recognition to those employees at the meeting and they're listed in your packet but I will read them out to thank those individuals for their dedication to Santa Fe County and its residents.

In Public Safety/Fire Administration, James Hetler has been with the County for five years. In the County Assessor's Office, Robert Quintana, five years. In Utilities, Adam Salazar, five years. In Medical Services in Public Safety, Little Sun Heard and Geraldine Harcharik have both been with the County five years. In Road Maintenance, David Baros hit his five-year milestone on February 17th. In Community Services/Health and Human Services, Christopher Fede, five years. In Public Safety Alicia Storer in the Fire Department hit her anniversary today, five years.

And then in the County Assessor's Office, Henry Garcia hit his ten-year anniversary on February 9th. So I'd just like to thank them for their service to the County.

CHAIR HAMILTON: Excellent. Thank you so much. Do the Commissioners request any comments at this juncture?

COMMISSIONER ROYBAL: Madam Chair.

CHAIR HAMILTON: Commissioner Roybal.

COMMISSIONER ROYBAL: I actually just want to thank them for their service. I know that it's good to have the longevity to have staff here, employees here, knowledgeable employees and to celebrate their anniversaries. So I really appreciate the fact that they've stayed with the County during the time and I'm hoping to continue working with them. Thank you.

CHAIR HAMILTON: Fabulous. Thank you so much for that.

I. H. 2. Santa Fe County New Hires in January 2019

MS. MILLER: So, Madam Chair, the next item I'd like to just highlight, New Hires, and those are individuals who had a start date in the month of January of 2019. In your packet is a list of those individuals but I have to point out the very first one is not really a new hire. It's someone serving in a different position as of January 1st and that would be Rudy Garcia, our new Commissioner. In Finance, Accounting Tech Senior, Bernadette Ortega; in IT, Carl Prather, Assistant Administrator II.

In our County Probate Office, another one of our newly elected officials, Cordy Montoya as our Probate Judge. In Corrections, we have Mark Boschelli and Jose De La Cruz and Victoria Lucero, and they're all in our Corrections Department in the Adult Facility. In our Fire Department, we have Noah Barna and Iman Chudnoff as Forestry Technicians, and Trampas McClure as a volunteer firefighter. In our RECC we have Isidoro Vigil as an Emergency Communications Specialists III. In our Sheriff's Office we also have Ken Johnson, our new Undersheriff, and Adan Mendoza, our new Sheriff who started on January 1st. And then Johnathen War, a Sheriff's Deputy II in our Sheriff's

Office.

So I just would like to welcome all of them to Santa Fe County and I appreciate them being here.

CHAIR HAMILTON: Thank you very much.

COMMISSIONER GARCIA: Madam Chair, just a quick comment.

CHAIR HAMILTON: Oh. We have a comment from one of the new employees. Commissioner Garcia.

COMMISSIONER GARCIA: I actually just going to say I missed the new hire by 25 days. I'm happy to be here. Thank you.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: Yes. Welcome, Commissioner Garcia.

We're happy to have you up here on the bench and welcome to all of the new employees. We're grateful for your service to Santa Fe County. So thank you very much out there in all of our departments and especially Cordy, our new Probate Judge. I want to recognize her and thank her for joining our team. It's nice to have people who have spent a lot of time at the County transition into another position. So I just want to give them all a shout-out. Thank you very much.

CHAIR HAMILTON: Excellent. Thank you.

COMMISSIONER ROYBAL: Madam Chair.

CHAIR HAMILTON: Yes, Commissioner Roybal.

COMMISSIONER ROYBAL: I also just want to say congratulations and welcome to all our new employees and elected officials. I look forward to working with you in the future. Thanks.

CHAIR HAMILTON: Absolutely. Thank you very much.

I. CONSENT AGENDA

A. Final Orders

- 1. CASE # S15-5052 Univest-Rancho Viejo La Entrada Subdivision Phase 1, Sub-Phase 2 Final Plat Univest-Rancho Viejo, Applicant, Jessica Lawrence, Agent, Requests Final Plat Approval of Sub-Phase 2 of the La Entrada Residential Subdivision Phase 1 to Create 24 Residential Lots within a Previously Approved 404 Lot Residential Subdivision. The Property is Located within the Santa Fe Community College District Planned Development District, on Camino Cerro Escondido and Via Orilla Dorado, within Sections 19 & 20, Township 16N Range 9E (Commission District 5) (Approved 3-0) Vicente Archuleta, Case Manager**
- 2. CASE # APP 18-5071 Angelo Ortega, Appeal. Angelo Ortega, Appellant, James W. Siebert & Associates, Agent, Is Appealing The Santa Fe County Planning Commission's Decision To Deny A Variance Of The Sustainable Land Development Code (SLDC), Of Chapter 10, Section 10.4.2.1 to Allow an Accessory Dwelling Within A Major Subdivision. If the Appeal is Approved by the Board of County Commissioners (BCC), the Appellant, Requests a Partial Plat Vacation to Modify a Plat Note that Prohibits Guest**

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Houses within the Vista de Sandia Subdivision to Allow Lot 10 to Have an Accessory Dwelling Unit. The Property is Located at 120 North Paseo de Angel, within the La Cienega and La Cieneguilla Community District Overlay (LCLCCD) (RES-E), within Section 22, Township 16 North, Range 8 East (Commission District 3) (Approved 5-0) Miguel “Mike” Romero, Case Manager

B. Resolutions

- 1. Resolution No. 2019-28, a Resolution Requesting a Budget Increase to the Fire Operations Fund (244) to Budget the 2019 YCC Grant Award In the Amount of \$93,003 (Finance Division / Erika Thomas)**
- 2. Resolution No. 2019-29, a Resolution Requesting an Increase to Budget the Fire Operations Fund (244) to Budget the State Opioid Response Grant Award In the Amount of \$75,000 (Finance Division/Erika Thomas)**
- 3. Resolution No. 2019-, a Resolution Requesting a Budget Adjustment in the General Fund (101)/Community Services Department In the Amount of \$52,783 **WITHDRAWN****
- 4. Resolution No. 2019-30, a Resolution Authorizing the County Manager to Prepare, Execute and Submit on Behalf of Santa Fe County a Local DWI Grant Program Application Along with Related Documents and Agreements (Community Services Department/Lupe Sanchez)**

C. Miscellaneous

- 1. Request Approval of Indefinite Quantity Price Agreement No. 2019-0115-FD/CW between Santa Fe County and Zoll Medical Corporation for Mechanical Chest Compression Devices for Cardiopulmonary Resuscitation and Authorizing the County Manager to Sign and Execute the Purchase Order. (Purchasing Division/ Bill Taylor and Fire Chief David Sperling)**
- 2. Request Approval of County Health Care Assistance Claims in the Amount of \$34,624.19. (Community Services Department/Jennifer Romero)**
- 3. Request Approval of Release of LEDA Parcel Mortgage for Bicycle Technologies International, Ltd. (Growth Management Department/Chris Hyer)**

COMMISSIONER ROYBAL: Madam Chair, I'd like to move for approval of the Consent Agenda.

COMMISSIONER MORENO: Second.

CHAIR HAMILTON: I have a motion and a second.

The motion passed by unanimous [5-0] voice vote.

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III. ACTION ITEMS

**A. Items from Consent Agenda Requiring Extended Discussion/
Consideration**

There were no items isolated for discussion.

III. B. Appointments/Reappointments

**1. Request Approval of Reappointment of One Member to the
Santa Fe County Water Policy Advisory Committee**

TONY FLORES (Deputy County Manager): Thank you, Madam Chair, Commissioners. We have an item before you today requesting the reappointment of one member to the Water Policy Advisory Committee. As many of you know, we have members from mutual domestics, Soil & Water Conservation, Central Water Planning Area, Northern Planning Area, etc., and the committee is tasked with providing recommendations to the Board on different activities, which is the next item on the agenda. We currently have a request before you that we would humbly request that we reappoint Mr. Bryan Romero to the Water Policy Advisory Committee as a District 1 member.

In the back of the packet, for informational purposes, we've included the current listing of WPAC members and vacancies. We are working with Commissioner Garcia's office to ensure that we have two appointments for District 3 and the Estancia Valley. So that will be coming shortly to the Board. And with that I'll stand for any questions.

CHAIR HAMILTON: If I'm not mistaken I submitted a name for District 4, so if that fell through the cracks I'll resubmit that.

MR. FLORES: It's in the hopper.

CHAIR HAMILTON: That's what I thought. Commissioner Roybal

COMMISSIONER ROYBAL: There was just the one appointment of Bryan Romero, for District 1? Is that correct?

MR. FLORES: It's just the reappointment of Mr. Romero.

COMMISSIONER ROYBAL: Okay, yes. I would gladly reappoint Bryan Romero to District 1.

COMMISSIONER HANSEN: Second.

CHAIR HAMILTON: Thank you. Is there further discussion?

COMMISSIONER GARCIA: I have a question.

CHAIR HAMILTON: Commissioner Garcia.

COMMISSIONER GARCIA: Really quick, for Mr. Flores. Who is the acequia member? Do you know?

MR. FLORES: Madam Chair, Commissioner Garcia, that is one of the vacant positions that we have on WPAC. So right now we have a small water system, the Estancia Basin, central planning, acequia, District 4 and District 3 reps vacant. It's in the back of the packet, second to last page.

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Yes.

COMMISSIONER HANSEN: Am I missing any members from District

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2?

MR. FLORES: Madam Chair, Commissioner Hansen, you are not.

COMMISSIONER HANSEN: Okay. Thank you. But we are missing an acequia member?

MR. FLORES: Madam Chair, Commissioner Hansen, that's correct.

COMMISSIONER HANSEN: Okay. Thank you very much. Thank you, Madam Chair.

CHAIR HAMILTON: So I have a motion and a second.

The motion passed by unanimous [5-0] voice vote.

CHAIR HAMILTON: I just want to say *post facto* that Mr. Romero has been making excellent contributions to that committee, so this is a good thing.

III. B. 2. Request Approval of Appointment of Three Members to the County Open Lands, Trails and Parks Advisory Committee (COLTPAC)

MARIA LOHMANN (Open Space and Trails Planner): Madam Chair, Commissioners, the County Open Lands, Trails and Parks Advisory Committee has three vacant positions – one in District 4, one in District 5, and one at-large position. Ernesto Ortega was our at-large member and John Parker was our District 5 member and their terms expired in March and they were not able to serve for a third consecutive term.

Dave Dannenberg from District 4 resigned his position. Per Resolution 2011-4 that outlines the procedures for appointments to COLTPAC we requested letters of interest and qualifications and looked for expertise in various different areas including cultural resource protection, trails planning and construction, public administration, natural resource conservation management, etc. We received a very large response, people very interested in serving on COLTPAC. As you can see in your packet we received nine complete applications for three positions.

Based on the applicants' qualifications and the desired expertise, we recommend that the Board appoint Matt Wagoner, for the District 4 position, Jan Cohen for the District 5 position, and Elise "Apple" Snider for the at-large position, again, based on their qualifications which you can see in your packet. And with that I'll stand for any questions.

CHAIR HAMILTON: Commissioners, are there any questions on this?

COMMISSIONER MORENO: Madam Chair.

CHAIR HAMILTON: Yes, Commissioner Moreno.

COMMISSIONER MORENO: I was happy to see how many people would want that job, but obviously it's a coveted position. And reading the résumés the qualifications were really eye-opening and I think this is going to be a very good group of COLTPAC members. Thanks for your work on that.

MS. LOHMANN: Thank you.

CHAIR HAMILTON: How impressive. Commissioner Hansen.

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COMMISSIONER HANSEN: I would like to move to approve Matt Wagoner, Jan Cohen and Elise “Apple” Snider as the three members on COLTPAC.

CHAIR HAMILTON: Thank you. Do I have a second?

COMMISSIONER MORENO: Second.

CHAIR HAMILTON: Is there any further discussion? I have a motion –

COMMISSIONER GARCIA: Just really quick. Each Commission district has equal representation?

MS. LOHMANN: Madam Chair, Commissioner, yes. As you can see in your packet there are five positions for each of the five districts and four at-large positions. So it’s not completely equal but it’s as available and you can see who’s appointed for each district.

CHAIR HAMILTON: Thank you. So I have a motion and a second.

The motion passed by unanimous [5-0] voice vote.

III. C. Resolutions

1. Resolution No. 2019-31, a Resolution Adopting the Water Policy Advisory Committee’s Calendar Year 2019 Work Plan and Meeting Calendar

JOHN DUPUIS (Utilities Director): Good afternoon, Madam Chair, Commissioners. The Water Policy Advisory Committee seeks approval of the 2019 work plan and meeting calendar. Under Resolution 2013-42 it requires a work plan that includes a list of topics or tasks along with a delivery schedule. The attachments to this resolution include that. Also attached is the meeting calendar for 2019. And with that, I stand for any questions.

CHAIR HAMILTON: So, Commissioners, are there any questions on the Water Policy Advisory Committee work tasks? Yes, Commissioner Hansen.

COMMISSIONER HANSEN: I would like to move to approve a resolution adopting the Water Policy Advisory Committee calendar and work plan and meeting calendar for 2019.

CHAIR HAMILTON: Thank you. Do I have a second?

COMMISSIONER MORENO: Second.

CHAIR HAMILTON: Thank you. So I have a motion and a second.

The motion passed by unanimous [5-0] voice vote.

III. C. 2. Resolution No. 2019-32, a Resolution Requesting an Increase to the Fire Operations Fund (244) to Budget the New Mexico Fire Protection Grant Council Award to Various Fire Districts in the amount of \$907,100

ERIKA THOMAS: (Budget Supervisor): Good afternoon, Madam Chair, Commissioners. The Finance division is requesting approval to increase the fire operations fund by \$907,100. These funds are coming from the New Mexico Fire

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Protection Grant Council, and these will provide SCBAs, otherwise known as self-contained breathing apparatuses. In the memo there is a breakdown of how much each fire district is getting in the total of the \$907,100.

CHAIR HAMILTON: Excellent. Are there any questions? I actually have a question. I know one of the holdups on this was the decision about which type of SCBA to go with. My fellow Commissioners may have absolutely zero interest in the answer but I'm curious to know what we went with.

DAVE SPERLING (Fire Chief): Madam Chair, Commissioners, we're actually in the procurement process so we're working with the Purchasing Division and going out to bid for self-contained breathing apparatus. So we won't have an answer to that question for several weeks at a minimum. We do have to have these funds encumbered by May 15th. So the delay, if anything, has been not on our part but it takes quite a long time for the State to move forward with their approvals and to get a check to Santa Fe County for the award amount.

CHAIR HAMILTON: Right. So it's still this situation. It's not just different providers but different types, so one's compatible with previous gear and one is not, would be a complete changeover for the County. Is that still true?

CHIEF SPERLING: Madam Chair, correct. We're looking at potentially a full changeover, but we are looking at replacing all of the SCBAs system-wide for Santa Fe County. So we're not going to have two different sets of SCBA around the County. They're just not compatible. Parts get mixed up. Masks get mixed up and it creates a safety hazard. So we're looking at replacing all of our SCBAs.

CHAIR HAMILTON: Excellent. Thank you so much. Are there any other questions? So what's the pleasure of the Board?

COMMISSIONER MORENO: I move approval.

COMMISSIONER ROYBAL: I'll second.

CHAIR HAMILTON: Thank you. So I have a motion and a second.

The motion passed by unanimous [5-0] voice vote.

III. D. Miscellaneous

- 1. Request Approval of Construction Contract No. 2019-0119-PW/MAM Between Santa Fe County and GM Emulsion, LLC for Construction Services for Racetrack Subdivision and Camino Torcido Loop, Drainage and Road Improvements in the Amount of \$1,196,916.08, Excluding New Mexico Gross Receipts Tax and Authorizing the County Manager Sign and Execute the Construction Contract and the Purchase Order**

BILL TAYLOR (Purchasing Director): Thank you, Madam Chair, Commissioners. We have a construction contract, 2091-0119-OW/MAM between Santa Fe County and GM Emulsion for the construction services of Racetrack Subdivision and Camino Torcido Loop. The amount of the contract is \$1,196,916.08 exclusive of GRT. The projects were designed by two engineering firms and it was decided within Purchasing and Projects/Public Works Division to big both of these roads because of

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their close proximities as one bid project. The money that is funded for these two projects comes from general obligation bonds from 2013 and 2017. The amount of the bids, although were bid together, there were two bid sheets, and so we have a total amount for Torcido Loop, a total amount for the Racetrack.

We are going to do an internal BAR where we are short slightly in the funding source 356 in Racetrack, and we're going to move \$158,514 from the Torcido Loop funding 356 to the Racetrack, if I said that correctly. Moving the funding that was identified for Torcido to Racetrack, \$158,000. So I needed to present that to the Board before I stand for any questions.

MR. FLORES: Madam Chair, if I could.

CHAIR HAMILTON: Mr. Flores.

MR. FLORES: Just for clarification. We have two projects funded by two bonds. We're going to need to do some internal movement of funds from Project A to Project B. I think the number that Mr. Taylor is – we have to go back and do our due diligence to be able to do that. I have a little bit different number to come in, but we want to let the Board know we're going to move from Project A to Project B to be able to fund both projects in their entirety as part of the bid documents. So I just want that on the record.

CHAIR HAMILTON: Just for clarification, you still have more due diligence on the numbers –

MR. FLORES: Madam Chair, that's not on the numbers of the bid. Just the internal BAR to move the numbers to make it whole. So we don't have any due diligence to do. The bids are the bids that are in the packet and we're requesting approval of those contracts. We're just informing the Board that we're going to take an overage of one project and apply it to the underage of the other project to be able to complete them both.

CHAIR HAMILTON: And that just worked out appropriately?

MR. FLORES: Yes.

CHAIR HAMILTON: That's great. Okay. Any other questions?

COMMISSIONER GARCIA: Madam Chair, motion for approval.

COMMISSIONER MORENO: Second.

CHAIR HAMILTON: So I have a motion and a second.

The motion passed by unanimous [5-0] voice vote.

- III. D. 2.** Request Approval of Contract No. 2019-0110-CSD/CW between Santa Fe County and Santa Fe Recovery Center in the Amount of \$321,000.00 Excluding New Mexico Gross Receipts Tax for Residential and Outpatient Treatment Services for Adults with Substance Use Disorders (SUD) and Authorizing the County Manager to Sign and Execute the Purchase Order **WITHDRAWN**

IV. MATTERS OF PUBLIC CONCERN

CHAIR HAMILTON: Is there anybody from the public who would like to

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address the Commission? Again, is there anybody here who wants to address the Board? So I'm going to close Matters of Public Concern.

V. MATTERS FROM THE COUNTY MANAGER

B. Miscellaneous Updates

1. Legislative Update

a. Discussion of, Direction on, and Possible Vote of Support for or Opposition to Bills Introduced or Proposed for Introduction in the First Session of the 54th Legislature of the State of New Mexico [Exhibit 1: Session Report]

MR. FLORES: Thank you, Madam Chair. I promise, Madam Chair, as Commissioner Garcia pointed out the last time, I am not reading every page. So before you, Madam Chair, is the latest report of all the activity that's gone on since the last two weeks that we were able to present before the Board. We have – it's been an interesting session to say the least. We heard yesterday on the Senate floor that they will be doing a junior bill for – that's usually we have House Bill 2, which is basically the bill for government funding and it seems yesterday that Senator John Arthur Smith said on the floor that they will be doing a junior bill this year so that we will be looking at additional funding requests from all those organizations that we anticipating to get funding requests from.

More to come on that, and he did indicate when Manager Miller and I were listening to the conversation that there will be committee hearings on that junior bill. So what that means, when that is going to happen, I have no idea but it is coming.

To date we have a total of 1,600 bills entered between both houses. We have only 43 of those that have actually been signed into law. In the back of the packet we have the entire cadre of bills that we are following with positions, whether they're supported by a Board resolution, not a Board resolution. We've also included in this packet our partners at New Mexico Counties' tracking mechanism since we track with New Mexico Counties and their bills.

We have one item that's coming up on the agenda shortly about a certain piece of legislation that we've had differing opinions or comments on. I've also included in the packet the status of the pieces of legislation that were recommended to this Board by the Health Planning and Policy Commission and the status of those four pieces of legislation. We've also included in the packet a food opposition statement for the food tax. This was put together by Pam Roy's group. At Commissioner Hansen's request we've included that. We don't have a specific bill number yet because we have various tax bills still being worked through on the House side, but that is in here.

I've also included copies of House Memorial 63, which has been introduced by Representative Sanchez, which convenes a taxation task force to determine and promote more equitable regional tax distributions from the LANL or similar federal research facilities. This is a piece of legislation, although it's a memorial, requesting a task force be established. I would ask the Board the authority to speak in support of this memorial. Again, the memorial requests a task force be convened to look at a distribution of the taxes that LANL generates across multiple counties. Right now Los Alamos County gets

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the – I'm going to say the lion's share of that benefit. This would actually look at spreading out that distribution equitably under other jurisdictions and counties. So that is one, House Memorial 63. I would ask for support to speak in support of this bill or memorial.

CHAIR HAMILTON: So, Commissioners, is there discussion on this request? Commissioner Roybal.

COMMISSIONER ROYBAL: Madam Chair, thank you. I would recommend that we do give staff direction to support this bill as Santa Fe County. I think that there are a lot of services that could be provided and I think that a better way of dividing this money up that does come from the laboratory would be a benefit to all the counties, which they've identified that there are seven counties that are affected by the laboratory, and so I think that they should all benefit from the GRT tax.

CHAIR HAMILTON: That's an excellent point. One question I have is in this memorial is there any indication of the structure of the committee that would look at this?

MR. FLORES: Madam Chair, just that the Legislation Finance Committee and the Revenue Stabilization and Tax Policy Committee study this in 2019. So my guess is although it's not stated in here, this will go to the interim process and during the June, July, August, September timeframe when they have interims, the Finance Subcommittee or Interim Committee would be taking a look at this.

CHAIR HAMILTON: Okay. Thank you. Is there further discussion? I would just speak in support of what Commissioner Roybal said. Anybody else? Commissioner Garcia.

COMMISSIONER GARCIA: Just really quick, Mr. Flores, once again. So the tax that comes in from the GRT tax from the laboratory up there, they want to spread this among all 33 counties?

MR. FLORES: Madam Chair, Commissioner Garcia, they want to look at who would benefit, not only from the lab but any research facility. That could be Sandia as well. So those counties or municipalities that are affected by that tax and where it's going today and how it could be benefiting other jurisdictions outside of where it's going today. For instance, Rio Arriba County, Santa Fe County, have a huge impact and it would play a big part in what goes on at LANL. They have to go through our counties to get to the LANL. So looking at this and seeing how they could equitably distribute that, rather than to a single jurisdiction is a benefit to Santa Fe County. I hope that helps.

CHAIR HAMILTON: Okay, any other Commissioners? Is that sufficient direction?

MR. FLORES: That's sufficient, Madam Chair. Thank you. The next bill is House Bill 210. This is relating to the Community Solar Act. We have passed resolutions here before in support of solar activities, etc. So I'm asking for approval to stand in support of House Bill 210, which enacts the Community Solar Act creating requirements for the establishment and interconnection of solar community facilities and provide rulemaking authority to the PRC.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: So I am going to ask the Commission to please support this bill. A lot of people have done a lot of hard work on working on

community solar and this has gone through a lot of changes and I would just hope that we could continue to support that.

CHAIR HAMILTON: Other comments? I totally support this. One thing, option, that has stood in the way of giving us multiple options for doing solar and for addressing community needs and I agree with supporting this.

MR. FLORES: House Bill 210. Thank you, Madam Chair. So the next one is Senate Bill 228 which is also in the packet. This is Senator Stewart's, Representative Louis and Ferrary's bill which enacts the Wildlife Corridors Act. It required DOT to create a wildlife corridors action plan, comprehensive guidance, etc. There was quite a bit of debate yesterday on the floor of the Senate on this bill because of the possibility that it overextends its bounds and the fact that DOT has lots of roads that are County roads and state roads or a combination thereof in the requirement.

So to be clear on this bill, and Commissioner Hansen can jump in because I believe this is one of the ones she asked for. This is only to develop a plan for enacting the wildlife corridors study. So if we have I-40 – let me take a step back. If you travel from Holbrook, Arizona to Payson, Arizona you pass through two wildlife corridors for elk. And they've established areas that the elk have safe crossings to get from one side of the road to the other. In my old neck of the woods, Commissioner Garcia's current neck of the woods, if you go down from Edgewood and I-40 right to the Bernalillo County line, there is actually a wildlife corridor that was established when they did the construction from the north side of I-40 to the south side of I-40 and they put in three areas where deer can get across the highway or under the highway without getting hit. That's what this bill does is to develop a Corridors Act and requires a study on how the state will deal with their State highways. That's the purpose of this bill.

In Commission District 3 we have quite a few County roads that are right up against I-40 currently that have a wildlife corridor. So this would be applied to any state highway.

CHAIR HAMILTON: Commissioner Garcia.

COMMISSIONER GARCIA: Would this affect Wildlife West Park? Do you ever imagine them building an underpass under I-40 to the south side of I-40?

MR. FLORES: Madam Chair, Commissioner Garcia, I'm not an animal person, per se, and I don't know what comes out of Wildlife West, but I would hope it wouldn't be, because that's a zoo and they're self-contained.

CHAIR HAMILTON: They're not supposed to get out. I'm sorry for being slow on the uptake and I get the idea that I am. Is the concern that the bill directs – this is relevant to State highways but it's silent on what happens when it's also impacting County roads?

MR. FLORES: Correct.

CHAIR HAMILTON: So it would put a burden on the County that's not explicit but that's going to – and so what is the County suggesting that we do to look at this?

MR. FLORES: Madam Chair, the easy fix is to have the bill sponsors include language that – there's language in there that it does not affect County roads. Right now it's silent.

CHAIR HAMILTON: Okay. Thank you. Is there further discussion on

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COMMISSIONER HANSEN: I hope that you will support this, what Tony just asked for, but I think that wildlife corridors save lives and I think this is a plan to study where else we would put wildlife corridors, and I think for that reason that it's very important.

CHAIR HAMILTON: Frankly, I would add my voice to that. Just as an interesting point, right near Exit 299 in Glorieta on I-25 is a very well known wildlife corridor. And actually I think they could put a wildlife corridor there without affecting any County roads, but the point being I can't tell you how many motor vehicle accident calls I've gone on because of bears and other wildlife hit on the highway. This truly would save lives. It's been something that people have looked at for quite a while. Commissioner Garcia.

COMMISSIONER GARCIA: Just a quick question. Mr. Flores, in regards to the FIR, fiscal impact report at the end of the bill, so it's basically appropriating \$500 to the general fund?

MR. FLORES: It's \$500,000.

COMMISSIONER GARCIA: Sorry. I thought it was \$500 and I that didn't make sense to me. Thank you. That's all.

CHAIR HAMILTON: To conduct the study? Yes, dollars in thousands. Thank you.

COMMISSIONER GARCIA: So really quick, so in regards to – if they want to spend \$500,000 to conduct a study according to the FIR, why did they not introduce a memorial? Do you know?

MR. FLORES: Madam Chair, Commissioner Garcia, I don't have the answer to that. I can tell you that yesterday's debate on the Senate floor on this particular bill garnered a lot of discussion. I fully anticipate a substitute coming out. There was a lot of discussion on I-10 in the southern part of the state from Las Cruces basically across to Arizona. I can't tell you who the legislators were that were discussing that area but that area seemed to garner more discussion than anything along the I-25 or I-40 corridor.

CHAIR HAMILTON: Interesting.

COMMISSIONER GARCIA: Also, so if there's a County road and/or a State road going through a national forest, do they talk about exemptions for hunters? Or can you still hunt in that area? Is hunting allowed? Do you know?

MR. FLORES: Madam Chair, Commissioner Garcia, I don't have the answer to that. I'll get it for you though.

COMMISSIONER GARCIA: Thank you.

MR. FLORES: So the last bill that I've been asked to bring forward is Senate Bill 367, Senator Candelaria. This is – I want to call it over a carryover bill. It's been carried by a past member of the House of Representatives, which basically imposes a fee on pet food for dogs and cats to fund the spay and neuter assistance program, and the Animal Sheltering Act. We have taken the position before that when you buy dog or cat food there's an extra fee on top of that that would go into the spay and neutering assistance program. This is former Representative Trujillo's bill from the past three years

So Senator Candelaria has taken it up on the Senate side and we've stood in support of this in the past.

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CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: I asked this to be brought forward. I think this is a good bill. It does not apply to livestock feed or any other animal feed, small business with annual gross revenue of \$3 million or less, or prescription diets. So it's limited in what it applies to and so I think that it is important that we reduce the feral population and even in my own neighborhood I have some wild cats. And I live right in the city.

CHAIR HAMILTON: Commissioner Hansen, do you know – when I was briefed on this bill before, but it was last year or the year before –

MR. FLORES: It was the year before. Two years ago.

CHAIR HAMILTON: Of course. It had to be the year before. It was also a small additional fee. Is that still the case, do you know?

MR. FLORES: Yes, Madam Chair.

CHAIR HAMILTON: Thank you.

MR. FLORES: So we'll stand in support of that one as well.

COMMISSIONER GARCIA: The only concerns I have, or not concerns, questions I have is who gets to distribute to counties? Is it based on population per neutering? Does Otero County get the same amount of money as Santa Fe County or Bernalillo County? Just concerns I would also look into. But I'm fine with it.

CHAIR HAMILTON: Good question. Thank you.

COMMISSIONER HANSEN: I have a handout here I'd be happy to share with you, Commissioner Garcia.

MR. FLORES: So Madam Chair, in the packet, that concludes all the bills we've been asked to take a position on. I have included also the tracking matrix for the Housing Authority. Remember, we also approved a resolution supporting the Mortgage Finance Authority's legislative packet. That's in here for tracking as well.

CHAIR HAMILTON: Excellent. Thank you. Commissioner Hansen.

COMMISSIONER HANSEN: Did you mention the Healthy Soils Bill?

MR. FLORES: Oh, thank you. We did, Madam Chair, at the last meeting there were a couple of bills, the Healthy Soils bill which is House Bill 204. We talked about standing in support of that. I know Commissioner Hansen has been there as well as Mr. Miller, so we are standing in support of the Healthy Soils Bill.

The other bill that we had questions about, House Bill 206 dealt with the imposition of federal NEPA requirements on all government entities. We talked about that in general that we would be responsible for any project would go under NEPA to impose that. The New Mexico Counties has taken a position against that piece of legislation so as of supporting New Mexico Counties we've also taken that position.

CHAIR HAMILTON: Any questions?

COMMISSIONER HANSEN: Actually, just back to the food bill. They just wrote and asked me if it was possible that they could get a letter of support. I think for us standing in support is the best that we can do, right?

MR. FLORES: Madam Chair, we haven't taken a position on the food tax bill.

COMMISSIONER HANSEN: I'm talking about the pet food bill

MR. FLORES: Madam Chair, Commissioner, we'll stand in support of

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that.

COMMISSIONER HANSEN: Okay. Thank you.

CHAIR HAMILTON: Commissioner Garcia, did you also have a question?

COMMISSIONER GARCIA: I just had a question on a whole different bill. On House Bill 2. Is House Bill 2, which is the appropriations bill throughout the state, is that actually out of the Appropriations Committee onto the House floor?

MR. FLORES: Madam Chair, Commissioner Garcia, House Bill 2 was voted upon –

COMMISSIONER GARCIA: By the House.

MR. FLORES: On the House side. I want to say last Wednesday, Tuesday or Wednesday of last week. As we know, it's closed down, makes its way to the Senate then it will come back. But as I indicated, there's going to be a junior bill that's accompanying somehow in there that the Senate Finance Committee is going to be taking up on their side and then as you know, when the two meet on the floor I'm not really sure what's going to happen but House Bill 2 has come out and is moving through the process to get to the Senate.

COMMISSIONER GARCIA: So Mr. Flores, regarding the junior bill, House Bill 2 has \$7.2- some billion in it. So have they actually mentioned, Manager Miller, have they mentioned how much they're going to take out of the appropriations \$7.2 billion for this junior bill?

MR. FLORES: We heard yesterday it was \$30 million.

COMMISSIONER GARCIA: And what is the \$30 million going to be utilized for? Have they mentioned that?

MR. FLORES: I don't think they've actually mentioned what it is. My gut tells me it's going to be for, Madam Chair, Commissioner Garcia, for some of these non-profit requests for funding for programs. Half of the \$30 million will be for one-time expenses. Half of this, so \$15 million, would be for recurring expenses. I think as we heard yesterday on the floor it's kind of a wide-open shot. And I'll defer to my boss.

MS. MILLER: Madam Chair, Commissioner Garcia, they haven't done a junior bill in over ten years I think. This was back before the first economic decline in 2009. And what they used to do and I don't know if they'll do it exactly the same way, but what they used to do is split it up, kind of a third, a third, a third, like they do capital, but it's in the operating bill, not the capital bill. So it means that we could see appropriations for some local problems that are operations. My guess is they would make those non-recurring but the problem with that is if you get an appropriation through an agency to a local government that's from their operating funds so to speak, but it's not guaranteed that you'll get it year after year, it's a little hard as a receiving entity to spend that without beefing up too much staff or something. You still want to treat it like it's non-recurring.

And part of the reason they're doing that, what they don't want to do is in House Bill 2, set the base budgets for all of the agencies at something that they might not be able to sustain. So in House Bill 2, what they've tried to do is budget what they think is a sustainable recurring revenue for recurring and their non-recurring areas in Section 5, but they still have some capacity in their revenues. So they tend to add a junior bill when they

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feel that they have that, without really building it into the base budgets of the agencies.

So it's – I was really glad when it was gone but that was because I was at DFA but now – when you're on the receiving end you might enjoy it. I don't know. Some of the things I think the Association of Counties is really going to push for, because as you know in their priorities they were trying to get additional EMS funding. They were trying to get the correctional funding beefed back up to \$5 million and that didn't happen in House Bill 2, so I think you'll see a lot of lobbying from the Association of Counties, or New Mexico Counties to fund those priorities that the Board put in place for all counties that we would receive – that we didn't get – they didn't restore that funding. We also heard there's some agencies that they feel didn't get in House Bill 2 some of the funding that may be as much as they would have liked, like the universities, higher education. And so you might see some of that. That'd just be my guess.

But I think it will become a very political bill for whoever you can get that has clout to get something in it.

COMMISSIONER GARCIA: Thank you.

CHAIR HAMILTON: Thank you.

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Yes, Commissioner Hansen.

COMMISSIONER HANSEN: So I'm not familiar with this format of a junior bill, so I'm a little confused. Is it another form of capital outlay? Is it another form of –

MS. MILLER: Madam Chair, Commissioner Hansen, it's pretty much just like House Bill 2. It's structured in the same way as House Bill 2 with your recurring and your special appropriation depending on what – it's more like operating funds but as Tony said, they're not going to put all of it in recurring, which means salaries or benefits or contracts or something like that. It would be likely into areas of different agencies that a) could use it for their own operations, or b) might push that money out into local communities through programs, through RFPs that a state agency might do.

So for instance they might put – maybe they put \$500,000 in there for behavioral health programs around the state. And then maybe the Department of Health gets that appropriation and might put out a contract for proposals from local governments of how they might provide some behavioral health services. That might be how they look. They might be very specific to a specific program in a specific agency, or it could be broad like that.

We've been the beneficiary of some things that were put in junior for our Teen Court program long ago. We didn't have enough funding locally to fund our Teen Court program so the County lobbied, got I think it was \$60,000 or something like that, put into junior and over time, it actually turned into a fund that all counties that have teen court programs can apply to – I think it's AOC for funding. So sometimes it's a way of initiating the start of a program through what might be a one-time appropriation that then gets wrapped into a recurring appropriation. Or it might just be once and that's it and it goes away because the revenue isn't there over the following year or it wasn't an effective expenditure of those funds.

COMMISSIONER HANSEN: Madam Chair. So is it going to go to agencies and then we would be able to apply for some of this money? Is that what I'm

hearing?

MS. MILLER: Madam Chair, Commissioner Hansen, it can be either. It's up to the legislators what they put in the bill but typically it's structured in such a way that it looks like House Bill 2 goes to the agencies and then from the agencies, if it's money that isn't used directly in the agency for a program directly administered by the agency they may do RFPs and contract out to local governments to do things.

COMMISSIONER HANSEN: Thank you. I appreciate the extra explanation.

CHAIR HAMILTON: Further discussion or questions? Thank you very much, Mr. Flores.

V. A. 2. Presentation and Report from Santa Fe Business Incubator

CHRIS HYER (Economic Development): Madam Chair, Commissioners, the Santa Fe Business Incubator entered into an agreement with Santa Fe County in February of 2016. This contract was extended by amendment through 2018. The focus of the contract is to provide business and workforce development services for business located outside of the incorporated area of the county.

Now that the 2018 contract is ended a report has been created to present how many businesses were created or retained for 2018 due to the incubator's efforts, to provide an updated economic analysis on these businesses, and to provide details on outreach efforts with economic development groups.

In addition, the contract for 2018 was expanded to bring the incubator services out into smaller communities around the county. This was done as an effort to encourage new startups that may be lacking some of the resources necessary for new businesses that are only offered at the business incubator. The report on the business incubator is included in your packet. As part of the contract a representative from the business incubator will make a presentation to this body presenting findings in the report and to provide an overview of the business incubation services and the programs offered. I would like to introduce the president and CEO of the Santa Fe Business Incubator, Ms. Marie Longserre who will provide the presentation for you.

CHAIR HAMILTON: Fabulous. Thank you so much, and welcome Marie. We're very pleased to have you.

MARIE LONGSERRE: Thank you, Madam Chair and members of the Commission. Thank you very much. I will go over the core work first of the business incubator, which exists at its location on Airport Road where we have 30,000 square feet that house a number of different types of companies. This is the economic impact of our fiscal 2018 year, which ended June 30 this last summer. During that year 57 new jobs were created, 37 part time, 20 full time. Those companies brought in over \$5 million and paid out \$4 million in payroll. These are very common numbers for us across many, many years, between five to six to seven million dollars of revenue, between three to five million dollars of payroll every year for the companies in the incubator. They attract investments – that number changes a lot. Last year it was almost \$3.5 million. It could be as much as \$15 million or as little as \$2 million, depending on what the companies are getting in the way of investments.

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The total employees: 116 work for the companies there at the incubator and the interesting note there is that most job creation doesn't happen in the first one or two years of a company; it happens later as it gets mature and grows. But we're still seeing really impressive job creation numbers. If you look at that in terms of \$20,000 a job, that's a million dollars worth of jobs last year, or over a million dollars worth of jobs.

And then they attract a certain amount of research grant money. That investment and research grant money that's right around \$4 million, by and large comes from outside of our community. So that gets circulated in our community coming from outside and buys services, pays for payroll, construction equipment, etc., etc. So it's spend in our community.

This is just a graph on the last three years of jobs and payroll. You see it kind of goes up and down a little bit but over the last four years jobs have ranged between 40 and 60 and payrolls right there in that \$4 to \$5 million range.

Then I want to talk a little bit with your about the model of outreach into our smaller communities, our unincorporated areas of the county, where what we have been aiming to do is create a sort of hub and spoke model. This is a graphic that we created with a number of the communities that we identified. This is an ecosystem map of all of the different types of agencies, associations, educational institutions, government/other institutions that make up the whole ecosystem that supports our startups and our small businesses. Investments, education – the workforce, the market connections, the resources and support.

And one of the things that we were tasked to do as we went out into the small areas of communities in the county was to make sure that our businesses we connected with understood what a wealth of assistance and help and programs and access to capital and workforce is available to them.

This is a little timeline of some of the key points at which we contacted communities, went out, worked with individual companies – I'm not going to read all that to you since it's in your packet. We met with about 20 businesses one on one and we had some observations I'll come back to in just a moment. We had worked with La Cienega last year and we continued that work and because there was a person and a small community organization there and a place to meet we got a lot of traction there. It takes a long time to find the proper people in the community, the communication vehicles in a community and sort of a gathering point to get people out of their homes and people with business ideas to come and meet. So we took advantage of a meeting that we did with an event with the Regional Development Corporation in the Glorieta/Pecos area and made a good contact in that area from that.

Also we worked pretty long to get connections in Tesuque Pueblo. They were very interested but communication took a while and then they had a change of leadership. So both of those communities are interested in learning more and doing more. I think what you would be most interested in is two things. One is what did we observe while we were there, because part of our outreach program to create a hub and spoke model and part of what we intended to do for the County is to bring back to your our observations, not only talk to these companies and link them to resources, but to bring back to your our observations and the feedback that we got from the communities.

Many of the rural businesses are not aware of many of the local, state and federal

business assistance programs such as Small Business Investment, research grants, procurement programs, Local Economic Development Act and others. They know some of it but maybe not all the things that could help them. And I want to say that many do. Many of them come into town and they get online and they really research this and we work with a lot of businesses throughout the county at the incubator. But when we went out and talked to people who were new entrepreneurs with new ideas, they just did not know what was available to them. They're also not aware many times of financing programs and resources to finance their businesses.

One of the things we noticed particularly, the feedback we got in La Cienega was that County-owned facilities may be underutilized. It's a little daunting to drive into town and get keys and drive out and drive back to drop off keys and there might be some sort of simple physical things like realtors use to let people have access to buildings. There's a small library there that many people in the community did not know was there. And so people in the community just expressed a desire for more programs for both adults and children. They'd like to have access to computers perhaps. They talked about maybe having a movie night or things that would bring the community together with a sense of community. And then information about activities such as our outreach could more easily be disseminated.

Some communities had a real lack of well established communication platforms. We had to struggle to find out how to get messages to people so they would know that we were there for them. And bringing in programs and outreach to micro-communities depends on somebody in the community with the interest and the time and the ability to help be a connector there on the ground. And so that was the longest part of each one of working in the communities was finding the person who would be our community connector.

Many of the people we talked to were exploring the idea of starting a business from the very beginning and our experience working in those areas including those who wanted to start a business, sometimes at the incubator, and sometimes they wanted to start a business at home. I will add two things. One is we're hearing more and more about the need for broadband, particularly in rural areas, and I know that every state and city and community and county is aware of this but it comes up over and over again. I have clients who drive in from the Cerrillos area to the incubator right now and they're simply not able to get the broadband they need at their home.

And then finally, even though we did outreach in specific communities, people who attended came from all over to come to these little events. And regardless of how broad we put things out in newsletters or newspapers or on radio, most of them found it on Facebook, which was very interesting to us.

And with that, there's a lot more information on the number of graduates – about 17 companies that we worked with during that year and the new companies, but that's all in your packet. I'll stop now and answer any questions you may have. Thank you.

CHAIR HAMILTON: Fabulous. Thank you so much. Are there questions from the Board? Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Marie. Nice to see you. Welcome. So, yes, the need for broadband is definitely great. I was interested in – Representative Lujan has come to our offices. I think he's met with some of the other

Commissioners or constituent liaisons about projects and offering grants. I wondered if there was any work that you were doing in association with the congressman.

MS. LONGSERRE: Chair Hamilton and Commissioner Hansen, not at this time. We have worked closely with the congressman's office in the past. We are at this time in the process – it's not really public yet, because we're behind the scenes working on it right now – a federal grant to put a new roof on our building and to upgrade some of our technology. And of course the congressman and senators' offices will support that.

COMMISSIONER HANSEN: That's great. And then do you find people complaining out in the county about the difficulty getting a business license? Or is that an obstacle for them? Or do they – I know in the City it's relatively easy. I hear sometimes from county residents it's more difficult. So I'm wondering what kind of effect is that having on businesses in the county.

MS. LONGSERRE: Chair Hamilton, Commissioner Hansen, actually I hear the opposite, that it's harder in the City than the County.

COMMISSIONER HANSEN: Okay. Great.

MS. LONGSERRE: But most of the people we talked to were in the idea stage and the startup stage and they did not speak to us, that I know of. Now, my colleague, Sean O'Shea is here, who helped develop this program, if he has anything that's completely different from that I'd ask him to step up. But by and large the people we talked to were not at the business license point so we didn't hear a lot of feedback about that.

COMMISSIONER HANSEN: And then of course the Village of Agua Fria, I think there would be businesses that would be interested. Do you do any workforce training for people – developing skills in different arenas? Or is that really kind of left to another area?

MS. LONGSERRE: Chair Hamilton, Commissioner Hansen, that's ancillary to what we do and some of our clients get involved in programs like JTEP, the job training initiative where we help them tap into that to be able to train people on the jobs. Or we take on interns, other companies take on interns. Our focus is on helping the companies grow. And so to the extent we can link them to the workforce that they need, we do, but direct job force training is not our passion at this point.

There's one more thing I might add and that is the core work we do at the incubator on Airport Road generates, the companies there, a little over \$400,000 a year in gross receipts taxes back to local government. So you're getting the money back. But we're going to continue to do that. I don't know if we'll be able to do the outreach program to the micro-communities under this contract next year. That's for the County and staff to tell us. But there is the possibility of a USDA grant that we might be able to continue to do some of this outreach. So we're going to try and follow up with other sources of funding to go out to these communities. I know it sounds silly but it's a lot of fun. That's not silly. It's just really fun to talk to people who have ideas and they're excited about it and to help them find the resources that they need and connect to what they need to make their business start.

COMMISSIONER HANSEN: Thank you very much.

CHAIR HAMILTON: Other Commissioners. Commissioner Garcia.

COMMISSIONER GARCIA: Madam Chair, ma'am, how long can a business actually stay in the incubator?

MS. LONGSERRE: Madam Chair, Commissioner Garcia, we have a number of incentives for them to get up and out, and the different types of companies have different lengths of time. The average stay is just over 36 months or about three years. A service business can get in and out really quick. A research and development company working on pharmaceuticals, those processes take four or five years. Our average I think is 4.3, somewhere in there, number of years. We raise the rent every year and we work with them toward graduation from the beginning. So there's no set deadline. It's by the company, the type of company, their needs and when they're ready to get out. But we kind of push them by having less space and higher rent every year to get them ready and out into the community.

COMMISSIONER GARCIA: Madam Chair, also, I think the incubator does a great job. I've seen that place. It was probably one of the first commercial buildings actually in the Tierra Contenta area when Airport Road was two lanes. Myself and the Sheriff actually went to your function at La Fonda and heard the different individuals speak and they did a great job, anywhere from Kareem Anderson, who's actually a very successful businessman in the Pojoaque Valley. Excellent guy who's very successful.

One of the things I'd like to see – do you guys actually go and talk to the vocational schools and let them know that you're out there, the high schools? And also do you guys work in conjunction, as Commissioner Hansen identified with the Workforce Solutions?

MS. LONGSERRE: Chair Hamilton and Commissioner Garcia, we haven't done much Workforce Solutions in a while, other than connect our companies to that resource, and I'm sorry, your other part of the question?

COMMISSIONER GARCIA: Madam Chair, in regards to working with the public school system.

MS. LONGSERRE: We are in the process right now of working with a couple of women who've been doing a program for technology in the school, and they want to add a component of bringing entrepreneurs in to talk to school children about this as a potential for a choice for them for their life, and we're searching for grant money right now for that program. It's very modest but it would be a good start as a pilot program to go into the schools.

COMMISSIONER GARCIA: Then one other thing in regards to the outreach program, you talked a little bit about a challenge with the outreach when you're going to the different communities. Maybe if we can connect you with our Daniel Fresquez. He actually works here. He actually does an excellent job so we're actually going to be starting to move the County's webpage in a whole different direction, hopefully. So that might be some sort of a contact you might want to do. And also, in regards to the door locks, we actually have been talking about putting some sort of keypads on the doors because for my community, it is a hassle to come all the way in and speak with Ms. Bransford, get the keys, take it all the way back, bring it back. So we're working on that, just to let you know.

MS. LONGSERRE: Thank you for that.

CHAIR HAMILTON: Thank you. Are there other comments? I just want to add my thanks. To be perfectly honest I was thrilled to hear you say something as silly as how much fun and rewarding it was to go out into the communities. Because I live in a small community, Glorieta, as a matter of fact, and I can only imagine to have the opportunities of people having outreach to see if there are things people have been thinking about and wanting to do and just don't feel like they have the resources to spark that kind of development is just very exciting and very appreciated.

MS. LONGSERRE: Madam Chair, members of the Commission, we want to thank the County for being a wonderful partner to us and for allowing us to continue to do this work. Working with County staff has been very rewarding, very easy, and we really appreciate working with the staff and with all of you. We are looking at doing some more programs even at the incubator to bring in people with ideas from all over, as far as they want to drive, and some will come all the way from Taos to learn about these things. So we're excited about doing more in that vein.

CHAIR HAMILTON: That's just great to hear. Thank you so much.
Commissioner Roybal.

COMMISSIONER ROYBAL: Thank you, Madam Chair. I just want to say thank you for all the hard work that the Santa Fe Business Incubator does and I did have a question. Is it any type of business that people can come to you with?

MS. LONGSERRE: Madam Chair, Commissioner Roybal, pretty much any type of business is welcome. There are a few restrictions by code. We can't have a mortuary or car repair. So there's little things like that we cannot do, and occasionally there's a company that doesn't fit in because of particular needs they have for infrastructure. But we do have an affiliate program, so we've even had a distillery, Santa Fe Spirits, was one of our affiliate companies and took advantage of all of our training and workshops and coaching and so forth even though the physically couldn't be located in the incubator.

We focus right now on software and technology, on biotech and life science, on service businesses and on process and product – manufacturing. But that model can be expanded to any types of businesses as we find new sectors growing in the community.

COMMISSIONER ROYBAL: Okay. And do you guys assist with like business plans and things of that nature? Okay. I had a couple of constituents that were asking about doing like a facility where they would deal with behavioral health issues, but using like animals. And I wasn't really sure they wanted to do a business plan but they wanted to know if there was any help. So I didn't know if that was something.

MS. LONGSERRE: Madam Chair, Commissioner Roybal, I don't know if they could be physically located in our place. We are very fortunate to work closely with a lot of agencies and institutions that are so good at helping companies and we often ask our new idea entrepreneurs to go to many of them, like the Small Business Development Center and they're great at business plans. And then SCORE is really good at putting a team around to talk about the marketing. So we have all these different resources and if they can't find them we can help them connect to those.

COMMISSIONER ROYBAL: Okay. Well, that's a great tool for them also to be able to have that option and at least get some guidance. I appreciate that. And thank you for everything you do.

MS. LONGSERRE: We'd be happy to. Thank you.

CHAIR HAMILTON: Commissioner Moreno.

COMMISSIONER MORENO: I'm impressed with all the work that you're doing and thank you for the presentation. Do you find trends and if you have found that there are trends that kind of flow through the community, do you have a way to kind of capture the moment of a hot product or a good process or something unique? How do you get the outreach?

MS. LONGSERRE: Madam Chair, Commissioner Moreno, what's really interesting is we're working with the entrepreneurs who are the innovators. They're bringing in the hot new things, and we're there to smooth the path and facilitate their growth and add value to them and let them move as fast and far as they can. We do see certain things pop up, like a particular type of business or a particular need or area of funding or market research and so forth, so things we try to always respond to. And when things come up in our industry, like co-working spaces came up in our industry. We are very involved in our national and international incubation association, so we know from others throughout the whole country and the world what's bubbling up and what's possible. So because of that a few years ago we added a bio-science wet lab. We were able to raise \$1.5 million and put in one of the few shared wet labs in the entire country in a business incubator. It's an incredible asset to have here. The same thing about setting up our maker space and fab lab. And right now, part of the grant we're working on for the federal government would include a virtual reality lab. So those ideas come from our entrepreneurs and then we go out and find ways to respond to them.

COMMISSIONER MORENO: Thank you. Great.

CHAIR HAMILTON: That's fabulous. Commissioner Garcia.

COMMISSIONER GARCIA: Just really one last thing. I just have to say it. It just kind of amazes me that the incubator doesn't allow mortuaries to go in there, because you would just think that people would be dying to get into the incubator.

CHAIR HAMILTON: I knew that was coming and I couldn't stop it. As chair, I take that on myself that I wasn't able to stop it.

MS. LONGSERRE: Madam Chair, that is a City zoning law but I really appreciate that and do you mind if I steal that sometime and use it again. Thank you.

CHAIR HAMILTON: Oh, don't go there. Thank you very much, Commissioner. Any straight questions?

COMMISSIONER MORENO: Bury that.

CHAIR HAMILTON: We're letting it get out of hand. Thank you so much for coming and giving us this update. It was incredibly useful. We're so grateful for all the interactions because it clearly does good for the people of the county.

MS. LONGSERRE: Thank you all.

V. A. 3. Update on County's Administrative Offices Project

MR. FLORES: This is my sixth beating to be had on this project, so I figure I'd give you an update. So, Madam Chair, before I get started, I just want to recognize the team that was assembled by the County Manager that have kind of shepherded this through the projects since April of last year and the award of the contract

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in August. Behind me, Dapper Daniel Sanchez, who's in charge of IT and special systems, Mr. Montano, who's in charge of facilities, Russell Naranjo, who's in charge of projects and urban planning, Mr. Olafson, who's in charge of everything else, Daniel Fresquez to my left, he's the newest member of the team. He kind of slid in; he's in charge of marketing and media for the project. We also have Ms. Erika Thomas in the back row. She likes to stay in the back. She's in charge of the fiscal side of it. Bill Taylor, in the back row. He takes care of contracts and procurement. Tessa from my office, actually she's keeping everybody together on administration. And then Fire Marshal Jaome Blay is also part of the team. That's the core members of this team.

And the reason I bring that up, it's my philosophy under projects that one person that tries to do things alone is destined to fail, and since I don't have all the answers it's easier to rely on those that do to make a project better.

We have a short presentation today that will go through the progress of the CAC site. That's the only property we're discussing today because that's the only one that we actually have movement on.

As the Board knows, in April of last year, so a little over seven months ago, eight months ago, the County Manager changed direction on the project and it was given to myself as the project manager to assemble this team and move the project. From April 29th to August 16th we issued not only an RFP for a design-build project, the second one that we've done in the past year. We also issued a notice to proceed on that project. The total project encompasses two parts: 100 Catron and 102 Grant. That was bid as a design-build project, as I indicated, the second one that we've done. The first one, as you know was the Mountain and Valley which we successfully completed in December of last year.

The project was estimated, before we took it over at \$48 million, was the latest statement of probably cost. The County Manager in her infinite wisdom only gave me \$38 million to work with. I can tell you as of today we are on time and under budget. That's not to say that things won't happen between now and March of next year when this building is to be done, but we are moving forward.

So what I'd like to do, I want to go through the presentation, then I've got a few notes and then I'll stand for any questions on how we got where we are. So that site there – this is the old judicial complex. So, Madam Chair, that, what you saw, was the previous 62,000 square foot facility that occupied that site for 50-some years. You issued the authorization to enter into the contract in August; we issued the notice to proceed on August 16th, and by the end of November that building was gone. What you see in front of you right now is the first floor of the new County Administrative Complex at 100 Catron. That complex, as this Board directed late fall of last year is to encompass all of our public activities in a single location while maintaining the chambers, Commission, Legal, County Manager, HR, Purchasing and Finance at this building.

That area that you see now is the first floor. That first floor is what I'd consider the first level off of Grant. As you know, the site is conducive to having split levels without having a lot of excavation necessary to complete our parking solution. What you see in green up there is the IT component that houses our entire IT operations on the first floor in about 3,300 square feet. The next thing that pops in is the Assessor's Office, including his private conference room, which will also be located on the first level of parking on Grant Street, which is the public entrance, and that's been planned for 8,300

square feet, approximately.

The little light blue or purple color, that's our Probate Office, which is about 341 square feet for two positions. We currently only have one Probate Judge and we use the Clerk's – she's gracious enough to offer assistance through her office. We have programmed in space there for an eventual assistant. Beneath that in the light blue, that is the entire Clerk's suite of about 7,000 square feet including an entry way and a lobby. And the last office that goes in on the first floor of the public level is the Treasurer's Office, which includes a secure lobby area and is about 2,700 square feet.

The second picture there is how the floor plans are being created for 100 Catron. In order to save the budget that the County Manager so graciously provided for this project we have used modular space wherever possible, and that has allowed us to maximize the space that each of those offices or suites has while providing maximum flexibility for the future. So the bottom line is if we go with the modular space we can expand that as time goes on and we increase the number of staff, or in the converse, we can reduce seating area and create large open areas.

The first floor level coming in to the portal right there, that entrance there comes in off the parking garage, which is off the Grant side. Remember, the Grant Street parking is on the same grade as Grant. That's the primary public entrance and would come into a large lobby area with a kiosk, informational way-finding and signage, and then our grand staircase which is intended to mimic, not replace, our existing staircase here.

We also have an entry coming in off of Grant, which is that one there, that directly faces the convention center. If you recall, this building is approximately two feet above the convention center but in line with the height of the church – purposely done.

The second floor, which is above the first floor elevation so you will actually have two elevations on the Grant side. We've included a wellness center of about 790 square feet. What will pop in next is Growth Management's suite, which is a little over 9,600 square feet. The Film Office suite, which is about 700 square feet, and then to the bottom of the second floor is CSD, including admin, DWI, Teen Court and Health, of approximately 8,200 square feet. The area that is not shaded is a large open area below, which has our staircase going up to the front.

The front of this packet that Daniel left actually has a rendering of what our lobby and staircase will look like, including an homage to our western roots with some lighting in that interior.

If you look at the second floor furniture plan, we've developed the same model that we have on the first floor by maximizing the site but also allowing flexibility, either plus or minus whenever the County grows or has better efficiencies built in. We have large conference rooms on the second floor, along the corridor, and we also have a conference room that's facing the Sangre de Cristos which is to the right, above Grant right there. That's a glass-enclosed conference room. The thought was we will have outdoor weddings, etc. there on the balcony. It's actually functional facing the convention center.

This is a flyover that has been produced by Jayne's. We get this flown every two months. What you see there is actually the first floor coming up. By this Friday we'll have slab on grade foundations poured, but you can see the building taking place in

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approximately 2 ½ months. That rendering is from basically an aerial view facing northeast. Our building is there in the center of course, as it should be, with the parking level coming off of Grant at grade plus three feet. The convention center is behind that and the El Corazon condominiums are to the left of that property there.

We have built in a large courtyard in there that has a faux river that is a system that we've put together with Studio Southwest that will actually mimic a flowing river. If in the event we ever get rain in Santa Fe, it will actually create an element that waters our planting areas, both upper and lower level.

This is the rendering facing east at the corner of Catron and Griffin. That's where the large community park is going and the façade. That's the parking garage that's on the same level as the Griffin Street side and you can see the slope in the property, oh, about eleven feet. Thanks to Mr. Olafson's insistence we kept all but one of the existing large trees on the property. So we've been able to maintain our landscaping with the large trees that have been there for at least 50 years.

This is the rendering facing east from the public parking, coming in towards the main entrance of the building. You can see our lettering will complement the original lettering that John Gaw Meem had produced for this building.

This is an aerial from the corner of Catron and Griffin, so if I were a bird I'd be standing on top of the dog sculpture that's on the corner – a really tall bird. You can see we've set ourselves away from the streetscape, also provided a large degree of massing, which was one of the comments from the public. It's interesting to note, in the upper left hand corner, that is your existing building. You are sitting in that second story structure to the right. That rendering has already accommodated the removal of about 9,000 square feet of building when we do the renovations here. So that is purposely done to show you the block or so of distance between Site A, as we call it and Site B.

This is the rendering from street level from my dog. This is the rendering coming into the parking garage. We've just passed the church and are coming up on Grant. It's important to note that as one of the comments that we received from the public period we have increased the amount of buttressing and massing on those façades to give it a similar architectural context as we have in this building. And you'll see that on every façade. We looked at vertical massing as one of the recommendations from the Historic Design Review Board from the City.

And that's our building. Buttressing, you can see on each of the corners. We have lintels. We have lintels on the garage. We have faux divided lights on the garage to mimic the faux divided lights on the building. The area between the RTU screens on the roof is our photovoltaic array, and for Commissioner Hansen's purposes, although I don't have any charging vehicles in Santa Fe, to the bottom, over to the left, right there are our two electric vehicle charging stations that are included in the contract, and we've plumbed for additional parking spaces throughout that facility.

So what you see in the flyover was basically everything from this back corner, this entire first floor mechanical room is complete. This area has been framed and poured and the back side of this building has already been plumbed. This area here has already been poured. This is the mechanical room below. This framework here is what you see on the front of the building – the back of the building. You can see the building taking shape. This area here where I have my highlighter here or the pointer, this will be the first

slab on grade, which is basically Daniel's area, starting with the Assessors and comes back this way.

This project was awarded at \$27,920,000 without gross receipts tax. We've lost 22 days due to weather, which at this point in time is not a concern. We are still on track to be complete with Site A or 100 Catron by the end of August of this year, which will allow us then three weeks to conduct four moves. I don't think the Board realizes, when that site is complete we have to move people out of this building into that building. We have to move staff out of the Bokum Building into that building. I need to move people out of Community Services on Galisteo into that building. And then I need to move people that are left in this building into the Bokum. So there's four moves involved in just that building being completed.

Then once this building is completed I move everybody out of Bokum back into this building that remains here and I move people from HR into this building and we vacate this one. So this project encompasses probably out of the 313 projects I've done probably the most convoluted transition plans I've ever been involved in – six moves, six different furniture installs, IT testing and cut-over. We have fixed assets to dispose of. We have storage transition, parking transition, etc.

That's where the building and project stands today. I can report again, we are on schedule plus 22 days. We're on budget, and we're on schedule to be complete with the entire project by March of 2020. And I'll stand for any questions. Commissioner Hansen, I'm ready for you. Bring it on.

COMMISSIONER HANSEN: Tony, it looks great.

MR. FLORES: That wasn't quite the reaction I was waiting for.

COMMISSIONER HANSEN: The one thing that I will say, there are many people who request electric stations to plug their cars in already, so I'm grateful that we have two and more conduit. How much solar will be have on this building?

MR. FLORES: We have enough array to provide up to 35 percent of the building's energy needs.

COMMISSIONER HANSEN: That's fantastic to begin with and I hope we can add on more as time goes by.

MR. FLORES: So at your request and to great expense to the project we did shore up the roofing to add additional arrays in the future that weren't part of the budget to start with.

COMMISSIONER HANSEN: I appreciate that. Thank you. It's exciting to be able to move forward with this building. It's hard work. And Obama has a really great saying: "Hard things are hard." And this I know has been hard and finally we have gotten it off of the ground and it's moving. And that's exciting, because it's been a long time coming. So as much grief as I give you I am excited about this building. And the grief I give you is only because I care and I want to know what we're going, because it's important to me. So you should know that that's my reasoning and not because I am criticizing you or trying to change your mind but because I care about how it manifests in our community and the beauty that it adds to our community. So thank you for your hard work.

MR. FLORES: Thank you.

CHAIR HAMILTON: Commissioner Garcia.

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COMMISSIONER GARCIA: Well, I don't know where to start. Actually, Manager Miller and Tony and his team, anybody that knows projects out there – amazing job, Tony. I actually get chills telling you that because you're doing an amazing job. With Manager Miller's direction you guys are doing an excellent job. For those of you who haven't been here for a while, many, many years – this project – just amazing the way [inaudible] So congratulations on that. You're doing an excellent job.

In regards to the \$27 million – once again, we're still on time, you said, right?

MR. FLORES: Yes.

COMMISSIONER GARCIA: In regards to the \$27 million, thank you for staying under budget. That's actually very important. I believe to myself anyway, as a County Commissioner, just being on time and being within the budget. This will be [inaudible] cut some more money for the budget. I'm okay with it.

MR. FLORES: No, no, no. Just to be clear.

COMMISSIONER GARCIA: Just to let you know, just a great job what you guys are doing. Just a couple little funny things. The tree that Mr. Olafson has been wanting there, that's not a Chinese Elm tree, right? Or an elm tree? No? Okay. Just once again, Tony and your team, Manager Miller, amazing. Great job.

COMMISSIONER ROYBAL: Madam Chair.

CHAIR HAMILTON: Thank you. Commissioner Roybal.

COMMISSIONER ROYBAL: I actually just want to ditto the same thoughts and appreciation to you guys. You've done a great job and it has been – I know it's been a lot longer than I've been here but I've been sitting on the Board for four years already and I know that we've been talking about it for some time even before then so I appreciate it. I'm excited to see that it's actually – we're going to start seeing walls going up soon, so great job. Thanks, Tony, and thanks to all the staff that's involved.

CHAIR HAMILTON: Commissioner Garcia.

COMMISSIONER GARCIA: Just one thing, Tony, and your team, obviously. I know you had some challenges with different people moving into the building, some of the departments wanted to be in there, some departments didn't want to be in there. But I think what we need to look at from the larger aspect, when you walk in the front of the building there's a plaque to the right and a plaque to the left. The plaque to the right, I believe is a 1935/37 plaque that actually is when this building got erected, and then there's also the plaque to the left actually talks about the remodel addition job that was done in 1945?

MR. FLORES: Seventy-five.

COMMISSIONER GARCIA: Seventy-five. And so we just have to always remember that that building across the roadway there will outlast, and needs to outlast all of us up here and every elected official and a lot of people that are in the audience. So that building needs to remain there for a long, long time. So I just want to let you know that coming from my standpoint, if some time you don't like what the color is in the building because I'm not going to be there forever.

MR. FLORES: Thank you, Madam Chair, Commissioner Garcia. I think that's an excellent point. You and I have done many of these together for a long time. I forgot to point out that besides some of the massing elements and the buttressing, we have listened to the concerns. We've included staircases from the first level parking on

the park. We moved the building 25 feet away from our property line closest to the church because they requested some additional sidewalks even though it's on County property. That did cost us some parking spaces. So we started with a much larger number and we've had to reduce that. My point is, in order for this building to be sustainable, not only from an ecological, habitable standpoint, but long term, we've had to make some accommodations in reduction of sizes and other elements to be able to stay on task and on budget. So I think the design and the construction that you see going up right now will outlast my lifetime anyway. So we are moving in that direction.

COMMISSIONER GARCIA: And then also just in regard to that note, I'm glad that you actually worked with the church because you and I were actually working on some of these projects and we actually did work with the Presbyterian Church and we actually gave them a zero lot line. We actually gave them some footage on our property. I'm glad that we're actually showing them that we are working with them because whenever they built their beautiful facility Santa Fe County did work with the Presbyterian Church.

MR. FLORES: Yes.

COMMISSIONER GARCIA: Thank you. So in regards to, once again in March of 2020, we're actually going to be moved into that building?

MR. FLORES: Madam Chair, Commissioner Garcia, let me go through the timeframe again. End of August/September, Site A or 100 Catron will be complete and punched and we'll start the transition of basically moving out of this building. So that building will be done in 6 ½ months, ready to occupy. This building will be vacated and people that are currently housed, the elected offices in this building will move into 100 Catron. We'll move in CSD from Galisteo so I can start the renovation project over there for the crisis center. And then the first and third floors of Bokum will be vacated because they'll move in there. That's August/September of this year. The remaining functions in this building will then be moved to Bokum and this building will go under construction in September of this year. From September through March of 2020, so a year from now, the entire projects are done, more or less, right? Because of punch and substantial completion. But this building will be done, renovated and re-opened to us late spring of next year, so March of next year, and then I'll move the people and the offices and functions that are in Bokum back here. I'll move HR from Alameda to this building and the project's complete. So in a year's time the entire project will be complete. That building is on schedule to be complete the end of August, first of September.

COMMISSIONER GARCIA: Thank you, Mr. Flores. Just on a personal note, have you actually ever thought of conducting an engineering study in cloning? It's my humor.

CHAIR HAMILTON: Okay. That was over my head. Commissioner Moreno.

COMMISSIONER MORENO: I'm not going to – thanks for the report. It's amazing what you've done and I'm in awe of your planning prowess and I think we're in good hands. I really appreciate you for taking this on.

MR. FLORES: Well, as I indicated, there's a team of people behind me. I just want to add one note. The accolades have to go to the people behind, that support the leader, right? So it's always the behind you, never you out in front. There's probably

questions in Commissioner Hansen's mind as to why I didn't give any update on this building and that's simple, because I don't have any to give. This building – once I submitted on behalf – well, I shouldn't say, Studio Southwest and Jayne's submitted the 136-page G-sized document, which is rather large. You're welcome to look at it in my office and do the entire page flip. Once that permit set was submitted for 100 Catron, which is the third permit set out of four, we immediately shifted gears now and we kicked off this building design. So I have nothing to present to you today because we just kicked off the work on this building. I had to get that one submitted for permits so I can actually start going vertical. So now that that's done Paul and I kicked on with State Historic Preservation and the architects team last Thursday this building. Once we get to a point to tell you what we're doing on this building we'll do a similar presentation and then weave the two sides together so you can see the connectivity. So that's why we haven't gotten there yet.

CHAIR HAMILTON: That's fabulous. It truly is awesome and I really appreciate that you started out by introducing your team. Given the whole response and how awesome this is, could you have your whole team stand up so they can be appreciated. Erika, Bill Taylor, please. Thank you for doing such a great job. Very impressive. Very appreciated. County Manager.

MS. MILLER: Madam Chair, I would just like to add that it was really important – I don't know if you've read in the papers recently that down in Albuquerque they're struggling with the cost of their project almost doubling. These projects are really tough to get off the ground because one of the things is it requires somebody to make a decision and say, we've got to cut it here, and this is where we have to say this is it. This is what we can do; this is the budget we have. And Tony and his team have done such a good job with that, because, as I said, we just can't keep designing and designing and designing and getting ourselves out – having a great design but something we can afford to build.

I think that was really a key factor in what drove the way we approached this or re-approached this project was to get it to the budget that the Board had approved and get it done and get it done in a timely fashion. This team, with Tony's leadership, has really stepped up to the plate. The contractors that we're working with, the design team, the construction contractors, all the consultants, they're doing a really good job and I really appreciate it. I've been here 8 ½ years and this project has been on our plate and I actually can see that it's going to finish and quicker than we want it to, because everybody is going to have to start packing up their offices. So get your boxes, start storing them in the back of your offices because we'll be moving soon. Thank you very much, Tony and the team that's been working on it. Really appreciate it.

CHAIR HAMILTON: Thank you. Thank you very much.

VI. MATTERS FROM COUNTY COMMISSIONERS

B. Proclamations

1. Request Approval of a Proclamation Declaring March 10th 2019 as "Tibetan Freedom Day"

CHAIR HAMILTON: Commissioner Hansen.

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COMMISSIONER HANSEN: Thank you very much. Welcome everybody from the Tibetan community. I'd like you to all stand up, and I'd like to recognize you. This is something very near and dear to my heart. They are my spiritual family. And so it means really a lot to me. I'm sorry to be so emotional. I didn't expect that, but I have a little statement I wanted to read and then we will read the proclamation.

Santa Fe County recognizes the rich cultural history and heritage of Tibet and the Tibetan people and specifically honors the depth and richness that the local Tibetan community adds to the County. Many of our Tibetan residents came to Santa Fe County in the 1980s and 1990s as part of the resettlement program. During that time many local businesses including Jackalope and Wild Oats gave these refugees employment opportunities and today, after a generation, these families are employed in different aspects of local government and small businesses. They contribute greatly to the economic and cultural diversity of our county.

As March 10th marks the 60th anniversary of the People's Republic of China's hostile takeover of Tibet through genocide and the exodus of more than 80,000 Tibetans across the Himalayas I would like to honor their experience and proclaim that March 10th of 2019 as Tibetan Freedom Day. Yay.

We have a tradition here where we all read a paragraph so I am going to let Commissioner Garcia start on the Whereases.

COMMISSIONER GARCIA: Whereas, Santa Fe County recognizes the rich cultural history and heritage of Tibet and the Tibetan people; and

COMMISSIONER ROYBAL: Whereas, the local Tibetan Community of Santa Fe County adds depth and richness to the county; and

CHAIR HAMILTON: Whereas, on March 10, 2019, Tibetans will commemorate more than a half century of occupation and exile, and the exodus of about 80,000 Tibetans across the Himalayas; and

COMMISSIONER MORENO: Whereas, Santa Fe County supports the conclusion of the United States Congress that under the established principle of international law, Tibet is an occupied country whose true representative is the exiled Tibetan government based in India, headed by Sikyong Lobsang Sangay; and

COMMISSIONER HANSEN: Whereas, the Tibetan people acknowledge and honor His Holiness, the Dalai Lama, recipient of numerous awards from many governments and institutions, including the Nobel Peace Prize and the United States Congressional Gold Medal as the spiritual and temporal leader of Tibet, and hereby encourage the People's Republic of China to enter into discussions with His Holiness the Dalai Lama and the Tibetan government to solve the questions of Tibet based on the will of the Tibetan people and ensure respect for the fundamental rights of the Tibetan people.

Now, therefore, be it proclaimed that we, the Board of County Commissioners of Santa Fe County, do hereby proclaim the 10th of March 2019 as Tibetan Freedom Day. Yay.

Thank you all so much for being here. Would anybody like to say just a few short sentences.

LAMA GYALTSEN: Thank you. Good afternoon. Thank you for issuing

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the proclamation in support of the Tibetan people and freedom, justice and peace. As you have mentioned in the proclamation after 60 years of occupation by the Chinese, Tibet right now is undergoing unimaginable suffering. You may have heard of Cultural Revolution that Mao Tse Tung implemented in the 1960s. Not only Tibetans but millions of Chinese were killed and in Tibet, 1.2 million Tibetans were tortured, persecuted and died of famine during the Cultural Revolution.

Tibet had 6,000 monastic institutions. Those were not just for praying. Those were like our universities now like Harvard – learning centers. Out of 6,000 monastic institutions only about a hundred survive. The rest were all destroyed. The libraries were burned. Holy statues were desecrated. And it now happening. It is repeating in a cyclical level, especially with the Chinese president, Xi Jinping. Since he took to using social media Tibet is like a huge prison. Everywhere on all rooftops, especially in Lhasa and the rest of Tibet you can see cameras. It is watching all the students. The cameras recognize all the Tibetans by their speech, by their eyes or anything. So They are living in a big prison where they cannot express or practice Tibetan language, religion, culture and preserve. It has been forced that schools studied by individual Tibetans, they cannot teach Tibetan and Tibetan language to the Tibetans. The institutions that the Chinese run there, they all have to use Chinese as the main language and Tibetan language is discouraged.

And now, hundreds of Tibetans are graduating from the Chinese college and universities, they cannot find jobs. There is discrimination. The jobs are given to the sons and daughters of Chinese immigrants. So the Tibetans have become second class citizens in their own country. And we have been for the last 60 years under the enlightened leadership of his Holiness the Dalai Lama, [inaudible] and freedom for Tibet through peaceful and non-violent means. His Holiness, the Dalai Lama, since 1974, he has declared that we don't ask for independence. We want to remain as part of the Chinese republic, but Tibetans need genuine autonomy so that we can preserve our culture and tradition. Because the Tibetan culture and the tradition have great means to make conditions for the world's peace and prosperity and to bring justice and equality.

The Chinese have never accepted this. The US Congress, since from 1991 have passed numerous resolutions supporting the Dalai Lama's approach, which is known as the Middle Way approach and have supported it and recently. And then no other people can visit Tibet. Neither the press, media, nor even the US ambassador. He had to wait years for permission to visit Tibet. And if he gets permission to visit Tibet he has to go to the places and see what the Chinese want him to see and he has to hear what the Chinese want him to hear. He can't travel freely.

So recently, a couple of months back, the US Congress passed what is known as the Reciprocal Access to Tibet Act, and was signed by the president into law. The Chinese now have to make access to Tibet to all media persons, to people of Tibetan origin or to any American people. If they do not provide that access then the Chinese people who are visiting this country and the diplomats, they will lose their access of visiting here.

So now they are kind of trying hard, because this was the last item the US Congress could do to open Tibet. And now, recently, yesterday, there were reports that the Chinese are building more labor camps where people are forced not only to labor but

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to indoctrination, like they are doing to the Muslim communities. So it is very difficult. It is almost a life and death situation. In this kind of situation, for the Commissioners, showing your support and solidarity to the Tibetan people, I really appreciate. And as I'm speaking, I'm becoming sort of kind of emotional like Anna. Thank you so much on behalf of the Tibetans living in Santa Fe in your community, and the Tibetans, six million Tibetans suffering day and night in Tibet. From deep in my heart I thank you.

CHAIR HAMILTON: Thank you so much.

COMMISSIONER HANSEN: Thank you, we want to take a picture, but –

COMMISSIONER GARCIA: I just wanted to say a couple of comments, Madam Chair. What a history lesson that I just heard up here in a matter of five minutes. Thank you for your words. Now I understand a lot more than I ever understood about Tibet. So thank you for those words. Also, you have to know that you're always welcome in this chamber. You're always welcome to come in and address the County, whatever you all would like. You're always welcome in this public building. Just once again, thank you for those words. Appreciate that. Thank you.

CHAIR HAMILTON: Commissioner Moreno.

COMMISSIONER MORENO: Thank you, Madam Chair. This situation is wrong, in my opinion and I don't know what can be done from this vantage point. We're going to pass a document that says we're with you, and for what it's worth, we here in Santa Fe especially have embraced your community here in Santa Fe and I hope there is a light at the end of the tunnel for the Tibetan people. Thank you.

COMMISSIONER HANSEN: And with that, I would like to move to approve this proclamation.

COMMISSIONER ROYBAL: Second.

CHAIR HAMILTON: I have a motion and a second.

The motion passed by unanimous [5-0] voice vote.

COMMISSIONER GARCIA: Just really one last thing that I just wanted to say. Somebody left this on my desk today and it seems like it's the right time to read it. It says, "Great things are done by a series of small things that are brought together." Commissioner Moreno brought that. Small steps can make larger steps. It's actually a saying by Vincent Van Gogh.

COMMISSIONER ROYBAL: Madam Chair, just real quick. I'd like to thank you for all your words and ditto a lot of the comments that Commissioner Garcia stated and just to reiterate that our doors are always open so you guys feel free to come if there's anything we can help with.

CHAIR HAMILTON: Thank you very much, and I think it would honor Commissioner Hansen and the whole group if we could take a photo if that's acceptable to you guys.

[Photographs were taken.]

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VI. B. 2. Request Approval of A Proclamation Proclaiming the Month of March, 2019, “Certified Government Financial Managers Month”

ELENA TERCERO: Thank you, Madam Chair, Commissioners. As you did note, my name is Elena Tercero and I am a member of the AGA New Mexico chapter, part of their committee. I’ve been a member of AGA for well over ten years now, so I am here on behalf of the chapter to thank you for continuing to support us and the things that we do.

So specifically, I just wanted to thank the County Commission members and the County Manager. Katherine Miller, thank you very much for always showing your support to our organization. We do understand the importance of continuing education for our financial staff within government entities, whether it be at the federal, state, county, city or local level. I’d also like to take the time to recognize, and I think a few of them did come to sit next to me, the employees that are currently AGA members here within the County and then also Yvonne Herrera who currently is our chapter’s financial manager of the year. So I really want to say thank you to you as well.

The one thing we really do within AGA is continuing education. Our CGFM, our certified government financial manager certification is a three-part exam and the members of the chapter can come to us. We do have all three series of the study guides available to them for free. Just have to check them out, ask for them, and then we’ll exchange them, rotate them out to all of our members, along with our chapter also has what we call a U-pass, we pay program. So if you apply to become a CGFM through the national organization, and then apply to our local chapter, as you pass the exams then the chapter will reimburse you the fee of the exam. So we really do encourage the continuing education of the citizens in New Mexico, the employees of the county, city, state, federal.

CHAIR HAMILTON: That’s fabulous. Do you ladies have anything you would like to add. We will read the proclamation, but – they’re going to leave you hanging. That’s what they’re doing.

MS. TERCERO: Erika had to present already, so I won’t twist her arm.

CHAIR HAMILTON: That sounds great. Is everybody willing to read some of this? I believe I have the only copy of the proclamation. So if we can just pass this around.

COMMISSIONER MORENO: Proclaiming the month of March Certified Government Financial Managers Month. Whereas, the Association of Government Accountants, AGA, has a network of over 14,805 members in 104 chapters in the United States and around the world; and

COMMISSIONER HANSEN: Whereas, there are approximately 243 active members in the New Mexico chapter representing state, federal, municipal and private sector accountants, auditors and financial managers in the state; and

COMMISSIONER ROYBAL: Whereas, AGA New Mexico chapter members have responded to AGA’s mission of advancing governmental accounting and broad educational efforts, with emphasis on the high standards of conduct, honor and character in its code of ethics; and

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COMMISSIONER GARCIA: Whereas, AGA New Mexico is making significant advances in professional ability and in service to the citizens of New Mexico by mastering increasingly technical and complex requirements; and

CHAIR HAMILTON: Whereas, AGA's certified government financial manager program provides a means of demonstrating professionalism and competency by requiring CGFM candidates to have appropriate educational and employment histories; to abide by AGA's code of ethics; to pass three examinations requiring expertise in governmental, environment and budgeting, and by requiring each of its members to maintain certification by completing at least 80 hours of continuing professional education in government and financial management topics or related technical subjects every two years.

Now, therefore, be it resolved that we, the Board of County Commissioners of Santa Fe County, do hereby proclaim the month of March 2019 as Certified Government Financial Managers Month. Approved, adopted and passed on this 26th day of February 2019.

So thank you very much, and it's an amazing, ongoing – not achievement, but undertaking to support and promote high levels of performance and to do it in a fairly difficult and challenging topic. I think that's one of the reasons we are especially proud of having one of them in our midst for the year. So I just want to mention that once again, Yvonne Herrera, that's quite an accomplishment. So perhaps we can do a photo after we have comments. Commissioner Garcia.

COMMISSIONER GARCIA: Just really quick, first of all, Ms. Chavez, I didn't realize what you were here for. We would have probably moved you up a lot further. Just sitting there for a brutal five hours. But I appreciate you being here and I apologize. I saw you at the Roundhouse the other day on the first ground level and you said hi and I didn't recognize you so I apologize for that. And to the ladies here, congratulations. Good job. Well done. Very good. I'd just like to know how come Manager Miller has never won the award. Thank you once again for following through with these financial institutions as well as the people that actually have the skill and actually have the – I don't know if it's a certificate or a degree, but thank you for following up on people that actually take these different courses and actually obviously help out the County in our case.

MS. TERCERO: You're very welcome. Chairwoman Hamilton, Commissioner Garcia, so I am a CGFM. I've been a CGFM almost for four years. I am on the local chapter. I'm also on the national chapter and I do sit on the national certification board. This is my second term on it. So I do assist even from the back end to help prepare the questions, to make sure that our certification is happening appropriately amongst others that are throughout the nation come together every quarter to help our national board. So I really do enjoy it and am glad that we have something like this here in New Mexico.

COMMISSIONER GARCIA: And also one last thing. Sorry. It's Ms. Tercero.

MS. TERCERO: That's okay. I am both.

CHAIR HAMILTON: Well, thank you very much.

[Photographs were taken.]

VI. A. Resolutions

1. Resolution No. 2019-33, a Resolution Opposing the Environmental Protection Agency's and US Army Corps of Engineers' Proposed Amendment to the Clean Water Rule Adopted in 2015 Defining Waters of the United States (WOTUS)

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: Thank you very much, Commissioners and fellow citizens of Santa Fe. We are facing diminishing regulations and a lack of oversight on many of our different facilities throughout the federal government, and Waters of the US is just one more place where the US government is working through the EPA and the Clean Water Act to diminish our ability to protect our waters of the US. So with that, I have brought forth this resolution so that we could comment in the comment period. The rule has been put into the Federal Register and we have 60 days to comment on Waters of the US.

On February 28th the president of the United States issued an executive order directing the Environmental Protection Agency and the Department of the Army to review and rescind or revise the 2015 Clean Water Rule. On February 14, 2019 the agency published a new proposed rule in the Federal Register. The 60-day public comment period ends on April 15, 2019. As advised in this attached letter from the River Commission the proposed new rule will roll back key protections of the Federal Clean Water Act with potential detrimental effects on the nation's rivers and streams, and close to home, the Santa Fe River and the Rio Grande.

The proposed rule redefines Waters of the US to remove Clean Water Act protection from all ephemeral waters such as the vast networks of arroyos and ephemeral rivers and streams that are in New Mexico. Ephemeral streams are estimated to make up 90 percent of all surface water in New Mexico. Santa Fe County ephemeral and intermittent streams within the boundary of Los Alamos Laboratory drain into the Rio Grande above the County- and the City-owned and operated Buckman Direct Diversion water treatment facility which would no longer be protected and would leave our newest 2011 source of drinking water in peril.

The City and the County are responsible for improving protections and safeguarding of our water supply. I respectfully ask the support of this resolution for the County and County staff and myself and Commissioner Hamilton to work on drafting comments to this new rule. I believe that Neal Denton from our Sustainable Division is here if you have any more questions besides from me. So that is the status. The City is passing a very similar resolution to this so that we are jointly moving forward in the same direction.

CHAIR HAMILTON: Thank you very much. Is there discussion? Do any Commissioners have questions on this?

COMMISSIONER HANSEN: Can I make a motion?

CHAIR HAMILTON: By all means.

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COMMISSIONER HANSEN: I would like to move to approve a resolution opposing the Environmental Protection Agency and the US Army Corps of Engineers proposed amendment to the Clean Water rule adopted in 2015 defining waters of the United States, WOTUS.

CHAIR HAMILTON: Do I have a second?

COMMISSIONER MORENO: I'll second the motion.

CHAIR HAMILTON: Thank you very much. Under discussion, I would add the incredible level of importance of this, both nationally but coming down to the real impacts on local situations, which Commissioner Hansen has detailed very well. There is a push. Moderation in regulations is important but some regulations are there because they are so critical, so important to our well being. And this is one of them. Is there other discussion before we go to vote? We have a motion and a second.

The motion passed by unanimous [4-0] voice vote. [Commissioner Roybal was not present for this action.]

CHAIR HAMILTON: I very much appreciate that you brought this forward.

COMMISSIONER HANSEN: Thank you and thank you to all the people who worked on this, on the River Commission and everyone, because I am also a member of the Santa Fe River Commission and we have worked very hard on that. One of the things that people don't also really understand about is the unique situation that New Mexico is in, and Arizona. This rule might work in some place like Maine where there waters are always filled and they're always perennial and they always have water in them, whereas we, in our rivers, have ephemeral and intermittent streams. So therefore we are left in a completely different situation. So I just wanted to make that one other comment.

CHAIR HAMILTON: Thank you very much.

COMMISSIONER HANSEN: Thank you.

VI. A. 2. Resolution No. 2019-34, a Resolution Opposing House of Representative Bill 290 or Any Committee Substitutes Introduced During the 54th Legislature – First Session 2019, Which Would Create a Pilot Program Providing Opioid Agonist Treatment to Inmates in Certain Counties [Exhibit 2: Resolution Text]

CHAIR HAMILTON: Mr. Flores, can you speak to this first?

MR. FLORES: Thank you, Madam Chair, Commissioners. This is one of those bill that avoided talking about in the legislative update. We were informed two weeks ago that we were included in a bill that could potential impact the operations of our current facility. We currently have a program within the facility called our Matrix program. This Board actually approved it May of last year. It's an evidence-based program that we treat people with similar situations.

We found out by chance from New Mexico Counties that Santa Fe County was

being considered as a pilot program for this type of Methadone treatment. Something that was not consulted with Santa Fe County, nor discussed. We've had some opportunities to discuss it with Representative Romero who's actually sponsoring the bill and it has passed through one of the committees. It's on its way to State Government and then to Appropriations, because the bill that's amended now, the substitute bill includes a \$3 million appropriation. As we discussed earlier, House Bill 2 is done so this would probably go to the junior bill.

The issue is this. Santa Fe County was not consulted, although we're part of this pilot program. The bill itself requires that not only correctional facilities in the three counties and correctional facilities or jails be part of this. So we've taken the position and have support from New Mexico Counties that we are not in support of this piece of legislation. There is discussion that because there is appropriation that is after the fact or late in the game that this could be turned into a memorial. I think on the memorial part – that's why I wrote the resolution as I did. It's very broad, or any substitute that we would be in opposition. I think until Santa Fe County has had the opportunity to sit down with the industry and the bill sponsor to understand our program I think it defeats the purpose of us trying to layer another program on the facility.

So with that I'll stand for any questions.

CHAIR HAMILTON: I very much appreciate it. I think I might remind all of the Commissioners that we talked about this at the previous Commission meeting. It just – we clearly support programs that are intended to help with the opioid crisis, with that through our correctional system, evidenced by the fact that as Mr. Flores pointed out we have the Matrix program. There's a clear difference between supporting those kinds of programs and supporting things to try to address the opioid crisis and supporting a specific industry promoted use of a particular pharmaceutical based approach. Are there other Commissioners with comments? Commissioner Moreno.

COMMISSIONER MORENO: Thank you, Madam Chair. I think we've all been briefed by the leadership of the jail and I'm convinced that we need to oppose this move to put us on the list of cooperating with the program. It doesn't make sense to me that you could give drugs to people who are already addicted and trying to treat them by giving them yet more drugs. That's insane. I strongly oppose what this move to put us in this list.

CHAIR HAMILTON: Commissioner Garcia.

COMMISSIONER GARCIA: I didn't hear the first part of the testimony but regarding Commissioner Moreno's comments, I don't know if I've seen any studies for or against this type of dosage, prescriptions. Like I said, I don't know any pros or cons against this, but since you guys are going to go against it, what you might want to do is actually, you might want to actually be opposed to the bill, House Bill 290, as well as any memorial that's out there, because the memorial could –

CHAIR HAMILTON: Yes, the way Mr. Flores explained it, that's why there's the line about or any –

COMMISSIONER GARCIA: Or any introduced legislation. Okay. I like that. I get it.

CHAIR HAMILTON: Any replacement, substitute. But that is a good point. Commissioner Hansen.

COMMISSIONER HANSEN: I would like to move to approve.

COMMISSIONER MORENO: Second.

CHAIR HAMILTON: We have a motion and a second.

The motion passed by unanimous [4-0] voice vote. [Commissioner Roybal was not present for this action.]

VI. E. Request Approval of Position and Comments Made by Commissioner Anna Hansen at the Defense Nuclear Facilities Safety Board Public Hearing on February 21, 2019, in Support of Senator Udall's and Heinrich's Concerns About Order 140.1 [Exhibit 3: Hansen Letter]

COMMISSIONER HANSEN: Thank you very much. I'll just kind of refresh everyone's memory that earlier in the year, or last year when I was chair we wrote a letter to the Defense Nuclear Safety Board and to DOE requesting that they hold hearings and that they suspend Order 140.1. And after that, both Senator Udall and Heinrich came out in support of our letter and strongly supported us. We were strongly supporting them, and encourage the Defense Nuclear Facilities Safety Board Facilities Board to hold hearings here.

Once we knew that there were going to be hearings, I wrote another letter requesting that I meet with DOE and with the Defense Nuclear Facilities Safety Board. I'm going to now refer to them just as the Safety Board, and with that letter and with the support of Senator Udall and Senator Heinrich, they both supported a meeting. So DOE, Washington, two gentlemen came to my office. I also invited the New Mexico Environment Department to come to this meeting to discuss the 140.1 order and I've worked with our Assistant County Attorney, Rick Word, on drafting statements that were in conflict with the Atomic Energy Act on the Safety Board.

This basically is another roll-back of regulations of the Trump Administration protecting us. The Safety Board has existed for the past 30 years. It was instituted by John Glenn in 1988. It has functioned as a board that has protected the well being of many people living around defense nuclear facilities. In my statement that I shared with DOE and with the Safety Board, we were able to point out inconsistencies with the order and also I am going to Washington next week and at the end of the week and I would really like to be able to hand my statements that I gave to our Senators and put that on letterhead.

The four points that are made here were specifically in reference to how they are taking away protection. One of the main issues is they are taking protection away from workers. The Safety Board will lose up to 70 percent of its protection and I attached with you an analysis by the Defense Safety Board. The Safety Board believes that this is a violation of the rule of law. And that was stated publicly at the meeting. My comments were also in sync with their four comments of what they believe is wrong with the order. And I know that Rick Work, our Assistant County Attorney is here and who did an outstanding job meeting with DOE and pointing out the inconsistencies and stating that these might be to be reworded or suspended. And these were the exact same things that the Safety Board had pointed out.

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It was gratifying to me to know that Mr. Word was on the same page with the Safety Board, and I know Beth Beloff is here, who is a member of the CAB, and the CAB was also at the Safety Board hearing in Albuquerque and they made comments along with supporting the same things that I said in this statement. There were over 20 people who commented; nobody supported it. I want to emphasize that this is a non-partisan issue. There was John Heaton from Carlsbad also there opposed to this order. He is a former Republican representative and now a member of the Mayor's council.

So it was a general consensus that this order is removing protection and taking away protection. And since I am going to Washington I would be really grateful if I could be able to put this letter on letterhead and take it with me and also that when I come back I will bring forth a resolution that we write a statement as a Board incorporating these points and submit comments by March 21st of next month, because that is the end of the period.

CHAIR HAMILTON: Excellent. Thank you very much. Are there questions, comments, discussion among the Commissioners?

COMMISSIONER GARCIA: Madam Chair, are we actually going to look at all of these remarks prior to the Board as a whole going out and writing this letter to Defense?

COMMISSIONER HANSEN: If you would like to go over these remarks again, they are consistent with the law and Mr. Word could talk to this if you would like to have him come forward.

COMMISSIONER GARCIA: I think you did an excellent job, Commissioner. Just really quick, does the Defense Nuclear Facilities Safety Board, can they actually enact regulations that would actually hurt all of our employment of individuals that actually work for the laboratories who actually defend to a certain point? I'll leave it at that, very general, our country?

COMMISSIONER HANSEN: No, they are an advisory board to the Secretary of Energy and they make recommendations. But if you realize that one of the things that happens is the Safety Board gives weekly reports on LANL and all of the safety violations that have happened in the last 30 years at LANL, at WIPP, at Sandia, at Oakridge, Savannah River, they are the ones who point out those safety violations and then they are reported to the Secretary. They do not regulate. They are an independent oversight body.

COMMISSIONER GARCIA: Thank you.

CHAIR HAMILTON: Are there other comments or questions?
Commissioner Roybal.

COMMISSIONER ROYBAL: This is the first time I've looked at this letter so I do want to have more time to review it as well. I think that's kind of what Commissioner Garcia was stating. So I'd like to have more time to review it and to make a decision, and I'm not saying that there's anything that I don't agree with. I just don't know yet. So I'd like more time.

CHAIR HAMILTON: Commissioner Moreno, do you have anything? I actually agree. It's the first time I've seen it. First of all, I love the idea of your going there and then bring back and working on a resolution that the whole Commission has contributed to. This is very important. I appreciate the work you've put into it and that

Mr. Word has put in. But I haven't had a chance to review it either.

COMMISSIONER HANSEN: That's why I sent it out on Friday morning. I wanted to make sure that everyone had an opportunity to see this and I know it got sent out via email on Friday morning.

CHAIR HAMILTON: I actually appreciate that, but it got sent incognito. I didn't see it. I didn't realize what piece was coming forward, and I think we have the opportunity to act as a whole Board and support you in doing full Board comments and a resolution at the next Commission meeting.

MS. MILLER: Madam Chair, when is the end of the comment period?

COMMISSIONER HANSEN: March 21st.

MS. MILLER: So we do have a meeting that this could come back in the form of a resolution and then ask for more comments from the Board, if that's –

CHAIR HAMILTON: Yes.

MS. MILLER: And I had something that – Commissioner Hansen, that's what you're to do, right?

COMMISSIONER HANSEN: I'm asking also for that. I was just also asking if when I go to Washington, DC that I could have my comments put on letterhead, from me.

COMMISSIONER GARCIA: Madam Chair, when do you go to Washington, DC? Friday?

COMMISSIONER HANSEN: I'm going to be visiting with Senator Udall and Senator Heinrich and the entire New Mexico delegation I have appointments with so far.

COMMISSIONER GARCIA: Friday?

COMMISSIONER HANSEN: And so I am asking – I can certainly give this as my own comments but since earlier on, I did share with you the letter that we originally wrote and attached to the letter we received from Honorable Anna Hansen, Chair of the County Commission, the county borders Los Alamos, and where a number of lab employees live, on behalf of the Board, Chair Hansen calls on you to suspend the implementation of this order, 140.1. So that is basically what I am asking in this document but I have specifically, with the advice of Rick as Assistant County Attorney, hit upon the main points that create complete problems with the statute that created this. One of the board members said at the meeting that she had a statute that she was going to follow and that she was not following an order by DOE because this is – and this is what we have commented on in my comments.

CHAIR HAMILTON: Right.

COMMISSIONER GARCIA: Madam Chair, why don't we do this? As an elected official you have the right to write any letter you like for your district. And so in my opinion, just in this district here, it seems like the letter's fine. It's actually coming from you, and then if we bring this forward at the next meeting and two other Commissioners or three other Commissioners, whatever the count is, allows for the resolution to go forward, maybe you could put in here that you are currently working with the remaining Board of County Commissioner to redraft the resolution that will hopefully come forward.

CHAIR HAMILTON: At the next meeting.

COMMISSIONER GARCIA: Madam Chair, what I'm saying is a County Commissioner as an elected official has the right to send this letter out.

CHAIR HAMILTON: Absolutely.

COMMISSIONER GARCIA: On her behalf.

COMMISSIONER HANSEN: What I am asking is, on my behalf, may I put it on letterhead?

MS. MILLER: Madam Chair, I may be able to – I think that the issue here is this is written in first person. These are Commissioner Hansen's comments. If you put that on County letterhead you're putting the whole County Commission as those it's the County Commission.

COMMISSIONER HANSEN: I understand.

MS. MILLER: So if we did a letter from the County Commission, typically it is signed by the Chair and it is written in the tense of being from the Board as a whole that you agree to the content of that letter as a whole, whether it's three of five of you or five of five of you. And that's where this is. So typically we would put a letter that you would take to represent the Board's position that would be on letterhead with all five Commissioners listed with it signed by the Chair. So I think you can put one with the seal and just your name. I think where this issue and this tense, I think where we're getting into this difficulty is that the Board did not vote on this as the Board's position. And if you put it on County letterhead and represent it as the Board of County Commissioners' position they just need to have voted that it's their position and then we would change the tense of the letter to be: We, the Santa Fe County Commission feel this way.

CHAIR HAMILTON: Right.

COMMISSIONER HANSEN: So I recognize that the Commissioners did not have time to read this, which I'm sorry about, because I feel like this is a really important issue and it is time-sensitive. But I will put this on a piece of letterhead with the seal and without everybody's name on it and I will take it to Washington as my own statement because I believe so strongly that this is such an important issue, the fact that our country is being undermined and that we are losing the protection of such an important board, that they are standing up there on their own, saying that the rule of law is being broken. It's frightening to me.

And so I respectfully request – Sara and I will work on a resolution to bring forward to the March 12th meeting, that we will be able to then have a letter send to comments from the entire Board.

CHAIR HAMILTON: That would be incredibly appreciated. Your efforts in this regard are highly respected. I would only add that in fact it's one of many examples of exactly this kind of undermining that's going on right now. And this is a very important one.

COMMISSIONER HANSEN: I know Beth and Cindy and Scott are in the audience and I want to thank you for being here to support me in this because I really appreciate your sincere effort. I also want to sincerely express my deep thanks to Rick for his hard work and dedication to this with me also.

CHAIR HAMILTON: Thank you very much, all of you.

VI. C. Recognitions and Acknowledgements

None were raised.

VI. D. Commissioner Issues and Comments, Including but not Limited to Constituent Concerns, Recognitions, and Requests for Updates or Future Presentations

See Commissioner Hansen's comments under Informational Items, page 46.

VII. MATTERS FROM OTHER ELECTED OFFICIALS

A. Elected Officials Issues and Comments, Including but not Limited to Updates, Concerns, Recognitions

None were raised.

IX. INFORMATIONAL ITEMS

- A. Community Services Department Monthly Report**
- B. Growth Management Department Monthly Report**
- C. Public Safety Department Monthly Report**
- D. Public Works Department Monthly Report**
- E. Human Resources Division Monthly Report**
- F. Finance Division Monthly Report**
- G. Santa Fe Film Office/ FY2017-19 Performance Highlights**

MS. MILLER: Madam Chair, before we go to Matters from the County Attorney, as you know, at the end, and I was going to do this during Matters from the Manager but we had a lot of people waiting to do the proclamation so I just thought I'd wait. We have the reports and informational items, and I wanted to see, since we have some of the staff here, if any of the Board members have any questions on any of the reports. I also wanted to let you know there was an additional report in there from the Santa Fe Film Office. That's not one of our monthly reports but it is a report that we get from Eric Witt and Jennifer on probably about a quarterly basis, so that's one they provide to both the City and the County so you know what's happening in the film industry in Santa Fe and around the state. So that's in there.

And I just wanted to know if you had any questions on any of those reports before we went into executive session.

CHAIR HAMILTON: I have one small question but do other Commissioners have questions on any of the reports? I'm not sure I see Rachel. I had a question from Health Services. They talked about they're negotiating with Presbyterian Medical Services regarding the mobile crisis team. Do you know -

MS. MILLER: Madam Chair, it's funny you should ask that. I have a star next to that. I was going to actually bring it up. So you know we currently have our two contracts. One with New Mexico Solutions, I think it is that will eventually operate our

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crisis center, and at some point that all may be folded into our mobile health crisis team. It might be folded into that contract, but for the next year we'll be extending the contract with Presbyterian for an additional year to provide those services out in the community and then in another year with the consultation on setting up our crisis center with the New Mexico Solutions group. So we'll be extending those two contracts for an additional year as they are this current year.

CHAIR HAMILTON: Thank you very much. Anybody else with questions regarding the – Commissioner Garcia.

COMMISSIONER GARCIA: Madam Chair, I just have informational questions in regards to project but I'll just – when I get with my standing meeting with Manager Miller I'll just bring them up.

CHAIR HAMILTON: Okay. Great. Thank you. Anybody else? We appreciate all the managers hanging around to address those questions. Thank you very, very much. You do have a question, Commissioner Hansen?

COMMISSIONER GARCIA: I have a quick comment while Commissioner Hansen –

CHAIR HAMILTON: Commissioner Garcia.

COMMISSIONER GARCIA: I'd just like to recognize an individual out there that I've known for quite a while. He actually left Santa Fe County for a while and came back to the City of Santa Fe and actually does a great job at his recording, and it's Mr. Chuck Owen from the *New Mexican* out there. Welcome.

CHAIR HAMILTON: Very nice to see you here.

COMMISSIONER HANSEN: Okay. I wanted to know, since we were early on this resolution on the opioids that we passed. I wanted to know how many people have graduated from the Matrix program. Because it says Inmates who completed the Matrix substance program were given certificates in completion, but it didn't say how many people went through the program.

MR. FLORES: So Madam Chair, Commissioner Hansen, as of the 21st of February, 17 males have graduated out of 26 who were accepted. Two males have reoffended, so we have about a 90 percent success rate. We currently have enrollment of four males who just graduated. So that makes 21 males that have graduated and we're expanding to 24 females.

COMMISSIONER HANSEN: Thank you. I appreciate that.

CHAIR HAMILTON: Commissioner Garcia.

COMMISSIONER GARCIA: Tony, Mr. Flores, so what do they graduate from? So they're clean? They're never doing drugs again? They don't ever do anything at all? What is it?

MR. FLORES: So Madam Chair, Commissioner Garcia, I'll read to you from the narrative that I've been using for the bill that's been going through. So our Matrix program in a correctional setting, it's a SAMHSA, evidence-based modified therapeutic community in MTC for men and women. It's a comprehensive cognitive behavioral treatment curriculum for offenders with substance abuse disorders that provides a framework for engaging substance abusers in treatment and helping them achieve abstinence – no drugs. Patients learn about issues critical to addiction, relapse, receive direction and support from trained therapists and become familiar with self-help

programs. They're monitored for drug use through urine testing. The therapist functions simultaneously as a teacher and a coach, fostering a positive, encouraging relationship with the patient and using the relationship to reinforce positive behavioral change.

Treatment materials draw heavily on other tested – remember, this is evidence-based – treatment approaches and thus include elements of relapse prevention, group therapy, drug education and self-help participation. There's manuals, worksheets, etc. for individual sessions. It's combined with other recovery type programs such as the 12-step programs. Additional skills are modeled and practiced including mindfulness and distress tolerance from dialectical behavioral therapies.

So there's a long list and I am nowhere near an expert on what this does but at the end of the day, when we talk about reoffending, that means they have had a relapse in their abstinence and reoffended with a drug problem. So it's gets them to an abstinence or non-use and that's how they graduate from the program. I can get more information from our behavioral health therapist and bring it to you.

COMMISSIONER GARCIA: Thank you.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: I apologize for stepping out but I did want to just mention, I think that we're on information and I missed my opportunity for Commissioner comments. I just have a few comments I wanted to make.

CHAIR HAMILTON: Oh, by all means. Go back.

COMMISSIONER HANSEN: I just want to thank you and the Mayor and the President of the School Board for your letter in the newspaper. Thank you, Commissioner Hamilton. I really appreciate urging people to go out and vote. That was really important.

I also wanted to announce that the River Trail from Siler to Frenchy's Field is now open and people are already using it. So it's not officially been completely finished. They're still doing plantings but they've taken down the gates so people can at least walk along the trail. So I've asked people now to please be careful. It's still icy out there, but at least people can be out there on the trail and I was very happy to see that the New Mexican published my letter about the cleanup of the river and cleaning up after your animals and keeping the water clean. So those are the only two comments.

I also am looking forward to going to NACo, which is the National Association of Counties conference. I serve on the Energy, Environment and Land Use Committee and the Arts and Culture Committee. And I was wondering if we had any public art in Santa Fe County. So far I know of one piece. I know of a few murals, but I was hoping to be able to take a photo of some public art in Santa Fe County and share it with the people at NACo, since we are considered the art capital of the world. At least in our world we are. So I would like to be able to share that with the other counties, since I serve on the Arts and Culture Committee. I'm looking forward to taking our issues to Washington because Santa Fe County is a great county and I think we are setting a really good example. So thank you everybody for all your support.

COMMISSIONER HANSEN: Thank you. Commissioner Roybal.

COMMISSIONER ROYBAL: Thank you, Madam Chair. Commissioner Hansen, just to let you know, I think if you check with our Teen Court. They have done murals around Santa Fe with Jennifer.

COMMISSIONER HANSEN: Are they public art? Are they considered – are they funded through public art?

COMMISSIONER MORENO: Yes.

MS. MILLER: Madam Chair, I think what Commissioner Hansen is talking about is the Art in Public Places program that the state does where they take a certain amount of money off of an appropriation. Because we haven't really gotten appropriations that fully fund construction because I think it comes off of the severance tax appropriations. We don't typically get appropriations for building buildings, but all of the murals are publicly funded. That's all been done with public funds. And that's [pointing to chamber mural] done with public funds. So we have –

COMMISSIONER HANSEN: The one at the HR center?

MS. MILLER: Yes. That's done with County funds, but it's not through the State's Art in Public Places appropriations. Those are done with County funds.

COMMISSIONER ROYBAL: Madam Chair.

CHAIR HAMILTON: Yes.

COMMISSIONER ROYBAL: And to let you know, they'll probably tell you different locations but there's a really nice one in Rio en Medio on their community center. There's one that was recently –

COMMISSIONER HANSEN: Will you take a picture of it and send it to me?

COMMISSIONER ROYBAL: Sure. I'll drive up there.

MS. MILLER: Madam Chair, I'm sure the Teen Court program has pictures of all the murals we have. I think we're probably close to ten now throughout the county. And we probably have pictures of them and we can send them to you.

COMMISSIONER GARCIA: Also, just on that note, one of the coolest pictures is actually at Frenchy's Park, Frenchy's old barn back there, that looks like they painted the windows in there.

COMMISSIONER HANSEN: Did the County pay for that?

COMMISSIONER GARCIA: Teen Court.

COMMISSIONER HANSEN: Oh, the Teen Court did that. I was there at the dedication. So that's fantastic.

COMMISSIONER GARCIA: Also our Camino Jacobo site has some art on the wall there as well.

COMMISSIONER HANSEN: But in general, we don't have art in public places money. Or we don't get money for doing that, so it's mostly County money.

MR. FLORES: Madam Chair, Commissioner Hansen, I spoke to you about this last week. We're trying to pull together a list. There's currently art at the Vista Grande Library, both editions, Nancy Rodriguez, Santa Fe Studios has an art in public places allocation. Those are funded through that one percent that came off the top. That's the list I'm trying to pull together for you. So we have art that we've funded through our programs and we have art that's funded through the State, which doesn't come to us. That's taken off the top of the severance tax bond, goes to the State. They select the art pieces and they go in. So I know we've included the La Cienega Community Center, Nancy Rodriguez, Vista Grande Library. So we do have art in public places. I am working on the list for you as I indicated last week.

COMMISSIONER HANSEN: Thank you.
CHAIR HAMILTON: Great. Thank you very much.

VIII. MATTERS FROM THE COUNTY ATTORNEY

- A. Executive Session: Limited Personnel Matters, as Allowed by Section 10-15-1(H)(2) NMSA 1978; Board Deliberations in Public Hearing(s) on the Agenda, as Allowed by Section 10-15-1(H)(3) NMSA 1978; Discussion of Bargaining Strategy Preliminary to Collective Bargaining Negotiations Between the Board of County Commissioners and Collective Bargaining Units, as Allowed by Section 10-15-1(H)(5); Discussion of Contents of Competitive Sealed Proposals Pursuant to the Procurement Code During Contract Negotiations as Allowed by Section 10-15-1(H)(6); Threatened or Pending Litigation in which Santa Fe County is or May Become a Participant, as Allowed by Section 10-15-1 (H)(7) NMSA 1978; and, Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights, as Allowed by Section 10-15-1 (H)(8) NMSA 1978, including**
- 1. Regional Water System Related to Aamodt Settlement**
 - 2. Acquisition of Real Property – 3233 Rodeo Road**
 - 3. Settlement Agreement – Suerte del Sur, LLC and Suerte Development Incorporated**
 - 4. Bargaining Strategy Relative to Negotiations with Collective Bargaining Units Due for Economic Reopeners or Whose Contracts Have or Will Soon Expire**
 - 5. Evaluation of County Manager/Amendment to the Employment Agreement Between Katherine B. Miller and the Board of County Commissioners of Santa Fe County**

BRUCE FREDERICK (County Attorney): Madam Chair, we’re going to request to go into executive session to discuss the items listed in agenda item VIII. A. 1 through 5, pursuant to the authority listed in the same agenda item.
COMMISSIONER ROYBAL: Madam Chair, I’d like to make a motion to go into executive session.
COMMISSIONER GARCIA: Second.
COMMISSIONER ROYBAL: As outlined by our County Attorney, Mr. Frederick.

The motion to go into executive session pursuant to NMSA Section 10-15-1-H (2, 3, 5, 6, 7, and 8) to discuss the matters delineated above passed by unanimous roll call vote as follows:

Commissioner Garcia	Aye
Commissioner Hamilton	Aye
Commissioner Hansen	Aye

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Commissioner Moreno	Aye
Commissioner Roybal	Aye

[The Commission met in closed session from 6:07 to 7:54.]

COMMISSIONER HANSEN: I would like to make a motion to come out of executive session where all the things that we discussed were listed on the agenda and the only additional person that was in the meeting was the HR Director, which was Greg Shaffer to discuss the last item on the agenda.

COMMISSIONER GARCIA: Second.

CHAIR HAMILTON: So I have a motion and a second.

The motion passed by unanimous [5-0] voice vote.

VIII. B. Request Approval of Settlement Agreement between Santa Fe County and Suerte del Sur, LLC and Suerte Development, Incorporated

COMMISSIONER HANSEN: I move to approve the settlement agreement between Santa Fe County and Suerte del Sur, LLC, and Suerte Development, Inc.

COMMISSIONER GARCIA: Second.

CHAIR HAMILTON: On that item I have a motion and a second.

The motion passed by unanimous [5-0] voice vote.

VIII. C. Resolution No. 2019-35, a Resolution Delegating Authority to the County Manager to Negotiate a Purchase Agreement for Acquisition of 8.92 Acres of Land, More or Less, Located at 3233 Rodeo Road, Santa Fe, New Mexico for Potential Development of an Affordable Housing Project [Exhibit 4: Resolution Text]

COMMISSIONER HANSEN: I want to move to approve a resolution delegating authority to the County Manager to negotiate a purchase agreement for acquisition of 8.92 acres, more or less, located at 3233 Rodeo Road, Santa Fe, New Mexico, for potential development of an affordable housing project.

COMMISSIONER GARCIA: Second.

CHAIR HAMILTON: Motion and a second.

The motion passed by unanimous [5-0] voice vote.

VIII. D. Request Approval of Amendment No. 5 to the Employment Agreement Between Katherine B. Miller and the Board of County Commissioners of Santa Fe County [Exhibit 5: Employment Agreement]

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COMMISSIONER HANSEN: I'm going to move to approve amendment #5 to the employment agreement between Katherine B. Miller and the Board of County Commissioners of Santa Fe County.

COMMISSIONER GARCIA: Second.

COMMISSIONER HANSEN: Second.

CHAIR HAMILTON: So I have a motion and multiple seconds.

The motion passed by unanimous [5-0] voice vote.

CHAIR HAMILTON: Is there any further discussion on that or any items?

COMMISSIONER GARCIA: Well, Madam Chair, regarding item VIII.

A. 4, is there any action needed for that, Rachel?

CHAIR HAMILTON: No. I'd like to take the opportunity with regard to the last item, to publicly thank the County Manager for an outstanding job over the past year and I'm grateful for all the effort she puts out and the direction she provides, the incredible leadership she provides and this amendment is highly, highly deserved. Thank you.

COMMISSIONER ROYBAL: Madam Chair.

CHAIR HAMILTON: Yes.

COMMISSIONER ROYBAL: I just want to ditto the same comments and thank Katherine for her hard work and dedication and congratulations.

COMMISSIONER GARCIA: Also, Madam Chair, I'd just like to ditto those same exact words, Katherine Miller, she actually has a very good team that actually works with her and we all work as a team and I appreciate your hard work that you do for Santa Fe County.

COMMISSIONER MORENO: Same here.

COMMISSIONER HANSEN: Hear, hear.

CHAIR HAMILTON: It seems to be unanimous on both counts.

X. CONCLUDING BUSINESS

A. Announcements

COMMISSIONER HANSEN: And I apologize but I forgot to give out this piece of information about improving film-making incentives in New Mexico. *[Exhibit 6]* I picked it up yesterday at the Roundhouse and it does have one typing error, but we'll get an update.

CHAIR HAMILTON: Thank you. So is there any other concluding business?

COMMISSIONER GARCIA: Madam Chair, just really something really quick that I'm sure everybody is starting to get phone calls on and that's regarding what my personal opinion is and I want to put on the record is for the second constitutional amendment of the United States and my opinion is on it, I'm totally for bearing firearms and I will actually say that publicly, that I respect and will uphold the constitution, the US constitution and the second US constitution amendment. So I just want to put that on the record, from my personal.

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CHAIR HAMILTON: Thank you. Is there any other concluding business?

B. Adjournment

Upon motion by Commissioner Hansen and second by Commissioner Roybal, and with no further business to come before this body, Chair Hamilton declared this meeting adjourned at 7:58 p.m.



Approved by: ,

Anna Hamilton
Board of County Commissioners
Anna Hamilton, Chair

ATTEST TO:

Geraldine Salazar
GERALDINE SALAZAR
SANTA FE COUNTY CLERK

Respectfully submitted:

Karen Farrell
Karen Farrell, Wordswork
453 Cerrillos Road
Santa Fe, NM 87501

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC MINUTES
PAGES: 262

I Hereby Certify That This Instrument Was Filed for
Record On The 28TH Day Of March, 2019 at 08:33:07 AM
And Was Duly Recorded as Instrument # 1882237
Of The Records Of Santa Fe County



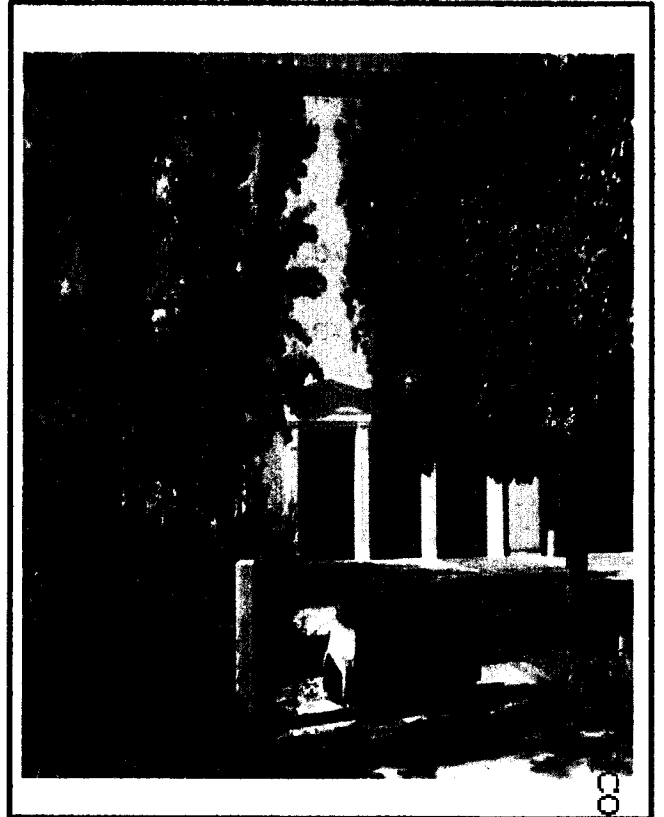
Witness My Hand And Seal Of Office
Geraldine Salazar
Deputy County Clerk, Santa Fe, NM

Estrella Martinez

SFC CLERK RECORDED 03/28/2019

2019

LEGISLATIVE SESSION REPORT



CORDED 03/28/2019

FEBRUARY 26, 2019

Santa Fe County
102 Grant Avenue, Santa Fe NM
www.santafecountynm.gov

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2019 REGULAR SESSION SCHEDULE (60-Day Session)

March 16

Session ends (noon)

April 5

Legislation not acted upon by governor is pocket vetoed

June 14

effective date of legislation not a general appropriation bill or a bill carrying an emergency clause or other specified date

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Bill Statistics

Current Statistics for All Bills (2019 Reg)	Total	Ratio
Bills Introduced	1601	100.00%
Bills Passed in 1st House	285	17.80%
Bills Passed in 2nd House	45	2.81%
Bills Sent to Governor	43	2.69%
Bills Signed into Law	43	2.69%

Current Statistics for House Bills only (2019 Reg)	Total	Ratio
Bills Introduced	790	100.00%
Bills Passed in 1st House	136	17.22%
Bills Passed in 2nd House	18	2.28%
Bills Sent to Governor	18	2.28%
Bills Signed into Law	18	2.28%

Current Statistics for Senate Bills only (2019 Reg)	Total	Ratio
Bills Introduced	811	100.00%
Bills Passed in 1st House	149	18.37%
Bills Passed in 2nd House	27	3.33%
Bills Sent to Governor	25	3.08%
Bills Signed into Law	25	3.08%

SFC Legislative Related Resolutions

Resolution 2018-72

A Resolution Adopting Projects for Inclusion In Santa Fe County's Infrastructure Capital Improvement Plan for Fiscal Years 2020-2024; Authorizing Submittal Of Plan To The New Mexico Department of Finance and Administration And Replacing Resolution 2017-86.

Resolution 2018-96

A Resolution Adopting Projects for Inclusion in Santa Fe County's Senior Services Infrastructure Capital Improvement Plan for Fiscal Years 2020-2024; and Authorizing Submittal of Plan to the New Mexico Department of Finance and Administration.

Resolution 2018-110

A Resolution in Support of Legislation in the 2019 Legislative Session to Authorize the Practice of Dental Therapy and Govern the Training and Licensure of Dental Therapists in New Mexico.

Resolution 2018-118

A Resolution in Support of the Appropriation of Funds by the New Mexico Legislature for the "New Mexico Grown Fresh Fruits And Fresh Vegetables for School Meals Program" and Related Education Programs.

Resolution 2018-123

A Resolution in Support of Items on the New Mexico Mortgage Finance Authority's (MFA) Legislative Agenda for 2019 That May Directly Benefit Santa Fe County Residents.

Resolution 2018-124

A Resolution in Support of State of New Mexico Legislature Initiatives and Administrative Actions that Reduce Greenhouse Gas Emissions Through Energy Efficiency, Renewable Energy Production, Water Conservation and Watershed Management.

Resolution 2018-125

A Resolution Opposing any Legislation that Affects Santa Fe County Revenues, Programs or Services.

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Senate Bills Tracked

BILL	DESCRIPTION	House 1				House 2				PL/Chap	Last Action	Status
		I	C	RC	P	C	RC	P	G			
SB2	Rodriguez (D24) FILM PRODUCTION TAX CREDIT: REMOVES CAP, SLIMS REQUIREMENTS (Related to SB451) Opens the film production tax credit in several ways. Eliminates the annual aggregate film production tax credit cap of \$50 million. Removes eligibility specifications, leaving it to the New Mexico Film Division, in consultation with TRD, to work out from the statute's more general guidelines. (2019:SB451)	•									02/01/2019	SCORC
SB6	Wirth (D25) CIT: APPORTIONMENT OF IN-STATE SALES OF INTANGIBLE PROPERTY AND SERVICES (2018 HB198, 2017 SB274, 2016 SB22, 2015 SB281) Amends the Uniform Division of Income for Tax Purposes Act to determine in-state sales of intangibles and services based on market sourcing rather than cost of performance. Applicable to 2019 and subsequent taxable years.	•									01/16/2019	SCORC
SB7	Wirth (D25) OCCUPANCY TAX REVENUES MAY BE USED FOR AFFORDABLE HOUSING Allows a municipality or county imposing an occupancy tax to use up to 50 percent of the tax revenues from short-term occupancy rentals to defray the costs of affordable housing.	•		•							02/08/2019	SCORC
SB11	Cisneros (D6); Romero, A. (D46) GROSS RECEIPTS TAX APPLICATION: LANL (Identical to 2018, SB 17 – vetoed by governor as tax increase, singling out of one nonprofit – LANL operator – and potential hardship to New Mexicans) Amends the Gross Receipts Tax Act to apply the tax to a prime contractor who operates a national laboratory in New	•	•	•	•	•	•	•	•		02/25/2019	SCONCUR

Mexico, whether or not the prime contractor qualifies as a Section 501(c)(3) nonprofit organization. The bill does so by amending Sec. 7-9-29 relating to I.C. exemptions to specifically exclude a nonprofit prime contractor of a national lab from the exemption.

SB12	<i>Cisneros (D6)</i>	• •	02/12/2019	SJC
	POST WATER RIGHTS NOTIFICATIONS ONLINE (For the Land Grant Committee) (Identical to 2017 SB86 as originally introduced; SJC substitute for SB86 passed both chambers unanimously but was vetoed by the Governor on the grounds the bill was unnecessary) Requires online posting by the State Engineer on the website of that office, concurrently with newspaper publication by an applicant, of notice of an application for a permit to appropriate water rights; for ground-water storage and recovery; to lease the use of water; to use underground water; or to withdraw water from any surface or underground source and transport it outside the state.			
SB19	<i>Griggs (R34)</i>	• •	02/07/2019	SJC
	RESTRICTION ON TRANSFER OF DISPENSER'S LICENSE Requires a licensee desiring to transfer a dispenser's license outside its local option district to choose, at the time of application for the transfer, whether the transferred license shall permit (1) the sale, serving or consumption of alcoholic beverages by the drink or (2) sale of alcoholic beverages in unbroken packages. Once made, the selection is permanent.			
SB29	<i>Padilla (D14); Gallegos, Doreen (D52)</i>	• •	01/28/2019	SJC
	RESIDENT AND VETERAN BUSINESS SET-ASIDE ACT (Revised 02/21/2019 NMLR) Proposes the "Resident Business Set-aside Act", which applies to contracts of the state government. Requires that 33 percent of the total number of an agency's contracts be awarded to resident and veteran			

SB41	<i>Papen (D38)</i> MEDICAID PROVIDER AND MANAGED CARE ACT (Identical to final version of 2018 SB2, passed unanimously by both chambers but pocket vetoed by the Governor) (For the Legislative Health and Human Services Committee) Provides for maintenance of Medicaid services pending determination of disputes regarding overpayments and allegations of fraud. Establishes due process for providers and subcontractors in such disputes. Provides for audits and prohibition of extrapolation of audit findings. Establishes provider rights to request an informal conference and expedited adjudicatory proceedings from an administrative law judge in the Department of Finance and Administration, pursuant to the Administrative Procedures Act. Provides for release of suspended payment on posting of a surety bond; judicial review of final determinations; and award of costs.	• • • • •	02/15/2019	HHSC
SB50	<i>Steinborn (D36)</i> AUTOMATIC VOTER REGISTRATION (Duplicate of 2019, HB84) (Related to 2017, HB28) Provides for the simultaneous automatic registration of qualified electors who have a driver's license or identification card issued or renewed by the state. Designates TRD, HSD and the Secretary of State as voter registration agencies. (2019:HB84)	•	01/16/2019	SRC
SB52	<i>Steinborn (D36); Roybal Caballero (D13)</i> VOTER REGISTRATION AT EARLY VOTING SITES	•	01/16/2019	SRC

[illegible]

over certain procurement functions from the Department of Finance and Administration to the General Services Department related to professional services contracts, small purchases under \$60,000, sole-source contracts, and emergency procurements. DFA's Financial Control Division is assigned the duty to collect and maintain contract information regarding in-state and out-of-state contract awards. Where protests are made to sole-source contract, the award shall be reconsidered.

SB90 Tallman (D18) • • 01/25/2019 SFC

PERSONAL LOAN BENEFIT FOR STATE EMPLOYEES
(Identical to 2018 SB48). Provides for an Employee Loan Program through which state employees may have portions of their salaries or wages deducted and disbursed to repay personal loans to a loan company or other entity licensed in accordance with, or exempt from, the New Mexico Small Loan Act of 1955. (NMLR note: Although not detailed in the bill, "other type of entity" appears to mean a government-related unit that would lend money to a salaried employee similar to an existing program at the local-government level called TrueConnect that provides employees with short-term loans that are repaid from a portion of salary. The measure is designed to ensure state employees can borrow modest amounts of money without paying high-interest rates.)

SB93 Tallman (D18) • 01/16/2019 SPAC

STATUTE OF LIMITATIONS ON MUNICIPAL LIENS
Removes the statute of limitations for a cause of action regarding a municipal lien.

SB106 Sapien (D9) • • • • • • • P.L.2019, c.25 02/04/2019 SIGNED

SHORT-TERM OCCUPANCY TAX EXEMPTION
(Identical to 2015 SB402; 2017 HB266 and SB254) Removes the occupancy tax exemption for vendors offering fewer than

three rooms attached to a taxable premises or three other taxable premises for lodging. Effective July 1, 2019.

SB113 *Stefanics (D39)*

LOCAL INFRASTRUCTURE GRT RATE INCREASE

Increases the maximum rate of the municipal infrastructure gross receipts tax and the county infrastructure gross receipts tax from 0.25 to 0.625 percent. Allows county commissions to impose the first one-eighth percent increment and any increment dedicated to economic development purposes without referendum, to mirror similar provisions of the municipal tax. Also raises the existing limit on the amount of tax money that may be spent on promotion and administration from the greater of \$50,000 or ten percent of the revenue collected to \$250,000 or 20 percent. Effective July 1, 2019.

01/16/2019 SCORC

SB115 *Woods (R7)*

NEW MEXICO-GROWN PRODUCE FOR SCHOOL MEALS
(2016, HB189, SB82; 2017, HB208, SB379; 2018, HB62, SB106) (For the Economic and Rural Development Committee and Water and Natural Resources Committee)
Appropriates \$350,000 from the General Fund to Public Education Department for expenditure in the 2019 and subsequent fiscal years to purchase and distribute New Mexico-grown fresh fruits and vegetables to school districts, charter schools and juvenile detention centers through the school lunch program.

01/29/2019 SFC

SB116 *Woods (R7)*

OPTIONAL PUBLIC HEARING FOR CERTAIN PROPERTY TAX REBATE

Existing law permits counties to rebate part of the property tax due on residences of low income taxpayers (those with modified gross incomes of \$24,000 or less). Since 1994, only two counties have ever adopted this rebate. If a county has not adopted an ordinance to provide the

01/29/2019 SJC

SB126	<i>Papen (D38)</i>	• • • •	02/22/2019	HLGLC
	<p>PRIMARY CARE CLINICS CAPITAL FUNDING (Related to 2019, SB0128) (Endorsed by the New Mexico Finance Authority Oversight Committee) Amends the Primary Care Capital Funding Act to make county- or municipality-owned primary care clinics in rural or underserved areas eligible for primary care capital funding; permits the New Mexico Finance Authority to recover from the Primary Care Capital Fund the costs of administering the fund and originating loans up to an amount equal to ten percent of original loan amounts. (2019:SB128)</p>			
SB165	<i>Sanchez, C. (D30); Powdrell-Culbert (R44)</i>	• • • •	02/14/2019	HLGLC
	<p>MUNICIPALITY AUTHORITY: PLEDGE ANY REVENUE TO REPAY REFUNDING BONDS (For the New Mexico Finance Authority Oversight Committee) Removes restrictions on the pledging of gross receipts tax revenue to refund various types of municipal bonds and explicitly provides that a municipality may pledge revenues from one source to the payment of bonds that refund bonds payable from a different source of revenue. Effective July 1, 2019.</p>			
SB173	<i>Martinez, Richard (D5)</i>	• •	02/19/2019	SFC
	<p>TRANSFER OF MUNICIPAL COURT JURISDICTION TO MAGISTRATE COURT (Endorsed by the Courts, Corrections and Justice Committee) Authorizes a municipality of any size to transfer jurisdiction of municipal courts to the magistrate court upon an agreement between the Supreme Court and the municipality.</p>			
SB210	<i>Griggs (R34)</i>	• •	02/07/2019	SJC
	<p>TYPE B RESTAURANT LIQUOR LICENSE Allows local option districts to adopt</p>			

	ordinances approving the issuance of restaurant licenses, designated type B restaurant licenses, for the sale and service of beer, wine and alcoholic beverages. Sets the fee for issuance at \$20,000 and for renewal at \$1,300 per annum. Effective July 1, 2019.				
SB216	<i>Rodriguez (D24)</i> FUNDS FOR LAW ENFORCEMENT ASSISTED DIVERSION Appropriates \$700,000 (GF) for use in FY 2020 to the Local Government Division of the Department of Finance and Administration for operational support for law enforcement assisted diversion in the City of Santa Fe and establishment and operation of law enforcement assisted diversion in the counties of Santa Fe, Rio Arriba, Bernalillo and Dona Ana.	•	•	01/29/2019	SFC
SB217	<i>Stefanics (D39)</i> APPRAISALS FOR EMINENT DOMAIN Amends the Eminent Domain Code to require both parties to a condemnation to obtain property appraisals prior to the filing of an action if settlement negotiations fail.	•		01/17/2019	SCONC
SB219	<i>Wirth (D25); Egolf (D47)</i> STATE PROJECTS SUBJECT TO HISTORIC DISTRICT OVERSIGHT (Virtually identical to 2017 SB409, passed unanimously by both chambers but vetoed by the Governor.) Makes all new construction or renovation projects on state-owned land or land held in trust by the state, regardless of funding source, subject to municipal and local government oversight pursuant to the Historic District and Landmark Act.	•	•	02/25/2019	SPASS
SB232	<i>Woods (R7)</i> COSTS AND CONDITIONS FOR PUBLIC RECORDS REQUESTS Amends the Inspection of Public Records Act to allow public bodies to impose an additional fee for public records requests that require extensive use of resources; to allow for recovery of costs for frivolous	•	•	02/13/2019	SJC

court actions to compel production of public records; to prohibit misuse of public records inspections, including for certain commercial purposes; and to authorize injunctions against public records requests made to harass or intimidate a public body.

SB348 *Tallman (D18)*

•

01/25/2019 SCORC

EXPANSION OF TAX REVENUE

DISTRIBUTION TO MUNICIPALITIES

Changes the distribution to municipalities of a portion of the state's revenue from gross receipts reported to that municipality. Currently the state distributes 1.225 percent of the state's 5.125 percent to municipalities. Bill proposes lowering that rate to 1 percent and then distributing the greater of the amount represented by a gross receipts distribution of 0.225 percent or a portion of income tax revenues derived from taxpayers in the municipality.

SB358 *Sharer (R1)*

•

01/25/2019 SCORC

TAX REFORM PACKAGE

(Related to HB6; similar to 2018 SB49, 2017 SB123, 2016 SB145, 2015 SB346 and 2013 SB365) 246-page bill continues the sponsor's effort to reform the state tax system by greatly expanding the gross receipts base to replace the personal and corporate income taxes, motor vehicle excise, leased vehicle gross receipts and boat excise taxes (which are repealed); lower the rate of state gross receipts and compensating taxes tax rate from 5.125% to one percent and the governmental gross receipts from five to one percent; repeal several tax credits; consolidate local option taxes, reducing their maximum permissible rates to 0.5% for municipalities and 0.5% for counties; revise statutes dealing with revenues local governments may pledge to repay indebtedness. All this is effective January 1, 2020.

SB369 *Cervantes (D31)*

•

01/25/2019 SRC

WATER TRUST BOARD

	actual costs, for downloading copies of public records to a computer disk or storage device, including the actual cost of the computer disk or storage device. Prohibits a custodian of public records from charging fees in excess of \$1 per page for electronic documents. (2019:SB232)		
SB446	Griggs (R34) RETURN TO WORK RULES FOR PUBLIC EMPLOYEES Replaces the existing rules on returning to work on or after July 1, 2019 for PERA, ERA and magistrate and judicial retirees with a simpler set.	•	02/01/2019 SPAC
SB451	Sanchez, C. (D30) FILM PRODUCTION TAX CREDIT CAP TIGHTENED For film production companies that begin principal photography on or after January 1, 2020, tax credit claims filed after the aggregate amount claimed in a fiscal year reaches \$50 million shall not be eligible for payment.	•	02/01/2019 SCORC
SB452	Munoz (D4) PERA SOLVENCY MEASURES (Related to 2019 SB400) Requires the PERA Board annually by May 1 to certify the funded ratio and amortization periods of both the Public Employees Retirement Plan and each of its coverage plans. If amortization rates exceed 25 years, the Board is authorized to reduce benefits, change retirement eligibility requirements, or increase contribution rates. If the funded plan ratio for a coverage plan exceeds 100 percent, the Board may decrease contribution rates under certain circumstances. (2019:SB400)	• •	02/01/2019 SPAC
SB472	Stefanics (D39) ENHANCED 911 ADVISORY BOARD (Duplicate of 2019, HB439) Creates a nine voting-member Enhanced 911 Advisory Board to consult with DFA's Local Government Division on administering the Enhanced 911 Fund, report to the Legislature, adopt rules, fund enhanced	•	02/05/2019 SRC

	911 systems and establish service areas. (2019:HB439)		
SB473	<i>Rodriguez (D24)</i> • ADDITIONAL INVESTMENT VEHICLES FOR STATE AND LOCAL TREASURERS Allows the State Treasurer and county and municipal treasurers more options for investing funds under their control.	02/05/2019	SPAC
SB504	<i>Smith (D35)</i> • GASOLINE AND SPECIAL FUEL TAX INCREASES (Related to 2019 HB6, SB421, SB505 and SB506; 2018, SB177; 2017: HB63, SB131, SB132; 2016: SB251, SB 284, SJR22) Effective 7/1/19, raises the gasoline tax ten cents to 27 cents/gallon and the special fuel tax is raised to 27 cents/gallon. Additional revenue is split among the State Road Fund, municipalities and counties and the newly created State Road Maintenance Fund. (2019:HB6; 2019:SB421; 2019:SB506)	02/08/2019	SCORC
SB506	<i>Smith (D35)</i> • GASOLINE AND SPECIAL FUEL TAX INCREASE (Relates to 2019 HB6, SB393, SB421 and SB504) Increases the rate of the gasoline tax by five cents, from 17 to 22 cents per gallon, and the special fuel (diesel) tax also by five cents per gallon, from 21 to 26 cents per gallon.	02/08/2019	SCORC
SB509	<i>Wirth (D25); Salazar, T. (D70)</i> • REGIONAL WATER UTILITY AUTHORITY ACT (Similar to 2019 HB175 in many respects.) Allows the creation of a new statutory entity—a Regional Water Utility Authority—that may be incorporated through the cooperation of one or more entities to provide water or wastewater treatment services and renewable energy infrastructure for those services within a designated service area to be determined by the parties. Applies to a political subdivision, mutual domestic water consumers association, a sanitation district, a water and sanitation district, or	02/08/2019	SCONC

SB524	<i>Cervantes (D31)</i>	•	02/12/2019	SPAC
<p>ELECTRONIC POSTING OF A PUBLIC AGENCY'S LEGAL NOTICES</p> <p>Amends Article 11 of Sec. 14 relating to requirements for state agencies and local units of government to post legal notices and advertisements on the agency's website. Removes language that insulates an agency from legal challenges for failure to electronically post legal notices and advertisements.</p>				
SB535	<i>Cisneros (D6)</i>	• • • •	02/19/2019	HTRC
<p>TEMPORARY CAP ON SUPPLEMENT SEVERANCE TAX BONDS</p> <p>Bars the State Board of Finance from issuing and selling more than \$181 million in supplemental severance tax bonds in 2019. Requires a distribution of \$23,690,000 on June 14, 2019 and by each December 29 from 2020 through 2028 from the Severance Tax Bonding Fund to the Severance Tax Permanent Fund.</p>				
SB566	<i>Ingle (R27)</i>	•	02/14/2019	SCORC
<p>BONDING OF GROSS RECEIPTS TAX INCREMENTS FOR TIDDS</p> <p>Tightens conditions for dedicating gross receipts tax increments for tax increment development district bonds by municipalities and counties. Authorizes the State Board of Finance to dedicate state gross receipts increments for TIDD projects.</p>				
SB584	<i>Neville (R2)</i>	•	02/14/2019	SCORC
<p>LOCAL OPTION FOOD TAX</p> <p>(Relates to 2019 SB585) Imposes both a municipal local option gross receipts tax and a county local option gross receipts tax on sales of food. Taxes to be administered by Taxation and Revenue Department, for which it collects a three percent administrative fee. Eliminates the food hold harmless provisions in the</p>				

SB585	<p><i>Smith (D35)</i></p> <p>GROSS RECEIPTS CREDIT FOR SALE OF FOOD; REPEAL OF HOLD HARMLESS DISTRIBUTION</p> <p>Repeals the gross receipts deduction for receipts from selling food but grants a credit against most of the state gross receipts tax that would otherwise be due.</p> <p>Repeals the hold harmless distribution to municipalities and counties with respect to food sales.</p>	02/14/2019	SCORC
SB588	<p><i>Pinto (D3)</i></p> <p>CAPITAL OUTLAY PROJECT TRAINING FOR TRIBAL LEADERS</p> <p>Provides \$125,000 (GF) to Indian Affairs Department for use in FY2020 to develop training programs to teach tribal leaders how to plan and develop capital outlay projects.</p>	02/19/2019	SFC
SB609	<p><i>Sanchez, C. (D30)</i></p> <p>GAS FUEL AND MOTOR VEHICLE EXCISE TAX</p> <p>(Relates to 2019 HB6, SB393, SB421, SB504 and SB506) Increases the rate of the gasoline tax by five cents, from 17 to 22 cents per gallon, and the special fuel (diesel) tax also by five cents per gallon, from 21 to 26 cents per gallon. Boosts the rate of the motor vehicle excise tax from three to four percent. Funds road projects. (2019:HB6; 2019:SB393; 2019:SB421; 2019:SB504; 2019:SB506)</p>	02/14/2019	SCORC
SB670	<p><i>Lopez (D11)</i></p> <p>PATIENT SAFE STAFFING ACT</p> <p>A "dummy bill." Please see substitute version for analysis.</p>	02/20/2019	SPAC

House Bills Tracked

BILL	DESCRIPTION	House 1					House 2					Last Action	Status
		I	C	RC	P		C	RC	P	G	PL/Chap		
HB6	<i>Trujillo, J. (D45)</i> TAX PACKAGE: MAJOR TAX PROGRAM CHANGES A 139-page House version of the tax package assembled by the Revenue Stabilization and Tax Policy Committee. Substantial changes to most major tax programs. It is a blend of new ideas with proposals advanced in prior sessions.	•	•									01/17/2019	HTRC
HB26	<i>Pratt (D27)</i> MAXIMUM FEE IMPOSED FOR CERTAIN ELECTRONIC PUBLIC RECORDS Relates to the maximum fees that may be charged to produce certain electronic public records.	•		•	•							02/25/2019	HCAL
HB43	<i>Stapleton (D19)</i> HSD: BEHAVIORAL HEALTH INTERVENTIONS FOR INCARCERATED PERSONS (Related to 2018 HB160) Appropriates \$1.5 million (GF) to Human Services Department for use in FY 2020 to fund awards to counties that apply for behavioral health services funding. Adds a duty to the Behavioral Health Services Division of HSD to provide for interventions for nonviolent adult and juvenile offenders with behavioral health diagnoses	•	•	•	•	•						02/25/2019	SPAC
HB65	<i>Trujillo, Christine (D25)</i> PATIENT SAFE STAFFING ACT (Updated: 01/05/2019, minor revisions) (Duplicate of 2019 HB 178) (Very similar to 2017 HB178, 2016 HB179, 2015 HB81, SB284, 2014 HB83, SB151) Proposes the Patient Safe Staffing Act to ensure that hospitals maintain a safe number of nurses on duty at all times. Vests the Department of Health with authority to administer the act, require reports from hospitals for purposes of publication and audit and adopt rules. Provides whistleblower	•		•								01/16/2019	HTABIND

HB155 Dow (R38)

(Duplicate of 2019 SB113) Increases the maximum rate of the municipal infrastructure gross receipts tax and the county infrastructure gross receipts tax from 0.25 to 0.625 percent. (2019:SB113)

HB156 Dow (R38)

(Endorsed by the New Mexico Finance Oversight Committee) (Similar to 2018 HB225) Relates to the authorized use of excess tax revenue derived from the County Correctional Facility Gross Receipts Tax.

HB157 *Dow (R38)*

(Related to 2018 SB205) Expands the authorized uses of revenue derived from the County Emergency Communications and Emergency Medical and Behavioral Health Services Tax and changes the name of the tax.

HB175 Salazar, T. (D70)

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[illegible]

HB216	<i>Trujillo, L. (D48)</i> COUNTY SUBDIVISION REGULATION RECORDATION REQUIREMENTS Relates to county government; removes requirement that county subdivision ordinances be filed with the State Records Administrator.	• • • • • • •	P.L.2019, c.9	02/05/2019	SIGNED
HB217	<i>Trujillo, L. (D48)</i> INFRASTRUCTURE DEVELOPMENT ZONE ACT NOTICES Relates to the special districts called Infrastructure Development Zones and the method of notice required for public hearings and the inclusion of territory within the zone.	• • • • • • •	P.L.2019, c.10	02/05/2019	SIGNED
HB219	<i>Small (D36)</i> MAKES ANGEL INVESTMENT CREDIT REFUNDABLE Makes the Angel Investment Income Tax Credit refundable for taxable years beginning on or after January 1, 2019.	• •		01/31/2019	HTRC
HB221	<i>McQueen (D50)</i> HOME ENERGY EFFICIENCY INCOME TAX CREDIT For tax years 2019 through 2024, taxpayers may claim a refundable one-time home energy efficiency income tax credit provided the taxpayer does not claim a solar market development tax credit in the	• •		01/31/2019	HTRC

[illegible]

	Mandates an adult or juvenile correctional facility, detention center or local jail to provide an inmate who is methadone-dependent with methadone therapy in an amount and manner that is consistent with medical best practices for avoiding withdrawal and treating opioid dependence.				
HB293	<i>Nibert (R59)</i> FILING AND RECORDING OF DUPLICATES Substantially identical to 2017 SB212) Where an original instrument of writing is unavailable for filing and recording, a copy of it will be accepted for filing and recording if a valid affidavit is presented with the following information:	•	•	•	•
					02/25/2019 SPAC
HB312	<i>Chandler (D43)</i> FORFEITURE ACT AMENDMENTS For forfeitures under local law, requires conviction by a criminal court of a felony offense and clear and convincing evidence that the property is subject to forfeiture. Generally makes explicit that forfeitures under local law must follow the same rules as forfeitures under state law.	•	•	•	
					02/25/2019 HPASS
HB328	<i>Bandy (R3)</i> FUNDS FOR NEW MEXICO PRODUCE FOR SCHOOL MEALS Appropriates \$350,000 (GF, nonreverting) to the Public Education Department for use in FY 2020 and subsequent years for the purchase and distribution of New Mexico-grown fresh fruits and vegetables to school districts, charter schools and juvenile detention centers through PED's school meal programs.	•	•		
					02/07/2019 HAFC
HB332	<i>Gonzales (D42); Cisneros (D6)</i> VALUATION OF AGRICULTURAL PROPERTY AND CONSERVATION OF UNIMPROVED LAND (Related to 2018 HB163) Adds to the definition of "agricultural use" for property tax valuation purposes the use of unimproved land used in compliance with a management plan developed by the landowner and approved by EM&NRD that	•			
					01/24/2019 HAWC

will achieve agricultural and natural resource management priorities of the department. Creates a new special method of valuation to value such land at 25 percent of its current and correct value. Applies to 2020 and subsequent property tax years.

HB333 *Gonzales (D42)* • 01/24/2019 HAFC

GENERAL APPROPRIATION ACT OF 2019
(Duplicate of 2019 SB254; Related to HB2)
This represents the Legislative Finance Committee's version of the state budget for FY2020, for which a comprehensive bill will emerge later in the legislative session, usually as House Bill 2. It contains the LFC's recommendation for the 2019-2020 year and recommends \$7.0 billion in recurring appropriations from the general fund, up \$673 million, or 10.6 percent, from FY2019. It assumes \$7.43 billion in general fund revenue, including \$1.1 billion in "new money" over planned spending for FY10, a 17 percent increase from FY19.
(2019:SB254; 2019:HB2)

HB338 *Salazar, T. (D70)* • 01/24/2019 HSGEC

PUBLIC EMPLOYEES RETIREMENT ASSOCIATION ACT FUND SOLVENCY MEASURES
Package of measures to remedy the sizable actuarial solvency problems of the Public Employees Retirement Association (PERA). Raises employee and employer contribution rates by up to 17 percent for the period July 1, 2019 through June 30, 2021 and then allow the rates to decline back to current levels, depending on the value of the coverage plan funded ratio. Bans COLA for next three fiscal years for most retirees.

HB342 *Maestas (D16); Rue (R23)* • • • • 02/25/2019 SPAC

CRIMINAL JUSTICE REFORMS
(Identical in part to 2019 HB43, similar in part to 2018 HB160, vetoed by the governor) A criminal justice reform measure that addresses offenders with behavioral health diagnoses and related jail

	incarceration procedures; immunity for assisting with overdose cases; procedures for pre-prosecution diversion programs; probation and parole procedures; pre-sentence reports; requirements for crime victims' reparations; accurate eyewitness identification requirements; duties of N.M. Sentencing Commission; eyewitness identification policies and training.				
HB364	<i>Maestas (D16)</i> USE OF RESTRICTED HOUSING IN CORRECTIONAL FACILITIES (Substantially similar to 2017 HB175, final version as vetoed by the governor) Creates the Restricted Housing Act to regulate the use of restricted housing in correctional facilities, including county jails, prisons or other detention facilities. Applies to public correctional facilities and those operated by a private contractor on behalf of the state or a political subdivision.	•	•	02/18/2019	HJC
HB369	<i>Gallegos, David (R61)</i> LOCAL MULTIPLE SOURCE CONTRACTS (Similar to 2018, SB 181) Amends the Procurement Code to disallow local public bodies from entering into certain multiple source contracts.	•	•	02/22/2019	HSSEC
HB374	<i>Armstrong, G. (R49)</i> UNDERGROUND WATER APPROPRIATION APPLICATIONS Amends the requirements for applications for use of underground water to require identification of end users; establishes prior decisions as legal precedent; provides grounds for rejecting applications.	•		01/25/2019	HAWC
HB407	<i>Trujillo, L. (D48); Ivey-Soto (D15)</i> ELECTION CODE OVERHAUL A 472-page bill that provides substantive and pro forma changes to each of the sections of the Election Code listed below, reading almost like a handbook for county clerks on how to conduct and resolve issues that arise in the complicated world of running elections in New Mexico. To undertake an analysis of this bill would be an exercise in futility in the short	•	•	02/18/2019	HJC

	timeframe available to NMLR. The fiscal impact report prepared by Legislative Council Service will be posted on NMLR's website when it is available and related actions and amendments will be reported as they occur. The 44 key subjects addressed by the bill are listed below.				
HB416	<i>Armstrong, D. (D17)</i> MEDICAID BUY-IN ACT (Duplicate of 2019, SB 405) Establishes a state public option through Medicaid to provide residents with a choice of high-quality, low-cost health insurance using a state-administered buy-in plan; creates the Health Care Affordability and Access Improvement Fund; establishes an advisory council; appropriates \$12 million (GF) to HSD for use in FY 2020 for implementation and administration of the plan and to conduct an expansion study, and \$12 million (GF, nonreverting) to the Fund for use in FY 2020 and subsequent years to ensure affordability for enrollees in the plan. (2019:SB405)	•	•	02/18/2019	HAFC
HB429	<i>Rehm (R31)</i> PROPERTY TAX VALUATION FREEZE CHANGES For the 2020 and subsequent property tax years, increases the income limit for qualifying persons aged 65 or older or disabled to \$50,000 per year for purposes of freezing property valuation, an amount which is indexed for inflation in following years.	•	•	02/19/2019	HTRC
HB432	<i>Herrera (D41)</i> AFFORDABLE SOLAR ENERGY ACT Permits utilities to enter into a written "on-line financing agreement" with a customer to finance the purchase and installation of a renewable energy system, energy efficiency device, energy storage device or energy conservation system in an eligible building or residence to be paid by the assessment of a meter conservation charge on the customer's utility bill.	•	•	02/18/2019	HJC
HB439	<i>Trujillo, J. (D45)</i>	•	•	02/19/2019	HSSEC

	<p>ENHANCED 911 ADVISORY BOARD</p> <p>Creates a nine voting-member Enhanced 911 Advisory Board to consult with DFA's Local Government Division on administering the Enhanced 911 Fund, report to the Legislature, adopt rules, funding enhanced 911 systems and establish service areas.</p>	• • •	02/25/2019	HCAL
HB440	<p><i>Akhil (D20)</i></p> <p>SOLAR ENERGY IMPROVEMENT ASSESSMENTS</p> <p>Provides authority for a county to impose a solar energy improvement special assessment that will be effective within an incorporated municipality, provided the municipality adopts a resolution approving the application of the county ordinance.</p>	• • •		
HB447	<p><i>Trujillo, L. (D48)</i></p> <p>TRACK STUDENTS BETWEEN SCHOOLS AND CYFD</p> <p>(Related to 2019 HB168) Requires the Public Education Department and Children, Youth and Families Department to develop a system, usable by both, to track children moving between schools and CYFD services. Requires expertise of the Department of Information Technology. Clarifies that the Student ID number assigned to each student must be unique. (2019:HB168)</p>	• • • •	02/21/2019	SPAC
HB450	<p><i>Bandy (R3); Neville (R2)</i></p> <p>STATE ENGINEER DECISIONS AND APPEALS</p> <p>Affirms the right to de novo review of State Engineer decisions; provides for expedited determination of water rights and appeals; provides for venue in the District Court.</p>	•	02/01/2019	HAWC
HB459	<p><i>Rubio (D35)</i></p> <p>LOCAL GOVERNMENT DIRECT LOANS TO FOOD RETAILERS</p> <p>Amends the Local Economic Development Act to authorize municipalities and counties to make direct loans to grocery stores or small food retailers.</p>	•	02/01/2019	HCEDC
HB472	<p><i>Martinez, R. (D39)</i></p> <p>FUNDS FOR PUBLIC HEALTH INSTITUTE</p>	•	02/05/2019	HHHSC

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HB527	<i>Gonzales (D42)</i> PAY FILM PRODUCTION TAX CREDIT BACKLOG Authorizes the Taxation and Revenue Department to pay all outstanding film production tax credits approved before the effective date of this bill (June 14, 2019) by June 30, 2019 and to pay any claims approved between June 14, 2019 and June 30, 2020 in the fiscal year in which the claims are approved.	• •	02/25/2019	HAFC
HB534	<i>Lundstrom (D9)</i> PUBLIC-PRIVATE PARTNERSHIP ACT (Related to 2019 HB 286 and 2017 HB275 and SB143) Creates the Public-Private Partnership Act, the Public-Private Partnership Board and the Public-Private Partnership Project Fund to allow state and local governments to enter into partnerships with private sector entities for infrastructure projects related to transportation or broadband telecommunications network facilities. (2019:HB286)	• •	02/15/2019	HJC
HB544	<i>Rehm (R31)</i> ADDRESSING RETIREMENT FUND SOLVENCY (Related to HB338 and HB501) Resolves the solvency issues with various state/local retirement plans by permanently modifying, for most plans, the calculation of pension amounts and increasing retirement contribution rates by three percent for employees and employers. Eliminates COLA for the year July 1, 2019 through June 30, 2020 for retirees who worked less than 25 years and are not disabled. (2019:HB338; 2019:HB501)	•	02/11/2019	HSSEC
HB545	<i>Trujillo, J. (D45)</i> FUNDS FOR SERVICES FOR SENIOR CITIZENS Appropriates 1.483928 million (GF) to the Aging and Long-Term Services Department for use in FY 2020 to fund five programs and services, as follows:	•	02/13/2019	HHSC
HB547	<i>Rubio (D35)</i> CLEAN ENERGY ECONOMY	•	02/13/2019	HLVMC

	Directs the Workforce Solutions Department to study transitioning to a clean energy economy in low-income and rural communities; appropriates \$200,000 (GF) to the Workforce Solutions Department for use in FY 2020 for the study.			
HB553	<i>Ruiloba (D12)</i> DISPOSITION OF UNCLAIMED PERSONAL PROPERTY BY LAW ENFORCEMENT AGENCY (Identical in large part to 2017 HB329) Raises the threshold value of unclaimed personal property in the possession of law enforcement agencies and subject to public sale from \$50 to \$500 and lowers the time threshold of possession from 90 to 30 days, retaining the stipulation that the property be no longer necessary for obtaining a conviction or any other public purpose.	•	•	02/22/2019 HJC
HB555	<i>Garcia, Miguel (D14)</i> LOW-INCOME HOME ENERGY ASSISTANCE DISTRIBUTION Instead of sending all of the excess oil and gas emergency school tax revenues to the Tax Stabilization Reserve, directs that five percent of those excess revenues flow instead to the newly created Low-Income Home Energy Assistance Fund. 80 percent of the diverted revenues are appropriated to the Human Services Department for the Low-Income Home Energy Assistance Program. The remaining 20 percent goes to DFA for the New Mexico Mortgage Finance Authority's home weatherization program.	•		02/13/2019 HENRC
HB564	<i>Maestas (D16); Rue (R23)</i> PROBATION AND PAROLE GOOD BEHAVIOR (Similar in part to 2019 SB73) Declares the purpose of probation to be to enforce victim restitution, hold persons accountable, promote re-integration into law-abiding society, and reduce the risks of re-offense. (2019:SB73)	•	•	02/24/2019 HPASS
HB568	<i>Trujillo, J. (D45)</i> CAPITAL PROJECTS: REAUTHORIZATION OF GF AND STB REVENUES Reappropriates remaining balances from	•		02/13/2019 HTRC

	previously authorized projects for new purposes; expands and changes purposes for others; extends time for use of revenue; and establishes conditions for the reversion or transfer of prior appropriations either from Severance Tax Bonds or the General Fund. Projects involved are listed below.		
HB570	<i>Small (D36)</i> RENEWABLE ENERGY GENERATION, UTILIZATION AND EXPORT Appropriates \$200,000 (GF) to the Energy, Minerals and Natural Resources Department for use in FY 2020 to study increased renewable energy generation, utilization and export issues, including transmission, storage, market integration and integration solutions.	•	02/13/2019 HENRC
HB576	<i>Schmedes (R22)</i> UNDERGROUND WATER APPROPRIATION APPLICATIONS AND PRECEDENTS (Very similar to 2019 HB374). Amends the requirements for applications for use of underground water to require identification of end users; establishes prior decisions as legal precedent; provides grounds for rejecting applications. (2019:HB374)	•	02/13/2019 HAWC
HB577	<i>Cadena (D33)</i> "OUT-OF-STATE INMATE" DEFINITION CHANGED Under current law, in the Privately Operated Correctional Facilities Oversight Act, the designation for an "out-of-state inmate" does not apply to certain persons incarcerated on behalf of an Indian tribe or pueblo or to persons held on behalf of the United States. The bill strikes the exclusion for a person held on behalf of the U.S., thereby leaving the exclusion to apply only to persons incarcerated on behalf of an Indian tribe or pueblo whose lands are located wholly or partially within New Mexico.	•	02/13/2019 HCPAC
HB579	<i>Harper (R57); Cisneros (D6)</i> TAX PACKAGE	•	02/13/2019 HTRC

	(Related to HB6, HB396, SB358 and SB421) Makes significant changes to the income tax acts and the state and local gross receipts tax acts: includes provisions allowing New Mexico to tax interstate sales ("Wayfair fix"), expanding the compensating tax to licenses, franchises and services and creating local compensating taxes.		
HB588	Trujillo, L. (D48) • ENHANCED 911 PROGRAM TRANSFERRED TO DEPT OF INFORMATION TECHNOLOGY Transfers authority to administer the Enhanced 911 Program from the Department of Finance and Administration to the Department of Information Technology, which includes the Enhanced 911 Fund. Makes reconciling changes to related sections of law.	02/14/2019	HSGEC
HB593	Akhil (D20) • ENERGY STORAGE SYSTEM TAX CREDITS Grants personal and corporate income tax nonrefundable credits for a person who installs an energy storage system on the person's property and who purchases electricity at retail after January 1, 2019 but before January 1, 2025. Credit may be claimed for only one installation per property per year.	02/14/2019	HENRC
HB594	Anderson (R66) • BIDS FOR DISCOUNTS ON FILM PRODUCTION TAX CREDITS DUE (Related to HB527, HB654, SB2, SB358) Allows, on or before August 1, 2019, a claimant owed payment for a film production tax credit to submit a bid to the Taxation and Revenue Department with an offer to accept a discount on the amount owed. All bids are final and nonnegotiable. (2019:HB527; 2019:HB654; 2019:SB2; 2019:SB358)	02/14/2019	HCEDC
HB606	Rehm (R31) • INCREASING SHERIFFS' SERVICE OF PROCESS FEE Increases a sheriffs' fee for serving a writ, citation, order, subpoena, or summons	02/14/2019	HSGEC

HB609 *Gonzales (D42)*

02/14/2019 HTPWC

HB647 *McQueen (D50)*

02/14/2019 HLGLC

HB653 *Maestas (D16)*

02/25/2019 HTRC

HB654 *Maestas (D16)*

02/25/2019 HTRC

	Film Division, in consultation with TRD, to work out from the statute's more general guidelines. (2019:HB527; 2019:HB594; 2019:SB2; 2019:SB358; 2019:SB451)		
HB656	Trujillo, J. (D45) REMOVES REQUIREMENT FOR SOLAR ENERGY SYSTEM DEDUCTION Bill strikes the requirement that a solar energy system installation serve the property in which it is installed.	•	02/14/2019 HENRC
HJR2	Garcia, Miguel (D14) CA REQUIRING PROPERTY TAX EXEMPTION FOR POOR ELDERLY Proposes a constitutional amendment to require the Legislature to exempt from property taxation the owner-occupied principal residence of a person aged 75 or older whose annual income is no more than \$15,000 as adjusted for inflation annually.	• •	02/05/2019 HTRC
HJR3	Garcia, Miguel (D14) CA: PROPERTY TAX EXEMPTION FOR POOR DISABLED PERSONS Proposes a constitutional amendment to require the Legislature to exempt from property taxation the owner-occupied principal residence of a 100 percent permanently disabled person whose annual household income is no more than \$15,000, adjusted for inflation annually.	•	01/21/2019 HLGLC
HM63	Sanchez (D40) EQUITABLE TAX DISTRIBUTIONS FROM LANL AND FEDERAL RESEARCH FACILITIES Requests that any taxation task force convened in 2019 by the Governor or the Legislature be requested to research and develop legislative recommendations to promote more equitable regional tax distributions from Los Alamos National Laboratory or similar federal research facilities in New Mexico. Contains an alternative request, if no such task force is commissioned during 2019, that the Legislative Finance Committee and the Revenue Stabilization and Tax Policy Committee study the issue.	• •	02/19/2019 HLGLC

2019 NMC Bills (2019 Reg)

Bill: HB2
Sponsors: Lundstrom (D9)
Title: GENERAL APPROPRIATION ACT OF 2019
Summary: This represents a shell for a more comprehensive bill that will emerge later in the legislative session. Cited as the General Appropriation Act of 2019, authorizes funding to various state agencies from the General Fund, Internal Services and Transfers, Other State Funds and Federal Funds in FY 2020.
Subjects: Courts and Civil Matters; State Affairs and State Agencies; Appropriations; Legislature
Progress: 2nd House: Referred to Committee
Status: 02/22/2019 – Senate Finance Committee
History: 01/16/2019 – H Introduced and referred to House Appropriations & Finance.
02/18/2019 – H Reported Do Not Pass but Do Pass as substituted by House Appropriations & Finance.
02/21/2019 – H Opened for floor debate.
02/21/2019 – H Note: Floor amendment 1 (Rep. Harper) Motion to table amendment adopted (44-24).
02/21/2019 – H Note: Floor amendment 1 (Rep. Strickler) Motion to table amendment adopted (41-28).
02/21/2019 – H Passed 46-23.
02/22/2019 – S Received in the Senate and referred to Senate Finance.
Category: Tax, Finance & Capital Outlay

Bill: HB4
Sponsors: Ely (D23)
Title: STATE ETHICS ACT
Summary: Creates a State Ethics Commission, determines its membership, duties, procedures, staffing and jurisdiction. Establishes new prohibited actions. Makes conforming amendments to several existing statutes, inserting statements of the Commission's jurisdiction and clarifying the Commission's relationship to the interim Legislative Ethics Committee. Commission and Executive Director appointment provisions effective July 1, 2019; remaining provisions effective January 1, 2020.
Subjects: County Affairs; Courts and Civil Matters; Municipalities/City Government; Criminal Code; Business, Manufacturing and Economic Development; State Affairs and State Agencies; Appropriations; Interim Studies and Interim Committees; Legislature
Progress: 1st House: Reported from Committees
Status: 02/24/2019 – House Appropriations and Finance Committee
History: 02/11/2019 – H Introduced and referred to House Judiciary.
02/11/2019 – H Also referred to House Appropriations & Finance.
02/24/2019 – H Reported Do Not Pass but Do Pass as substituted by House Judiciary.
Category: General Government

Bill: HB6
Sponsors: Trujillo, J. (D45)
Title: TAX PACKAGE: MAJOR TAX PROGRAM CHANGES
Summary: A 139-page House version of the tax package assembled by the Revenue Stabilization and Tax Policy Committee. Substantial changes to most major tax programs. It is a blend of new ideas with proposals advanced in prior sessions.
Subjects: Labor; Health and Medical Practice; County Affairs; Municipalities/City Government; Transportation; Business, Manufacturing and Economic Development; State Affairs and State Agencies; Family and Juveniles; Taxation, Fees and Audits; Public Finance and Budgets
Progress: 1st House: Referred to Committee

SFC CLERK RECORDED 03/28/2019

Status: 01/17/2019 – House Taxation and Revenue Committee
History: 01/17/2019 – H Introduced and referred to House Taxation & Revenue.
Scheduled: 02/25/2019 – House Taxation and Revenue Committee, 8:30 a.m, Room 317
Category: Tax, Finance & Capital Outlay
Notes: RSTP - Scenario 2

Bill: HB8
Sponsors: Sarinana (D21)
Title: FIREARM SALES BACKGROUND CHECKS
Summary: (Duplicate of 2019 SB8) (Related to 2019 HB40 and SB201. Similar to 2017 HB50) Requires a background check when conducting sale of a firearm; provides for penalties.
Subjects: Alcohol, Firearms and Tobacco Products; Criminal Code; Public Safety and Corrections
Related: 2019:SB8; 2019:HB40; 2019:SB201; 2017:HB50
Progress: 2nd House: Referred to Committee
Status: 02/11/2019 – Senate Public Affairs Committee
History: 12/19/2018 – H Prefiled in the House.
01/16/2019 – H Introduced and referred to House Consumer & Public Affairs.
01/16/2019 – H Also referred to House Judiciary.
01/28/2019 – H Reported Do Pass by House Consumer & Public Affairs.
02/05/2019 – H Reported Do Pass by House Judiciary.
02/08/2019 – H Opened for floor debate.
02/08/2019 – H Floor amendments adopted (Amendment 1) (Rep. Debra Sarinana) Voice Vote.
02/08/2019 – H Note: Floor amendment ruled out of order (Amendment 2) (Rep. Rehm).
02/08/2019 – H Note: Ruling of the Chair challenged and upheld on Roll Call Vote..
02/08/2019 – H Note: Motion to close debate adopted on Roll Call Vote..
02/08/2019 – H Passed 41-25.
02/11/2019 – S Received in the Senate and referred to Senate Public Affairs.
02/11/2019 – S Also referred to Senate Judiciary.
Category: Gun Bills
Notes: From Sheriff's Affiliate:
This law would be virtually unenforceable. Without a national firearms registry or a State mandated firearms registration requirement, law enforcement would have to rely on the suspect(s) admission that a sale or transfer was made without a background check (5th Amendment self incrimination safeguards and Miranda would apply). This is a feel-good piece of legislation but provides no means of enforcement nor a mechanism to verify a background check was even conducted.

Criminals rarely obtain firearms in this manner unless they are exchanging them between each other. And like many of the other laws they regularly violate, this one would not impede them in the slightest. This law would however, prevent a law-abiding citizen from engaging in lawful commerce as it pertains to disposing of or transferring ownership of their own personal property. This is akin to requiring that a check for previous "Driving History or DUI's" be conducted on a prospective buyer of a used car when being offered "for sale" by a private citizen. We can all agree that motor vehicles are equally as abundant as firearms and are the result of three times the annual fatalities as gun related deaths but there does not seem to be a rush to keep them out of the hands of irresponsible people.

Bill: HB9
Sponsors: Sweetser (D32)
Title: BROADBAND INFRASTRUCTURE DEVELOPMENT FUND
Summary: (Related to 2019 HB534) Creates the Broadband Infrastructure Development Fund for the awarding of grants and loans to local governments for the provision of broadband service to rural areas; creates an advisory committee; authorizes public-private partnerships; appropriates \$10 million (GF, nonreverting) to the Fund for use in FY 2020 and subsequent years.
Subjects: County Affairs; Municipalities/City Government; Appropriations; Telecommunications; Interim Studies and Interim Committees
Related: 2019:HB534
Progress: Introduced
Status: 02/14/2019 – House Labor, Veterans' and Military Affairs Committee

History: 02/14/2019 – H Introduced and referred to House Labor, Veterans' & Military Affairs.
02/14/2019 – H Also referred to House Appropriations & Finance.
Category: Economic Development & IRBs

Bill: HB15
Sponsors: Small (D36); Stewart (D17)
Title: INCREASED RENEWABLE ENERGY REQUIREMENTS
Summary: (Very similar to 2019 HB283; related to 2017 SB312) For rural electric cooperatives, increases the renewable energy standard in stages to 80% by 2045; for public utilities not municipalities or public colleges, increases the renewable energy standard in stages to 80% by 2040; requires hiring of apprentices for construction of electrical facilities.
Subjects: Utilities; Business, Manufacturing and Economic Development; State Affairs and State Agencies; Energy Resources and Chemicals; Taxation, Fees and Audits
Related: 2019:HB283; 2017:SB312
Progress: Introduced
Status: 01/31/2019 – House Energy, Environment and Natural Resources Committee
History: 01/31/2019 – H Introduced and referred to House Energy, Environment & Natural Resources.
01/31/2019 – H Also referred to House Judiciary.
Category: General Government

Bill: HB26
Sponsors: Pratt (D27)
Title: MAXIMUM FEE IMPOSED FOR CERTAIN ELECTRONIC PUBLIC RECORDS
Summary: Relates to the maximum fees that may be charged to produce certain electronic public records.
Subjects: Taxation, Fees and Audits; State Affairs and State Agencies
Progress: 1st House: Passed
Status: 02/25/2019 – House Calendar
History: 02/13/2019 – H Introduced and referred to House State Government, Elections & Indian Affairs.
02/25/2019 – H Reported Do Pass by House State Government, Elections & Indian Affairs.
Scheduled: 02/25/2019 – House State Government, Elections and Indian Affairs Committee, 8:00 a.m., Room 305 (Revised 02/24/2019)
Category: General Government

Bill: HB29
Sponsors: Akhil (D20)
Title: EXTEND IPRA TO AGENCY AND UNIVERSITY SUPPORT ORGANIZATIONS
Summary: Requires that organizations that exist solely to serve the interests of an agency shall be subject to the Inspection of Public Records Act and the Open Meetings Act.
Subjects: Higher Education; Schools and Teachers; County Affairs; Municipalities/City Government; State Affairs and State Agencies
Progress: Introduced
Status: 02/14/2019 – House Consumer and Public Affairs Committee
History: 02/14/2019 – H Introduced and referred to House Consumer & Public Affairs.
02/14/2019 – H Also referred to House State Government, Elections & Indian Affairs.
Scheduled: 02/26/2019 – House Consumer and Public Affairs Committee, 1:30 p.m., Room 317
Category: General Government

Bill: HB35
Sponsors: Garcia, Miguel (D14)
Title: STOLEN FIREARM VERIFICATION REQUIREMENT
Summary: Imposes a \$200 annual fee on federal firearm licensees for the Department of Public Safety to administer a program to determine if a firearm purchased in the licensee's ordinary course of business is stolen.
Subjects: Alcohol, Firearms and Tobacco Products; Public Safety and Corrections; State Affairs and State Agencies; Taxation, Fees and Audits; Criminal Code; Courts and Civil Matters

SFC CLERK RECORDED 03/28/2019

Progress: Introduced

Status: 01/16/2019 – House Consumer and Public Affairs Committee

History: 12/17/2018 – H Prefiled in the House.

01/16/2019 – H Introduced and referred to House Consumer & Public Affairs.

01/16/2019 – H Also referred to House Judiciary.

Category: Gun Bills

Notes: From the Sheriff's Affiliate:

This is something that many agencies already provide as part of their Investigative Unit's "Pawn Detail". This is a program that should be offered on the local level to FFL holders as it would assist local law enforcement in identifying and recovering those firearms reported stolen or lost.

Bill: HB40

Sponsors: Garcia, Miguel (D14)

Title: GUN SHOW FIREARM TRANSFER ACT

Summary: Proposes the Gun Show Firearm Act to require the presence of a federal firearms licensee to conduct a background check of a potential buyer before ownership of the firearm is transferred at a gun show.

Subjects: Alcohol, Firearms and Tobacco Products; Public Safety and Corrections; Taxation, Fees and Audits; Courts and Civil Matters; Criminal Code

Progress: 1st House: Reported from Committees

Status: 02/20/2019 – House Judiciary Committee

History: 12/17/2018 – H Prefiled in the House.

01/16/2019 – H Introduced and referred to House Consumer & Public Affairs.

01/16/2019 – H Also referred to House Judiciary.

01/28/2019 – H Reported Do Pass by House Consumer & Public Affairs.

02/20/2019 – H Reported Do Pass by House State Government, Elections & Indian Affairs.

Category: Gun Bills

Notes: From the Sheriff's Affiliate:

This law could potentially create the unintended consequence of eliminating shooting-sport events like Shotgun Clay and Trap Shooting and FFA and 4H Turkey Shoot fund-raisers where Shotguns and Rifles, in excess of 25, are provided by the organizers to participants attending the event. This is due to a broad and non-descriptive definition of the term, "Gun Show". In addition, the term "Vendor" is not defined. Currently, gun show organizers require that all vendors (one who sells or trades firearms at the event after paying a vendor fee), possess an FFL and subsequently conducts background checks as a requirement of their FFL prior to transferring possession.

The so called, "Gun Show Loop-Hole" relates to private citizen sales that take place on the premises during a Gun Show event between non-vendors. It is rare that an individual will engage in such a sale however, they do occur on occasion but there are no attributable numbers that reveal this is a preferred method used to obtain a firearm by one who would otherwise be prohibited. Many of the same arguments apply in this case as they pertain to laws requiring a background check for a private sale or transfer

Bill: HB43

Sponsors: Stapleton (D19)

Title: HSD: BEHAVIORAL HEALTH INTERVENTIONS FOR INCARCERATED PERSONS

Summary: (Related to 2018 HB160) Appropriates \$1.5 million (GF) to Human Services Department for use in FY 2020 to fund awards to counties that apply for behavioral health services funding. Adds a duty to the Behavioral Health Services Division of HSD to provide for interventions for nonviolent adult and juvenile offenders with behavioral health diagnoses

Subjects: Health and Medical Practice; Public Safety and Corrections; County Affairs; Human Services; Appropriations; Family and Juveniles; State Affairs and State Agencies

Related: 2018:HB160

Progress: 2nd House: Referred to Committee

Status: 02/25/2019 – Senate Public Affairs Committee

History: 12/17/2018 – H Prefiled in the House.

01/16/2019 – H Introduced and referred to House Health & Human Services.

01/16/2019 – H Also referred to House Appropriations & Finance.

01/24/2019 – H Reported Do Pass as amended by House Health & Human Services.
 02/22/2019 – H Reported Do Pass as amended by House Appropriations & Finance.
 02/25/2019 – H Opened for floor debate.
 02/25/2019 – H Passed 60-0.
 02/25/2019 – S Received in the Senate and referred to Senate Public Affairs.
 02/25/2019 – S Also referred to Senate Finance.

Scheduled: 02/25/2019 – House Calendar, 11:00 a.m., House Chambers

Position: Support

Priority: NMAC County Government Priority

Category: Health

Bill: HB53

Sponsors: Ferrary (D37)

Title: PET FOOD FEES: ASSISTANCE FOR DOG & CAT SPAYING & NEUTERING

Summary: (Similar to 2018 HB64) Imposes fees on pet food distributors which shall be credited to the Statewide Spay and Neuter Subaccount of the Animal Care and Facility Fund to provide financial assistance for dog and cat spaying and neutering for individuals (or groups that provide assistance to individuals) whose household income does not exceed 200 percent of the current federal poverty level. Includes reporting requirements.

Subjects: Health and Medical Practice; Business, Manufacturing and Economic Development; Family and Juveniles; Agriculture and Ranching; Taxation, Fees and Audits

Related: 2018:HB64

Progress: Introduced

Status: 01/16/2019 – House Commerce and Economic Development Committee

History: 12/17/2018 – H Prefiled in the House.

01/16/2019 – H Introduced and referred to House Consumer & Public Affairs.

01/16/2019 – H Also referred to House Taxation & Revenue.

01/17/2019 – H Referral withdrawn from House Consumer & Public Affairs.

01/17/2019 – H Referred to House Commerce & Economic Development.

Category: Tax, Finance & Capital Outlay

Bill: HB57

Sponsors: Chasey (D18)

Title: FELONIES DON'T AFFECT VOTER REGISTRATION STATUS

Summary: Amends the Election Code to remove the requirement for a county clerk to cancel certificates of registration when a voter has been convicted of a felony.

Subjects: Civil Rights; County Affairs; Criminal Code; Elections; Public Safety and Corrections

Progress: 1st House: Reported from Committees

Status: 01/25/2019 – House Judiciary Committee

History: 12/17/2018 – H Prefiled in the House.

01/16/2019 – H Introduced and referred to House State Government, Elections & Indian Affairs.

01/16/2019 – H Also referred to House Judiciary.

01/25/2019 – H Reported without recommendation by House State Government, Elections & Indian Affairs.

Category: Elections

Notes: Clerks - Opposed - 1/24/2019

Bill: HB67

Sponsors: Allison (D4)

Title: FUNDS FOR COUNTY AND TRIBAL HEALTH COUNCILS

Summary: (For the Legislative Health and Human Services Committee) (Related to HB137) Appropriates \$1 million to the Department of Health for use in 2020 to fund community health plans and other functions performed by county and tribal health councils.

Subjects: Health and Medical Practice; Appropriations; County Affairs; Indians; Family and Juveniles

Progress: 1st House: Reported from Committees

Status: 01/24/2019 – House Appropriations and Finance Committee

History: 12/17/2018 – H Prefiled in the House.

01/16/2019 – H Introduced and referred to House Health & Human Services.

01/16/2019 – H Also referred to House Appropriations & Finance.

01/24/2019 – H Reported Do Pass by House Health & Human Services.

Scheduled: 02/25/2019 – House Appropriations and Finance Committee, 1:30 p.m., Room 307

Category: Health

Bill: HB74

Sponsors: Gonzales (D42)

Title: TRADITIONAL HISTORIC COMMUNITY QUALIFICATIONS

Summary: (Identical to 2018 HB 81, passed by both chambers but pocket vetoed by the governor; related to 1995 HB 1171) Removes condition that Class B counties be considered an urbanized territory. Revises definitions of traditional historic communities and urbanized territories by removing the exception for urbanized territories in unincorporated areas of Santa Fe County (class B counties with populations between 95,000 and 99,500).

Subjects: County Affairs; Land, Housing and Real Estate; Municipalities/City Government

Related: 2018:HB81

Progress: Pamphlet Law

Status: 02/05/2019 – Signed by the Governor

History: 12/17/2018 – H Prefiled in the House.

01/16/2019 – H Introduced and referred to House Judiciary.

01/22/2019 – H Reported Do Pass as amended by House Judiciary.

01/23/2019 – H Opened for floor debate.

01/23/2019 – H Passed 68-0.

01/24/2019 – S Received in the Senate and referred to Senate Judiciary.

01/29/2019 – S Reported Do Pass by Senate Judiciary.

01/31/2019 – S Opened for floor debate.

01/31/2019 – S Passed 32-0.

01/31/2019 – H Enrolled and engrossed.

01/31/2019 – H Signed by Officers of House.

02/01/2019 – S Signed by Officers of Senate.

02/04/2019 – G Signed by the Governor Laws 2019, Ch. 6.

02/05/2019 – H Note: Governor's HEM read today..

Category: General Government

Bill: HB83

Sponsors: Ely (D23)

Title: EXTREME RISK FIREARM PROTECTION ORDER ACT

Summary: Creates the Extreme Risk Protection Order Act to create a procedure to petition for a court order to prevent a dangerous person from possessing or buying a firearm or ammunition.

Subjects: Alcohol, Firearms and Tobacco Products; Courts and Civil Matters; Criminal Code; Family and Juveniles

Progress: 2nd House: Referred to Committee

Status: 02/14/2019 – Senate Public Affairs Committee

History: 12/17/2018 – H Prefiled in the House.

01/16/2019 – H Introduced and referred to House Consumer & Public Affairs.

01/16/2019 – H Also referred to House Judiciary.

01/28/2019 – H Reported Do Pass as amended by House Consumer & Public Affairs.

02/07/2019 – H Reported Do Pass as amended by House Judiciary.

02/13/2019 – H Opened for floor debate.

02/13/2019 – H Passed 39-30.

02/14/2019 – S Received in the Senate and referred to Senate Public Affairs.

02/14/2019 – S Also referred to Senate Judiciary.

Category: Gun Bills

Notes: From Sheriff's Affiliate:

There are serious concerns with the provisions of this bill and many revolve around the potential of depriving the respondent of the "Due Process" safeguards guaranteed by the 5th Amendment to the

United States Constitution. Although this law would not specifically make the allegation a criminal offense, the respondent would not be provided the safeguards guaranteed by the 6th Amendment to the United States Constitution (Jury Trial and the Assistance of Counsel) prior to being deprived of Life, Liberty, or Property.

The term "Household Member" is extremely broad and does not even specify as to whether the relationship has to be "on-going" or to what extent the relationship has been terminated and for how long of a period. There are several circumstances where this process could be used by an estranged partner or "Household Member" as a mechanism for leverage in a custody dispute or marriage disillusion negotiation as has been the case with many Domestic Restraining Order cases.

This bill has a high probability of creating a strain upon the capabilities of Law Enforcement property or evidence rooms. In a case where the respondent is an FFL holder and operates their own gun sale business, the seizing and storage of such an inventory would likely be burdensome and overwhelming.

This bill requires that, "Before issuing a one-year extreme risk protection order, the court shall ensure that a reasonable search has been conducted for criminal history records related to the respondent." This would be an item the petitioner would be responsible for providing in any other type of proceeding and the bill does not specify as to how they would access such information. The bill also appears to allow testimony or evidence to be presented for "any criminal offense" relating to a controlled substance or alcohol even if it does not involve the specific incident the emergency order has been petitioned for.

The normal judicial standard to deprive one of Life, Liberty, or Property is, "Beyond a reasonable doubt" however the standard in this bill is, "a preponderance of the evidence". In addition, should a one year order be granted, the respondent is only allowed "one" hearing during that time to prove that it should be terminated. In furtherance, should a motion to terminate be filed, the petitioner will be allowed more time than the respondent was originally given to prepare their arguments (page 15 line 14).

The bill references the issuance of a search warrant by the court however under current rules, an arrest warrant must be requested from the court via affidavit from Law Enforcement. It should include a description of the place(s) to be searched and the specific item(s) sought. Who will be providing the affidavit and petition to the Court for the issuance of a warrant? It would seem that the Court would consider issuing an order to seize certain property as apposed to a search warrant.

We believe that law enforcement agencies are un-necessarily being required to become firearms repositories under the provisions of this bill. More importantly, there are no provisions within the bill for law enforcement to be reimbursed for storage, maintenance, and/or disposal (unfunded mandate). Further, there is no "hold harmless" or "immunity clause" for law enforcement should the respondent's firearms sustain damage from natural elements (humidity, dust, or moisture) while being stored within their property/evidence rooms. Many of the law enforcement property/evidence rooms managed within the various agencies are not climate controlled, de-humidified, or dust free. This could become cost-prohibitive and burdensome for many agencies especially when there is a need to store custom or antique firearm collections for extended periods of time.

Bill: HB84

Sponsors: Ely (D23)

Title: AUTOMATIC VOTER REGISTRATION

Summary: (Related to 2017, HB28) Provides for the simultaneous automatic registration of qualified electors who have a driver's license or identification card issued or renewed by the state. Designates TRD, HSD and the Secretary of State as voter registration agencies.

Subjects: Civil Rights; County Affairs; Elections; State Affairs and State Agencies

Related: 2017:HB28

Progress: 2nd House: Referred to Committee

Status: 02/20/2019 – Senate Rules Committee

History: 12/17/2018 – H Prefiled in the House.

01/16/2019 – H Introduced and referred to House State Government, Elections & Indian Affairs.

01/16/2019 – H Also referred to House Judiciary.
01/25/2019 – H Reported without recommendation by House State Government, Elections & Indian Affairs.
01/30/2019 – H Note: (Committee Report expunged and replaced to reflect a Do Pass recommendation out of HSGC.).
01/30/2019 – H Reported Do Pass by House State Government, Elections & Indian Affairs.
02/12/2019 – H Reported Do Not Pass but Do Pass as substituted by House Judiciary.
02/19/2019 – H Opened for floor debate.
02/19/2019 – H Note: (Floor Amendment 1) (Rep. Rehm) Motion to table amendment 1 adopted (45-22)..
02/19/2019 – H Note: (Floor Amendment 1) (Rep. Rehm) Motion to table amendment 1 adopted (45-19)..
02/19/2019 – H Note: Motion to end debate failed..
02/19/2019 – H Note: (Floor Amendment 1) (Rep. Gallegos, David) Motion to table amendment 1 adopted (Voice)..
02/19/2019 – H Passed 44-22.
02/20/2019 – S Received in the Senate and referred to Senate Rules.
02/20/2019 – S Also referred to Senate Judiciary.

Category: Elections

Bill: HB85

Sponsors: Ely (D23)

Title: LABOR UNION MEMBERSHIP ORGANIZATION AS A CONDITION OF EMPLOYMENT

Summary: Permits employers and labor organizations in New Mexico to require membership in a labor organization as a condition of employment and grants the state exclusive jurisdiction to prohibit requiring such membership.

Subjects: Business, Manufacturing and Economic Development; Civil Rights; Construction and Materials; County Affairs; Health and Medical Practice; Labor; Municipalities/City Government; Public Employees/Retirement; Schools and Teachers; State Affairs and State Agencies; Transportation

Progress: 2nd House: Referred to Committee

Status: 02/25/2019 – Senate Public Affairs Committee

History: 12/17/2018 – H Prefiled in the House.

01/16/2019 – H Introduced and referred to House Labor, Veterans' & Military Affairs.

01/16/2019 – H Also referred to House Judiciary.

01/30/2019 – H Reported Do Pass by House Labor, Veterans' & Military Affairs.

02/14/2019 – H Reported Do Pass by House Judiciary.

02/22/2019 – H Opened for floor debate.

02/22/2019 – H Passed 43-23.

02/25/2019 – S Received in the Senate and referred to Senate Public Affairs.

02/25/2019 – S Also referred to Senate Judiciary.

Category: Labor & Employment

Bill: HB86

Sponsors: Ely (D23)

Title: VOTER REGISTRATION AT POLLING PLACES AND EARLY VOTING SITES

Summary: Permits qualified electors to register to vote on election day at polling places or at early voting sites.

Subjects: Civil Rights; County Affairs; Elections; Municipalities/City Government

Progress: 2nd House: Referred to Committee

Status: 02/20/2019 – Senate Rules Committee

History: 12/17/2018 – H Prefiled in the House.

01/16/2019 – H Introduced and referred to House State Government, Elections & Indian Affairs.

01/16/2019 – H Also referred to House Judiciary.

01/31/2019 – H Reported Do Pass by House State Government, Elections & Indian Affairs.

02/12/2019 – H Reported Do Pass as amended by House Judiciary.

02/19/2019 – H Opened for floor debate.

02/19/2019 – H Note: Motion to roll over (Rep. Scott) failed..

02/19/2019 – H Note: Motion to end debate (Rep. Stapleton) adopted..

02/19/2019 – H Passed 44-22.
02/20/2019 – S Received in the Senate and referred to Senate Rules.
02/20/2019 – S Also referred to Senate Judiciary.

Category: Elections

Notes: Clerks - Opposed - 1/24/2019

From the Clerks -

1) Current SOS Voter Registration System Infrastructure inadequate

Began as IRIS Now SERVIS - began "build out" in 2012 - promised Clerk's greater flexibility and functionality for elections but became a funding issue before go live date. Was supposed to be a cost savings process now has resulted in additional costs.

Still not fully functional particularly for the Local Election Act -and Clerks' concerned about implementing the LEA utilize SERIVS all issues still unknown.

Question? 1) How old are the servers currently housing SERVIS?

2) When do you anticipate SERVIS being fully functional?

3) Can you confirm with 100% certainty registration during voting will not create a slow-down of the system or total failure due to traffic.

4) Again do you currently have the server capacity to deal with this major increase in traffic?

5) Do all polling locations have connectivity (NO) - so you will provide this option for large population areas but disenfranchise those voting in very rural areas (lots of New Mexico)

2) Cybersecurity Issues

1) Isn't cybersecurity a priority for elections at this time?

Do these same day registration bills require "real time" access during voting?

Isn't real time access the best gateway for hackers to bring down a VR system?

Haven't experts cautioned that Vote Registration data bases are the most vulnerable part of the current election process?

Will these registration activities create more opportunity for PPI (personal protected info) to be harvested by non-election individuals (similar to Dona Ana County problem)

3) County level costs

Will real time registration during voting require additional personnel and additional equipment at the county level? (YES laptops and either part time staff or poll workers either way costs)

Who will be responsible for the additional costs? (the County)

How will small, rural counties with little staff coordinate ongoing registration in addition to early voting and election-day activities? (Harding County has two people in the Clerk's office they say they cannot realistically conduct registration during the election cycle - not enough employees)

Bill: HB87

Sponsors: Rubio (D35)

Title: DOMESTIC VIOLENCE AND FIREARM POSSESSION

Summary: (Related to 2019, HB83) Imposes penalties for firearm possession on persons subject to protection orders or convicted of domestic violence and requires relinquishment of firearms by those persons.

Subjects: Alcohol, Firearms and Tobacco Products; Courts and Civil Matters; Criminal Code; Family and Juveniles; Public Safety and Corrections

Related: 2019:HB83

Progress: 2nd House: Referred to Committee

Status: 02/11/2019 – Senate Public Affairs Committee

History: 12/18/2018 – H Prefiled in the House.

01/16/2019 – H Introduced and referred to House Consumer & Public Affairs.

01/16/2019 – H Also referred to House Judiciary.

01/28/2019 – H Reported Do Pass by House Consumer & Public Affairs.

01/29/2019 – H Note: (Committee Report expunged and replaced to include amendment.).

01/29/2019 – H Reported Do Pass as amended by House Consumer & Public Affairs.

02/05/2019 – H Reported Do Pass by House Judiciary.

02/08/2019 – H Opened for floor debate.

02/08/2019 – H Floor amendments adopted (Amendment 1) (Rep. William Rehm) Voice Vote.

02/08/2019 – H Passed 37-28.

SFC CLERK RECORDED 03/28/2019

02/11/2019 – S Received in the Senate and referred to Senate Public Affairs.
02/11/2019 – S Also referred to Senate Judiciary.

Category: Gun Bills

Bill: HB90

Sponsors: Armstrong, D. (D17)

Title: END OF LIFE OPTIONS ACT

Summary: (Related to 2017, HB 171 and SB 252) Cited as the Elizabeth Whitefield End of Life Options Act, establishes rights, procedures and protections related to medical aid in dying. Removes criminal liability for attending health care providers who provide assistance pursuant to the act.

Subjects: Aging; Civil Rights; Courts and Civil Matters; Criminal Code; Health and Medical Practice; Human Services; Insurance

Related: 2017:HB171; 2017:SB252

Progress: 1st House: Reported from Committees

Status: 02/14/2019 – House Calendar

History: 12/18/2018 – H Prefiled in the House.

01/16/2019 – H Introduced and referred to House Health & Human Services.

01/16/2019 – H Also referred to House Judiciary.

01/29/2019 – H Reported Do Pass as amended by House Health & Human Services.

02/14/2019 – H Reported Do Not Pass but Do Pass as substituted by House Judiciary.

Scheduled: 02/25/2019 – House Calendar, 11:00 a.m., House Chambers

Category: Courts & Public Safety

Bill: HB93

Sponsors: Ely (D23)

Title: UNAFFILIATED VOTERS IN PRIMARY ELECTIONS

Summary: Permits voters who have declined to state a party affiliation or who designated affiliation with an unqualified party to vote in a primary election by requesting the ballot of one of the participating parties in that primary.

Subjects: Elections

Progress: 1st House: Reported from Committees

Status: 02/18/2019 – House Judiciary Committee

History: 12/18/2018 – H Prefiled in the House.

01/16/2019 – H Introduced and referred to House Consumer & Public Affairs.

01/16/2019 – H Also referred to House State Government, Elections & Indian Affairs.

01/16/2019 – H Also referred to House Judiciary.

01/30/2019 – H Reported Do Pass by House Consumer & Public Affairs.

02/18/2019 – H Reported Do Pass as amended by House State Government, Elections & Indian Affairs.

Category: Elections

Notes: Clerks - Opposed - 1/24/2019

Bill: HB95

Sponsors: Salazar, T. (D70)

Title: RETIREE HEALTH CARE FUND

Summary: (Endorsed by the Investments and Pensions Oversight Committee) Increases rates of employer and employee contributions to the Retiree Health Care Fund.

Subjects: Public Employees/Retirement

Progress: 1st House: Reported from Committees

Status: 02/06/2019 – House Appropriations and Finance Committee

History: 12/18/2018 – H Prefiled in the House.

01/16/2019 – H Introduced and referred to House State Government, Elections & Indian Affairs.

01/16/2019 – H Also referred to House Appropriations & Finance.

02/06/2019 – H Reported Do Pass by House State Government, Elections & Indian Affairs.

Category: Tax, Finance & Capital Outlay

Bill: HB101**Sponsors:** Rehm (R31)**Title:** NO NEW FINGERPRINTS TO RENEW CONCEALED CARRY**Summary:** (Related to 2019 HB98 and HB99) Prohibits Department of Public Safety from requiring resubmission of fingerprints for reissuance of a concealed carry permit if they were submitted for the initial license.**Subjects:** Alcohol, Firearms and Tobacco Products; State Affairs and State Agencies; Public Safety and Corrections; Taxation, Fees and Audits**Related:** 2019:HB98; 2019:HB99**Progress:** 1st House: Reported from Committees**Status:** 01/28/2019 – House Judiciary Committee**History:** 12/19/2018 – H Prefiled in the House.

01/16/2019 – H Introduced and referred to House Consumer & Public Affairs.

01/16/2019 – H Also referred to House Judiciary.

01/28/2019 – H Reported Do Pass by House Consumer & Public Affairs.

Category: Gun Bills**Bill: HB107****Sponsors:** Rehm (R31)**Title:** RESERVE POLICE OFFICER ACT**Summary:** (For the Courts, Corrections and Justice Committee) Creates the Reserve Police Officer Act to authorize state and local governments to commission reserve police officers to assist police officers. Defines their powers, duties, qualifications, licensure and training. Amends other statutes to conform with the act.**Subjects:** Public Employees/Retirement; County Affairs; Courts and Civil Matters; Municipalities/City Government; Transportation; State Affairs and State Agencies; Public Safety and Corrections**Progress:** 2nd House: Referred to Committee**Status:** 02/22/2019 – Senate Public Affairs Committee**History:** 12/19/2018 – H Prefiled in the House.

01/16/2019 – H Introduced and referred to House State Government, Elections & Indian Affairs.

01/16/2019 – H Also referred to House Judiciary.

01/31/2019 – H Reported Do Pass by House State Government, Elections & Indian Affairs.

02/18/2019 – H Reported Do Pass by House Judiciary.

02/21/2019 – H Opened for floor debate.

02/21/2019 – H Passed 61-3.

02/22/2019 – S Received in the Senate and referred to Senate Public Affairs.

02/22/2019 – S Also referred to Senate Judiciary.

02/22/2019 – S Also referred to Senate Finance.

Category: Courts & Public Safety**Notes:** EC Support 1/31/2019**Bill: HB115****Sponsors:** Crowder (R64)**Title:** TERRORISTIC THREAT CRIME**Summary:** Creates the crime of making a terroristic threat, carrying a penalty of a fourth-degree felony.**Subjects:** Criminal Code**Progress:** Introduced**Status:** 01/16/2019 – House Consumer and Public Affairs Committee**History:** 12/20/2018 – H Prefiled in the House.

01/16/2019 – H Introduced and referred to House Consumer & Public Affairs.

01/16/2019 – H Also referred to House Judiciary.

01/16/2019 – H Also referred to House Appropriations & Finance.

Category: Courts & Public Safety**Bill: HB124****Sponsors:** Sweetser (D32)

Title: FIRE PROTECTION FUND FOR LAND PURCHASE
Summary: (Endorsed by the New Mexico Finance Authority Oversight Committee) Clarifies that money from the Fire Protection Fund may be used to purchase land for fire stations and substations; allows fund awards to entities with outstanding obligations associated with prior fund awards.
Subjects: Land, Housing and Real Estate; State Affairs and State Agencies; Public Safety and Corrections; County Affairs; Municipalities/City Government
Progress: 1st House: Reported from Committees
Status: 01/30/2019 – House Appropriations and Finance Committee
History: 12/21/2018 – H Prefiled in the House.
01/16/2019 – H Introduced and referred to House Local Government, Land Grants & Cultural Affairs.
01/16/2019 – H Also referred to House Appropriations & Finance.
01/30/2019 – H Reported Do Pass as amended by House Local Government, Land Grants & Cultural Affairs.
Category: Courts & Public Safety
Notes: EC Support - 1/24/2019

Bill: HB129
Sponsors: Trujillo, L. (D48)
Title: ARMED SCHOOL SECURITY PERSONNEL
Summary: (For the Legislative Education Study Committee) Allows retired peace officers and contract security personnel to carry deadly weapons on school premises
Subjects: Schools and Teachers; State Affairs and State Agencies; Public Safety and Corrections
Progress: 1st House: Reported from Committees
Status: 02/24/2019 – House Calendar
History: 12/21/2018 – H Prefiled in the House.
01/16/2019 – H Introduced and referred to House Education.
01/16/2019 – H Also referred to House Judiciary.
01/23/2019 – H Reported Do Pass by House Education.
02/24/2019 – H Reported Do Not Pass but Do Pass as substituted by House Judiciary.
Scheduled: 02/25/2019 – House Calendar, 11:00 a.m., House Chambers
Category: Gun Bills

Bill: HB130
Sponsors: Trujillo, L. (D48)
Title: CHILD ACCESS TO FIREARM; ABUSE AND NEGLECT VIOLATION
Summary: Creates criminal penalties and civil liability for negligent storage of a firearm in relation to minors.
Subjects: Alcohol, Firearms and Tobacco Products; Criminal Code; Public Safety and Corrections; Courts and Civil Matters
Progress: 1st House: Reported from Committees
Status: 02/13/2019 – House Judiciary Committee
History: 12/21/2018 – H Prefiled in the House.
01/16/2019 – H Introduced and referred to House Consumer & Public Affairs.
01/16/2019 – H Also referred to House Judiciary.
01/16/2019 – H Also referred to House Appropriations & Finance.
02/13/2019 – H Reported Do Not Pass but Do Pass as substituted by House Consumer & Public Affairs.
Category: Gun Bills

Bill: HB137
Sponsors: Allison (D4)
Title: COUNTY AND TRIBAL HEALTH PLAN ACT
Summary: Creates the County and Tribal Health Plan Act; repeals the Maternal and Child Health Plan Act.
Subjects: Health and Medical Practice; County Affairs; State Affairs and State Agencies; Family and Juveniles; Indians
Progress: 2nd House: Referred to Committee
Status: 02/21/2019 – Senate Indian and Cultural Affairs Committee
History: 12/21/2018 – H Prefiled in the House.

01/16/2019 – H Introduced and referred to House State Government, Elections & Indian Affairs.
 01/16/2019 – H Also referred to House Health & Human Services.
 01/31/2019 – H Reported Do Pass by House State Government, Elections & Indian Affairs.
 02/18/2019 – H Reported Do Pass by House Health & Human Services.
 02/20/2019 – H Opened for floor debate.
 02/20/2019 – H Passed 63-0.
 02/21/2019 – S Received in the Senate and referred to Senate Indian & Cultural Affairs.
 02/21/2019 – S Also referred to Senate Public Affairs.

Scheduled: 02/26/2019 – Senate Indian and Cultural Affairs Committee, 9:00 a.m., Room 303

Category: Health

Bill: HB141

Sponsors: Garcia, Miguel (D14)

Title: PROHIBIT DISCLOSURE OF PERSONAL DATA BY STATE EMPLOYEES

Summary: Amends the Governmental Conduct Act to forbid state agency employees from disclosing sensitive personal information acquired in their positions with the agency to anyone outside that agency except when disclosure is needed to carry out an agency function, to comply with a court order, in response to a subpoena, as permitted by specific exceptions to privacy in the Motor Vehicle Code, or as required by federal law.

Subjects: Public Employees/Retirement; State Affairs and State Agencies; Civil Rights

Progress: 2nd House: Referred to Committee

Status: 02/25/2019 – Senate Public Affairs Committee

History: 12/21/2018 – H Prefiled in the House.

01/16/2019 – H Introduced and referred to House State Government, Elections & Indian Affairs.

01/16/2019 – H Also referred to House Judiciary.

02/05/2019 – H Reported Do Pass by House State Government, Elections & Indian Affairs.

02/18/2019 – H Reported Do Not Pass but Do Pass as substituted by House Judiciary.

02/24/2019 – H Opened for floor debate.

02/24/2019 – H Floor amendments adopted (Amendment 1) (Rep. Miguel Garcia) Voice Vote.

02/24/2019 – H Note: H Floor amendments adopted (Amendment 2) (Rep. Gregg Schmedes) Voice Vote.

02/24/2019 – H Passed 43-24.

02/25/2019 – S Received in the Senate and referred to Senate Public Affairs.

02/25/2019 – S Also referred to Senate Judiciary.

Category: Courts & Public Safety

Notes: Sheriffs think this bill might keep NM State Police from co-operating with ICE.

Bill: HB151

Sponsors: Ruiloba (D12)

Title: CERTAIN LICENSED MINORS MAY DELIVER ALCOHOLIC BEVERAGES

Summary: Amends the Liquor Control Act to allow minors who are licensed under the N.M. Commercial Driver's License Act to deliver packaged alcoholic beverages. Requires that the items delivered by the minor be in sealed, unbroken packages, including containers such as bottles, cans and kegs. The person under age 21 is not allowed to sample alcoholic beverages to accounts. Effective July 1, 2019.

Subjects: Labor; Alcohol, Firearms and Tobacco Products; Business, Manufacturing and Economic Development; State Affairs and State Agencies; Family and Juveniles

Progress: 2nd House: Referred to Committee

Status: 02/21/2019 – Senate Corporations and Transportation Committee

History: 12/27/2018 – H Prefiled in the House.

01/16/2019 – H Introduced and referred to House Transportation, Public Works & Capital Improvements.

01/16/2019 – H Also referred to House Judiciary.

02/01/2019 – H Reported Do Pass by House Transportation, Public Works & Capital Improvements.

02/18/2019 – H Reported Do Pass as amended by House Judiciary.

02/20/2019 – H Opened for floor debate.

02/20/2019 – H Passed 64-0.

02/21/2019 – S Received in the Senate and referred to Senate Corporations & Transportation.

02/21/2019 – S Also referred to Senate Judiciary.

Scheduled: 02/25/2019 – Senate Corporations and Transportation Committee, 2:00 p.m., Room 311

Category: Liquor License Bills

Bill: HB154

Sponsors: Maestas (D16)

Title: LAW ENFORCEMENT PROTECTION FUND DISTRIBUTION

Summary: (For the Courts, Corrections and Justice Committee) Discontinues the annual transfer of money from the Law Enforcement Protection Fund to the General Fund and increases the distribution levels from the fund to municipal police departments, county sheriff offices, university police departments, the Law Enforcement Training Academy and tribal police departments.

Subjects: Appropriations; Municipalities/City Government; County Affairs; Public Safety and Corrections; Higher Education; Indians

Progress: 1st House: Reported from Committees

Status: 01/28/2019 – House Appropriations and Finance Committee

History: 12/28/2018 – H Prefiled in the House.

01/16/2019 – H Introduced and referred to House Judiciary.

01/16/2019 – H Also referred to House Appropriations & Finance.

01/28/2019 – H Reported Do Pass as amended by House Judiciary.

Scheduled: 02/26/2019 – House Appropriations and Finance Committee, 1:30 p.m., Room 307

Category: Courts & Public Safety

Notes: EC Support - 1/24/2019

In many small rural counties, sheriffs' offices are severely challenged to provide essential law enforcement services with limited budgets and personnel. The law enforcement protection fund provides some financial assistance to these offices to maintain and improve their operations and to enhance the efficiency and effectiveness of law enforcement services. In addition, the fund sustains at a reasonable level the payments available to the surviving eligible family members of a deputy killed in the line of duty. Importantly, HB 154 increases the amounts distributed to sheriffs' offices throughout the state, and expressly provides that money in the fund shall not be transferred to the general fund at the end of a fiscal year. This will ensure that the statutory intent of the Law Enforcement Protection Fund Act is fulfilled

Bill: HB155

Sponsors: Dow (R38)

Title: LOCAL INFRASTRUCTURE GRT RATE INCREASE

Summary: (Duplicate of 2019 SB113) Increases the maximum rate of the municipal infrastructure gross receipts tax and the county infrastructure gross receipts tax from 0.25 to 0.625 percent.

Subjects: County Affairs; Municipalities/City Government; Business, Manufacturing and Economic Development; Land, Housing and Real Estate; Taxation, Fees and Audits

Related: 2019:SB113

Progress: 1st House: Reported from Committees

Status: 01/29/2019 – House Taxation and Revenue Committee

History: 12/31/2018 – H Prefiled in the House.

01/17/2019 – H Introduced and referred to House Commerce & Economic Development.

01/17/2019 – H Also referred to House Taxation & Revenue.

01/29/2019 – H Reported Do Pass by House Commerce & Economic Development.

Category: Tax, Finance & Capital Outlay

Bill: HB156

Sponsors: Dow (R38)

Title: PERMITS USE OF EXCESS COUNTY CORRECTIONAL FACILITY TAX REVENUES

Summary: (Endorsed by the New Mexico Finance Oversight Committee) (Similar to 2018 HB225) Relates to the authorized use of excess tax revenue derived from the County Correctional Facility Gross Receipts Tax.

Subjects: County Affairs; Transportation; Construction and Materials; Public Safety and Corrections; Taxation, Fees and Audits

Related: 2018:HB225

Progress: 2nd House: Referred to Committee

Status: 02/08/2019 – Senate Corporations and Transportation Committee

History: 12/31/2018 – H Prefiled in the House.

01/17/2019 – H Introduced and referred to House Local Government, Land Grants & Cultural Affairs.

01/17/2019 – H Also referred to House Taxation & Revenue.

01/30/2019 – H Reported Do Pass by House Local Government, Land Grants & Cultural Affairs.

02/04/2019 – H Reported Do Pass by House Taxation & Revenue.

02/07/2019 – H Opened for floor debate.

02/07/2019 – H Passed 62-0.

02/08/2019 – S Received in the Senate and referred to Senate Corporations & Transportation.

02/08/2019 – S Also referred to Senate Finance.

Category: Tax, Finance & Capital Outlay

Notes: EC Support 1/24/2019

Bill: HB157

Sponsors: Dow (R38)

Title: RENAMES COUNTY TAX, ALLOWS USE FOR PUBLIC SAFETY ANSWERING SERVICE

Summary: (Related to 2018 SB205) Expands the authorized uses of revenue derived from the County Emergency Communications and Emergency Medical and Behavioral Health Services Tax and changes the name of the tax.

Subjects: Health and Medical Practice; County Affairs; Construction and Materials; Public Safety and Corrections; Taxation, Fees and Audits

Related: 2018:SB205

Progress: 2nd House: Referred to Committee

Status: 02/11/2019 – Senate Public Affairs Committee

History: 12/31/2018 – H Prefiled in the House.

01/17/2019 – H Introduced and referred to House Local Government, Land Grants & Cultural Affairs.

01/17/2019 – H Also referred to House Taxation & Revenue.

01/30/2019 – H Reported Do Pass as amended by House Local Government, Land Grants & Cultural Affairs.

02/04/2019 – H Reported Do Pass as amended by House Taxation & Revenue.

02/08/2019 – H Opened for floor debate.

02/08/2019 – H Passed 58-0.

02/11/2019 – S Received in the Senate and referred to Senate Public Affairs.

02/11/2019 – S Also referred to Senate Corporations & Transportation.

Category: Tax, Finance & Capital Outlay

Notes: EC Support 1/24/2019

Bill: HB162

Sponsors: Trujillo, J. (D45)

Title: INSURANCE PREMIUM TAX ACT

Summary: (Related to 2018, HB 223) (For the Revenue Stabilization and Tax Policy Committee) Transfers administration and enforcement of the Insurance Premium Tax Act from the Insurance Superintendent to the Taxation and Revenue Department; amends the distribution of insurance premium tax receipts; and requires the Superintendent of Insurance to provide certain information to TRD.

Subjects: Business, Manufacturing and Economic Development; Insurance; State Affairs and State Agencies

Related: 2018:HB223

Progress: 2nd House: Reported from Committees

Status: 02/25/2019 – Senate Finance Committee

History: 01/02/2019 – H Prefiled in the House.

01/17/2019 – H Introduced and referred to House Health & Human Services.

01/17/2019 – H Also referred to House Taxation & Revenue.

02/01/2019 – H Reported Do Pass by House Health & Human Services.

02/06/2019 – H Reported Do Pass by House Taxation & Revenue.

02/12/2019 – H Opened for floor debate.

02/12/2019 – H Passed 59-0.

02/13/2019 – S Received in the Senate and referred to Senate Corporations & Transportation.
02/13/2019 – S Also referred to Senate Finance.
02/25/2019 – S Reported Do Pass by Senate Corporations & Transportation.

Category: Courts & Public Safety
Notes: EC Support 1/31/2019

Bill: HB165

Sponsors: Sweetser (D32)

Title: HIGH-WAGE JOBS TAX CREDIT CHANGES

Summary: Alters fundamental parameters of the High-Wage Jobs Tax Credit. Reduces the rate of the tax credit from ten to 8.5 percent of the eligible employee's wages but expands the wage base from \$12,000 to \$12,750 per job per qualifying period. No longer requires eligible jobs to be full-time. Effective for qualifying periods beginning on or after January 1, 2019.

Subjects: Labor; Business, Manufacturing and Economic Development; State Affairs and State Agencies; Taxation, Fees and Audits

Progress: 1st House: Reported from Committees

Status: 01/29/2019 – House Taxation and Revenue Committee

History: 01/02/2019 – H Prefiled in the House.

01/17/2019 – H Introduced and referred to House Commerce & Economic Development.

01/17/2019 – H Also referred to House Taxation & Revenue.

01/29/2019 – H Reported Do Pass by House Commerce & Economic Development.

Category: Transportation & Roads

Bill: HB169

Sponsors: McQueen (D50)

Title: PUBLIC OFFICIALS: PUBLIC CORRUPTION ACT

Summary: (Almost identical to 2018, HB 109; related to 2018, HB 111 and HB 287) Cited as the Public Corruption act, applies to public corruption offenses committed by public officials while campaigning for or serving a term as a public official on or after July 1, 2019, but does not include judicial, municipal, school board or special district elections. Classifies 14 different types of violations that carry a first-, second- or third-degree felony penalty as a public corruption offense. In addition to the criminal penalties for an underlying offense, a public official shall forfeit service accrued under PERA during all periods of service as a public official (contains some exclusions).

Subjects: Criminal Code; County Affairs; Municipalities/City Government; Public Employees/Retirement; State Affairs and State Agencies

Related: 2018:HB109; 2018:HB111; 2018:HB287

Progress: 1st House: Reported from Committees

Status: 02/05/2019 – House Judiciary Committee

History: 01/03/2019 – H Prefiled in the House.

01/17/2019 – H Introduced and referred to House State Government, Elections & Indian Affairs.

01/17/2019 – H Also referred to House Judiciary.

02/05/2019 – H Reported Do Pass by House State Government, Elections & Indian Affairs.

Scheduled: 02/25/2019 – House Calendar, 11:00 a.m., House Chambers

Category: General Government

Bill: HB175

Sponsors: Salazar, T. (D70)

Title: REGIONAL WATER UTILITY AUTHORITY ACT

Summary: (Similar to 2019 SB509; related to 2015 SB550) Allows the creation of a new statutory entity—a Regional Water Utility Authority—that may be incorporated through the cooperation of two or more entities to provide water or wastewater treatment services and renewable energy infrastructure for those services within a designated service area to be determined by the parties. Applies to a political subdivision, mutual domestic water consumers association, a sanitation district, a water and sanitation district, or any similar district, a recognized Indian tribe, nation or pueblo, or other agency created pursuant to a joint powers agreement on their behalf.

Subjects: Water; Utilities; State Affairs and State Agencies; Environment and Pollution; Public Finance and

Budgets
Progress: 1st House: Reported from Committees
Status: 02/12/2019 – House Judiciary Committee
History: 01/04/2019 – H Prefiled in the House.
01/17/2019 – H Introduced and referred to House Agriculture and Water Resources.
01/17/2019 – H Also referred to House Judiciary.
02/12/2019 – H Reported Do Not Pass but Do Pass as substituted by House Agriculture and Water Resources.
Category: Public Lands, Natural Resources & Agriculture

Bill: HB177
Sponsors: Stewart (D17)
Title: PRC RULES FOR SMOKE DAMPERS AND FIRE CONTROL SYSTEMS
Summary: (Duplicate of SB143, 2019) Requires the Public Regulation Commission to mandate inspection of fire and smoke dampers and fire control systems.
Subjects: State Affairs and State Agencies; Construction and Materials; Land, Housing and Real Estate; Business, Manufacturing and Economic Development; Schools and Teachers; Higher Education; Public Safety and Corrections; Insurance; County Affairs; Municipalities/City Government
Related: 2019:SB143
Progress: Introduced
Status: 01/17/2019 – Tabled indefinitely in the House
History: 01/04/2019 – H Prefiled in the House.
01/17/2019 – H Introduced.
01/17/2019 – H Tabled Indefinitely.
Category: Fire, EMS & E911

Bill: HB186
Sponsors: Salazar, T. (D70)
Title: REGIONAL WATER PLANNING ACT
Summary: Establishes the Regional Water Planning Act to provide criteria and direction for state and regional water planning; reforms the powers and duties of the Interstate Stream Commission; makes an appropriation of \$10 million for water planning.
Subjects: Agriculture and Ranching; Environment and Pollution; Natural Resources (Parks and Wildlife); State Affairs and State Agencies; Water; Appropriations
Progress: Introduced
Status: 01/17/2019 – House Agriculture and Water Resources Committee
History: 01/09/2019 – H Prefiled in the House.
01/17/2019 – H Introduced and referred to House Agriculture and Water Resources.
01/17/2019 – H Also referred to House Energy, Environment & Natural Resources.
01/17/2019 – H Also referred to House Appropriations & Finance.
Scheduled: 02/26/2019 – House Agriculture and Water Resources Committee, 8:00 a.m., Room 315 (Revised 02/25/2019)
Category: Public Lands, Natural Resources & Agriculture

Bill: HB188
Sponsors: Brown (R55)
Title: MOTOR VEHICLE EXCISE TAX REVENUE
Summary: (Related to 2018 SB 226 – passed and signed by Governor) Increases the distribution of motor vehicle excise tax revenue to the State Road Fund over multiple years.
Subjects: Taxation, Fees and Audits; Transportation
Related: 2018:SB226
Progress: 1st House: Reported from Committees
Status: 02/01/2019 – House Taxation and Revenue Committee
History: 01/09/2019 – H Prefiled in the House.
01/17/2019 – H Introduced and referred to House Transportation, Public Works & Capital Improvements.

01/17/2019 – H Also referred to House Taxation & Revenue.
02/01/2019 – H Reported Do Pass by House Transportation, Public Works & Capital Improvements.

Category: Tax, Finance & Capital Outlay

Bill: HB189

Sponsors: Brown (R55)

Title: APPROPRIATION TO STATE ROAD FUND

Summary: Provides \$860 million (GF, nonreverting) for FY 2020 and following years for the State Road Fund.
Unspent funds do not revert to the GF at the end of the fiscal year.

Subjects: Appropriations; Transportation; State Affairs and State Agencies

Progress: 1st House: Reported from Committees

Status: 02/01/2019 – House Appropriations and Finance Committee

History: 01/09/2019 – H Prefiled in the House.

01/17/2019 – H Introduced and referred to House Transportation, Public Works & Capital Improvements.

01/17/2019 – H Also referred to House Appropriations & Finance.

02/01/2019 – H Reported Do Pass by House Transportation, Public Works & Capital Improvements.

Category: Tax, Finance & Capital Outlay

Bill: HB194

Sponsors: Martinez, R. (D39)

Title: FUNDS WORKING GROUP FOR FRONTIER COMMUNITIES

Summary: Appropriates \$50,000 (GF) to the Economic Development Department for use in FY 2020 to convene a working group to identify ways to direct investment and reinvestment of state resources into frontier communities.

Subjects: Appropriations; Business, Manufacturing and Economic Development; State Affairs and State Agencies; County Affairs; Municipalities/City Government

Progress: 1st House: Reported from Committees

Status: 01/31/2019 – House Appropriations and Finance Committee

History: 01/11/2019 – H Prefiled in the House.

01/17/2019 – H Introduced and referred to House Commerce & Economic Development.

01/17/2019 – H Also referred to House Appropriations & Finance.

01/31/2019 – H Reported without recommendation by House Commerce & Economic Development.

Category: Economic Development & IRBs

Bill: HB195

Sponsors: Roybal Caballero (D13)

Title: PROHIBITION AGAINST ENFORCING FEDERAL IMMIGRATION LAW

Summary: (Duplicate of 2019 SB196; related to 2017 SB270, HB116; 2015 SB315) Prohibits the state and its political subdivisions from using public resources to take any action against a person for entry or residence in the U.S. in violation of federal immigration law. Repeals statutory authorization for state and local law enforcement to participate in the Federal Law Enforcement Assistance Act.

Subjects: Criminal Code; State Affairs and State Agencies; Public Safety and Corrections

Related: 2019:SB196; 2017:SB270; 2017:HB116; 2015:SB315

Progress: Introduced

Status: 01/17/2019 – House State Government, Elections and Indian Affairs Committee

History: 01/11/2019 – H Prefiled in the House.

01/17/2019 – H Introduced and referred to House State Government, Elections & Indian Affairs.

01/17/2019 – H Also referred to House Judiciary.

Category: Courts & Public Safety

Bill: HB196

Sponsors: Chasey (D18)

Title: PREGNANT WORKER ACCOMMODATION ACT

Summary: (Similar to 2017 HB179, vetoed on grounds that protection is already afforded by state and federal

law and citing lack of clarity of certain language) Establishes the "Pregnant Worker Accommodation Act" to require that employers make reasonable accommodation of an employee's or job applicant's needs arising from pregnancy or childbirth or a related condition and prohibiting discrimination or retaliation in employment; provides for grievance procedures and penalties.

Subjects: Business, Manufacturing and Economic Development; Civil Rights; Courts and Civil Matters; Family and Juveniles; Health and Medical Practice; Labor

Related: 2017:HB179

Progress: 1st House: Reported from Committees

Status: 02/18/2019 – House Calendar

History: 01/11/2019 – H Prefiled in the House.

01/17/2019 – H Introduced and referred to House Labor, Veterans' & Military Affairs.

01/17/2019 – H Also referred to House Judiciary.

02/01/2019 – H Reported Do Pass by House Labor, Veterans' & Military Affairs.

02/18/2019 – H Reported Do Pass as amended by House Judiciary.

Scheduled: 02/25/2019 – House Calendar, 11:00 a.m., House Chambers

Category: Labor & Employment

Bill: HB201

Sponsors: Brown (R55)

Title: TAX INCENTIVES FOR DONATING TO COUNTY ROAD FUNDS

Summary: Allows both personal and corporate income taxpayers to claim a nonrefundable credit for donations to a county road fund up to \$1 million. Also permits personal income taxpayers to donate any part of a tax refund to the county road fund of a specific county.

Subjects: County Affairs; Business, Manufacturing and Economic Development; Family and Juveniles; Taxation, Fees and Audits; Public Finance and Budgets

Progress: 1st House: Reported from Committees

Status: 02/08/2019 – House Taxation and Revenue Committee

History: 01/10/2019 – H Prefiled in the House.

01/17/2019 – H Introduced and referred to House Transportation, Public Works & Capital Improvements.

01/17/2019 – H Also referred to House Taxation & Revenue.

02/08/2019 – H Reported Do Pass by House Transportation, Public Works & Capital Improvements.

Category: Tax, Finance & Capital Outlay

Notes: EC Support 1/31/2019

Bill: HB203

Sponsors: Small (D36)

Title: AGRICULTURAL ECONOMIC DEVELOPMENT

Summary: (Identical to 2017 HB289, passed nearly unanimously in both houses and vetoed by the governor.) Expands the statewide Economic Development Finance Act to include agricultural enterprises in the lists of economic development goals and eligible entities for which revenue bonds may be issued. Agricultural enterprises include new or ongoing agricultural projects and projects that add value to New Mexico agricultural products.

Subjects: Appropriations; Agriculture and Ranching; Business, Manufacturing and Economic Development; Higher Education

Related: 2017:HB289

Progress: Pamphlet Law

Status: 02/05/2019 – Signed by the Governor

History: 01/11/2019 – H Prefiled in the House.

01/17/2019 – H Introduced and referred to House Judiciary.

01/22/2019 – H Reported Do Pass by House Judiciary.

01/23/2019 – H Opened for floor debate.

01/23/2019 – H Passed 69-0.

01/24/2019 – S Received in the Senate and referred to Senate Corporations & Transportation.

01/29/2019 – S Reported Do Pass by Senate Corporations & Transportation.

01/31/2019 – S Opened for floor debate.

01/31/2019 – S Passed 41-0.

01/31/2019 – H Enrolled and engrossed.
01/31/2019 – H Signed by Officers of House.
02/01/2019 – S Signed by Officers of Senate.
02/04/2019 – G Signed by the Governor Laws 2019, Ch. 8.
02/05/2019 – H Note: Governor's HEM read today..

Category: Economic Development & IRBs

Bill: HB204

Sponsors: Small (D36)

Title: HEALTHY SOIL ACT

Summary: (Duplicate of 2019 SB218) Appropriates \$5.15 million (GF nonreverting) for use in FY 2020 and subsequent years for the Department of Agriculture to administer the Healthy Soil Program to (1) award grants to eligible entities for technical assistance to producers and land managers to advance soil health principles and supported methods, and (2) develop a user-friendly grant program and criteria for equitably awarding grants. May give priority to entities serving young producers, veterans, small farms or ranches or projects that benefit economically or socially disadvantaged communities

Subjects: Appropriations; Agriculture and Ranching; County Affairs; Energy Resources and Chemicals; State Affairs and State Agencies; Water; Natural Resources (Parks and Wildlife)

Related: 2019:SB218

Progress: 1st House: Reported from Committees

Status: 02/19/2019 – House Appropriations and Finance Committee

History: 01/11/2019 – H Prefiled in the House.

01/17/2019 – H Introduced and referred to House Commerce & Economic Development.

01/17/2019 – H Also referred to House Agriculture and Water Resources.

01/17/2019 – H Also referred to House Appropriations & Finance.

01/29/2019 – H Reported Do Pass as amended by House Commerce & Economic Development.

02/19/2019 – H Reported Do Pass as amended by House Agriculture and Water Resources.

Category: Public Lands, Natural Resources & Agriculture

Bill: HB206

Sponsors: Chasey (D18); Stewart (D17)

Title: ENVIRONMENTAL REVIEW ACT

Summary: Appropriates \$1 million (GF) to be divided equally to the State Land Office, the Department of Environment, the Energy, Minerals and Natural Resources Department and the Office of the State Engineer for use in FY 2020 for each agency to hire two full-time equivalent positions to carry out the agency's duties pursuant to the Environmental Review Act; establishes the Environmental Review Act and sets forth requirements for environmental assessments and impact statements.

Subjects: Agriculture and Ranching; Appropriations; Business, Manufacturing and Economic Development; County Affairs; Energy Resources and Chemicals; Environment and Pollution; Indians; Land, Housing and Real Estate; Municipalities/City Government; Natural Resources (Parks and Wildlife); State Affairs and State Agencies; Water; Health and Medical Practice

Progress: 1st House: Reported from Committees

Status: 02/04/2019 – House State Government, Elections and Indian Affairs Committee

History: 01/10/2019 – H Prefiled in the House.

01/17/2019 – H Introduced and referred to House Energy, Environment & Natural Resources.

01/17/2019 – H Also referred to House State Government, Elections & Indian Affairs.

01/17/2019 – H Also referred to House Appropriations & Finance.

02/04/2019 – H Reported Do Not Pass but Substituted without recommendation by House Energy, Environment & Natural Resources.

Category: General Government

Notes: EC Oppose 1/24/2019

HB 206 proposes to implement state-level environmental assessments (EA) and more detailed environmental impact statements (EIS) similar to those required by the federal government. Federal environmental policies are extremely complex and cumbersome. It is common for analysis to take years to compile, only to then be litigated. Some of the significant problems in federal processes surround ambiguities in language, inability to prove that all affected stakeholders were actively engaged, and obligations placed on the final decision makers to demonstrate that the analysis was

weighed appropriately. Additional complications in environmental analysis arise due to changes in species listings, natural and environmental resources (i.e., fire, flood, drought), and changes in regulations and laws throughout the process period. Because of these moving targets, there is ongoing debate at the federal level as to whether these types of environmental processes really do achieve the objectives that they are designed to address.

This bill presents many of the same issues. The federal environmental processes that this legislation is modeled after have many deficits including undefined terms such as "significant," "reasonably foreseeable," "potential," and "appropriate." The use of these undefined terms often leaves analysis open to interpretation and creates an increased risk for potential litigation when compiling quantitative and qualitative data. These assessments often fail to consider the appropriate cost benefits for natural environment versus the human environment and/or economic environment. Other areas that create complications in existing environmental decisions have to do with the term "best available science," as opposed to "peer-reviewed science." Best available can still be left to interpretation and is often measured by volume rather than substance. These processes can also create inequalities with certain special interest groups that have far more financial resources to contract for scientific research and legal representation, than local governments. Costly project delays, due to cumbersome processes, can materially hamper local government ability to complete important public projects.

Currently, 16 states have implemented state-level environmental policy legislation. Fourteen of these were put in place during the 1970s in response to the lack of federal environmental protections in place at the time. The last two states to implement policies were New Jersey in 1989 and Georgia in 1991. Five of the states require EIS and EA review on local projects, three require reviews for private projects, and two attempt to address climate change or greenhouse gas emissions. The benefits of these statutes are often depleted by increased litigation, duplicity with federal efforts, expansion of exclusions, and ongoing legislation to remove this state control.

https://dukespace.lib.duke.edu/dspace/bitstream/handle/10161/5891/P.%20Marchman%20Little%20NEPAs_Final_w%20endnotes.pdf.

HB 206 places an unfunded mandate on local governments, requiring them to provide financial and personnel resources to engage in the required environmental process (Section 2.B., Section 3.L., Section 4.E., Section 4.F.3). The financial obligation would be difficult to quantify depending upon the counties role in each project, the scope and scale of the project, potential duplication of existing statutory review, and the criteria to be assessed. As a comparison for smaller assessments, the Department of Energy's payments to contractors to produce an EA ranged from \$3,000 to \$1.2 million with a median cost of \$65,000 from calendar year 2003 through calendar year 2012. For context, a 2003 task force report to the federal Council on Environmental Quality —the only available source of government wide cost estimates— determined that a typical federal EIS cost ranges from \$250,000 to \$2 million. <https://www.gao.gov/assets/670/662543.pdf>.

The legislation also does not clearly define whether affected local governments will be identified as the lead agency (Section 3.H.) or if they will be cooperating agencies (Section 3.B.). Too often in federal EA and EIS, local governments are only invited to the dialogue along with the public and can be denied cooperating agency status. This legislation does not address who makes these determinations or provide any guarantee of local government representation by elected commissions and councils, that are statutorily obligated to protect their constituents (Section 4.C.). Only state agencies, Indian nations, tribes, or pueblos have a guarantee to be a cooperating agency (Section 4.D.).

The definition of "proximity" (Section 3.K) is stated as (1) within one-fourth mile of a project property or (2) within two and one-half miles of a project property dependent upon the classification and population of the county.

A one-fourth mile radius for a Class A or H county represents approximately 125.6 acres.

Example: $\frac{1}{4}$ mile = 1320 feet

Area of the Circle in Square Feet = $3.14 \times (1320 \text{ ft.})^2 = (5471136 \text{ ft.})^2$

Convert Square Feet to Acres = $5471136 \text{ ft.}^2 / 43560 \text{ ft.}^2 \text{ per acre} = 125.6 \text{ acres}$

A two and one-half mile radius for other county classifications represents approximately 12,560 acres.

Example: 2 ½ mile = 13200 feet

Area of the Circle in Square Feet = $3.14 \times (13200 \text{ ft.})^2 = (547113600 \text{ ft.})^2$

Convert Square Feet to Acres = $547113600 \text{ ft.}^2 / 43560 \text{ ft.}^2 \text{ per acre} = 12,560 \text{ acres}$

These are significant areas and may be particularly burdensome for rural counties that often concentrate entire communities within an area less than 19 square miles. In fact, based on this criterion, the vast majority of projects would require entire municipality engagement regardless of the scale of the project.

The legislation requires that notice be provided when the project is undertaken or has been finalized (Section 10.A). This inconsistency could mean that local governments with a vested interest and statutory obligation to protect the health, safety, and welfare of their constituents may not be notified until after the decision has already been made.

Based upon the reasons cited above, the New Mexico Counties is in opposition to this bill.

Bill: HB208

Sponsors: Small (D36)

Title: HAZARDOUS DUTY OFFICERS' COMPELLED STATEMENTS

Summary: Amends the Hazardous Duty Officers' Employer-Employee Relations Act to clarify that statements by an officer during an investigative interview, compelled under threat of dismissal or other sanction, shall not be released except upon a court order. Requires officers to be advised of their legal rights prior to an investigative interview.

Subjects: Public Employees/Retirement; State Affairs and State Agencies; Public Safety and Corrections

Progress: 1st House: Reported from Committees

Status: 02/05/2019 – House Judiciary Committee

History: 01/11/2019 – H Prefiled in the House.

01/17/2019 – H Introduced and referred to House Labor, Veterans' & Military Affairs.

01/17/2019 – H Also referred to House Judiciary.

02/05/2019 – H Reported Do Pass by House Labor, Veterans' & Military Affairs.

Scheduled: 02/25/2019 – House Judiciary Committee, 1:30 p.m., Room 309 (Revised 02/24/2019)

Category: Courts & Public Safety

Bill: HB211

Sponsors: Gonzales (D42)

Title: COUNTY AND MUNICIPAL FUELS TAX ACT

Summary: (Similar to 2016 HB328; 2017 HB63, as amended) Current law allows Class A and H counties and their municipalities to impose a local gasoline tax of one or two cents on retail sales within the jurisdiction. This bill modifies that authority in several ways. It allows all municipalities and counties authority to impose a tax up to ten cents (in one cent increments) on both gasoline and special fuels. Municipalities may impose tax on retail sales within their boundaries and counties on retail sales in that part of the county outside municipalities. Substantially re-writes the administrative provisions so that the local government can collect and administer the tax with no state involvement.

Subjects: County Affairs; Municipalities/City Government; Transportation; Business, Manufacturing and Economic Development; Taxation, Fees and Audits

Progress: 1st House: Reported from Committees

Status: 02/01/2019 – House Taxation and Revenue Committee

History: 01/11/2019 – H Prefiled in the House.

01/17/2019 – H Introduced and referred to House Local Government, Land Grants & Cultural Affairs.

01/17/2019 – H Also referred to House Taxation & Revenue.

02/01/2019 – H Reported Do Pass by House Local Government, Land Grants & Cultural Affairs.

Category: Tax, Finance & Capital Outlay

Bill: HB213

Sponsors: Roybal Caballero (D13)
Title: PAID FAMILY AND MEDICAL LEAVE ACT
Summary: Proposes the Paid Family and Medical Leave Act; creates the Paid Leave Division in the Workforce Solutions Department and the Paid Family and Medical Leave Insurance Fund; appropriates nonreverting money from the Fund to the Division to distribute leave compensation and cover administrative costs.
Subjects: Appropriations; Business, Manufacturing and Economic Development; Health and Medical Practice; Family and Juveniles; State Affairs and State Agencies
Progress: 1st House: Referred to Committee
Status: 01/17/2019 – House Commerce and Economic Development Committee
History: 01/11/2019 – H Prefiled in the House.
01/17/2019 – H Introduced and referred to House Commerce & Economic Development.
01/17/2019 – H Also referred to House Judiciary.
01/17/2019 – H Also referred to House Appropriations & Finance.
Category: Labor & Employment

Bill: HB216
Sponsors: Trujillo, L. (D48)
Title: COUNTY SUBDIVISION REGULATION RECORDATION REQUIREMENTS
Summary: Relates to county government; removes requirement that county subdivision ordinances be filed with the State Records Administrator.
Subjects: County Affairs; State Affairs and State Agencies; Land, Housing and Real Estate
Progress: Pamphlet Law
Status: 02/05/2019 – Signed by the Governor
History: 01/11/2019 – H Prefiled in the House.
01/17/2019 – H Introduced and referred to House Judiciary.
01/22/2019 – H Reported Do Pass by House Judiciary.
01/23/2019 – H Opened for floor debate.
01/23/2019 – H Passed 69-0.
01/24/2019 – S Received in the Senate and referred to Senate Public Affairs.
01/30/2019 – S Reported Do Pass by Senate Public Affairs.
01/31/2019 – S Opened for floor debate.
01/31/2019 – S Passed 40-0.
01/31/2019 – H Enrolled and engrossed.
01/31/2019 – H Signed by Officers of House.
02/01/2019 – S Signed by Officers of Senate.
02/04/2019 – G Signed by the Governor Laws 2019, Ch. 9.
02/05/2019 – H Note: Governor's HEM read today..
Category: General Government

Bill: HB224
Sponsors: Bandy (R3)
Title: PRETRIAL DETENTION COURTS OF RECORD
Summary: (Identical to 2018 SB13) Extends the jurisdiction and authority of magistrate and metropolitan courts to act as courts of record in felony cases where denial of bail has been requested by the prosecuting authority.
Subjects: Courts and Civil Matters; Criminal Code; Public Safety and Corrections
Related: 2018:SB13
Progress: 1st House: Reported from Committees
Status: 02/01/2019 – House Judiciary Committee
History: 01/11/2019 – H Prefiled in the House.
01/17/2019 – H Introduced and referred to House Local Government, Land Grants & Cultural Affairs.
01/17/2019 – H Also referred to House Judiciary.
02/01/2019 – H Reported Do Pass by House Local Government, Land Grants & Cultural Affairs.
Category: Courts & Public Safety

SFC CLERK RECORDED 03/28/2019

Bill: HB228**Sponsors:** Garcia, Harry (D69)**Title:** SOLO-WORKER PROGRAM FUNDS**Summary:** (For the Economic and Rural Development Committee) Provides \$1.3 million (GF) to the Economic Development Department for use in FY 2020 for the Solo-Worker Program created by Sec. 9-15-57.**Subjects:** Family and Juveniles; Business, Manufacturing and Economic Development; County Affairs; Municipalities/City Government; State Affairs and State Agencies; Appropriations**Progress:** 1st House: Reported from Committees**Status:** 01/31/2019 – House Appropriations and Finance Committee**History:** 01/11/2019 – H Prefiled in the House.

01/17/2019 – H Introduced and referred to House Commerce & Economic Development.

01/17/2019 – H Also referred to House Appropriations & Finance.

01/31/2019 – H Reported Do Pass by House Commerce & Economic Development.

Category: Economic Development & IRBs**Bill: HB229****Sponsors:** Ezzell (R58)**Title:** REGIONAL AIR CENTER SPECIAL ECONOMIC DISTRICT ACT**Summary:** Empowers a municipality (Roswell), together with the county (Chaves) in which the municipality is situated, to create an industrial air center special economic district governed by an authority. Main purpose is to construct and maintain airport facilities. Declares authority to be a political subdivision which may issue bonds against its revenues. These bonds are tax-exempt. Authority may impose charges and fees for use of its property and land.**Subjects:** County Affairs; Municipalities/City Government; Transportation; Business, Manufacturing and Economic Development; Public Finance and Budgets**Progress:** Pamphlet Law**Status:** 02/05/2019 – Signed by the Governor**History:** 01/11/2019 – H Prefiled in the House.

01/17/2019 – H Introduced and referred to House Judiciary.

01/22/2019 – H Reported Do Pass as amended by House Judiciary.

01/23/2019 – H Opened for floor debate.

01/23/2019 – H Passed 64-4.

01/24/2019 – S Received in the Senate and referred to Senate Judiciary.

01/29/2019 – S Reported Do Pass by Senate Judiciary.

01/31/2019 – S Opened for floor debate.

01/31/2019 – S Passed 37-3.

01/31/2019 – H Enrolled and engrossed.

01/31/2019 – H Signed by Officers of House.

02/01/2019 – S Signed by Officers of Senate.

02/04/2019 – G Signed by the Governor Laws 2019, Ch. 13.

02/05/2019 – H Note: Governor's HEM read today..

Category: Economic Development & IRBs**Notes:** EC Support 1/24/2019**Bill: HB241****Sponsors:** Lundstrom (D9); Candelaria (D26)**Title:** PUBLIC PROJECT REVOLVING FUND LOANS TO 192 RECIPIENTS**Summary:** (Endorsed by the New Mexico Finance Authority Oversight Committee) Authorizes the New Mexico Finance Authority to make the 192 loans listed below, all in excess of \$1 million each, for public projects from the Public Project Revolving Fund.**Subjects:** Banks, Securities and Loans; Business, Manufacturing and Economic Development; Construction and Materials; County Affairs; Higher Education; Land, Housing and Real Estate; Municipalities/City Government; Public Safety and Corrections; Taxation, Fees and Audits; Utilities; Water; Schools and Teachers**Progress:** Introduced**Status:** 01/17/2019 – House Appropriations and Finance Committee**History:** 01/17/2019 – H Introduced and referred to House Appropriations & Finance.

Scheduled: 02/25/2019 – House Appropriations and Finance Committee, 1:30 p.m., Room 307
Category: Tax, Finance & Capital Outlay

Bill: HB246
Sponsors: Chandler (D43)
Title: PUBLIC WORKS PROJECTS WAGE COMPLAINTS
Summary: (Substantially identical to 2017 HJC substitute for HB 335) Amends the Public Works Minimum Wage Act to require that a contracting agency provide copies of certified weekly payroll records to a requesting party; provides for a complaint process for failure to pay wages or benefits as required by the act; provides for treble damages.
Subjects: Business, Manufacturing and Economic Development; Construction and Materials; Courts and Civil Matters; Labor; State Affairs and State Agencies
Related: 2017:HB335
Progress: 2nd House: Referred to Committee
Status: 02/25/2019 – Senate Public Affairs Committee
History: 01/17/2019 – H Introduced and referred to House Labor, Veterans' & Military Affairs.
01/17/2019 – H Also referred to House Judiciary.
02/05/2019 – H Reported Do Pass by House Labor, Veterans' & Military Affairs.
02/22/2019 – H Reported Do Pass as amended by House Judiciary.
02/24/2019 – H Opened for floor debate.
02/24/2019 – H Passed 43-24.
02/25/2019 – S Received in the Senate and referred to Senate Public Affairs.
02/25/2019 – S Also referred to Senate Judiciary.
Category: Labor & Employment

Bill: HB255
Sponsors: McQueen (D50)
Title: FINANCIAL ASSURANCE UNDER MINING ACT
Summary: Expands the disqualifying forms of financial assurance offered in connection with issuance of a permit by the Mining Commission to include a guarantee by an affiliated corporation or other affiliated person.
Subjects: Business, Manufacturing and Economic Development; Energy Resources and Chemicals; State Affairs and State Agencies; Banks, Securities and Loans
Progress: 1st House: Passed
Status: 02/24/2019 – House Calendar
History: 01/17/2019 – H Introduced and referred to House Energy, Environment & Natural Resources.
01/17/2019 – H Also referred to House Judiciary.
01/30/2019 – H Reported Do Pass by House Energy, Environment & Natural Resources.
02/12/2019 – H Reported Do Pass as amended by House Judiciary.
02/24/2019 – H Opened for floor debate.
02/24/2019 – H Note: Floor substitute 1 (Rep. Dow) proposed, motion for roll call vote prior to bill being rolled over..
02/24/2019 – H Postponed on third reading.
Scheduled: 02/25/2019 – House Calendar, 11:00 a.m., House Chambers
Category: Public Lands, Natural Resources & Agriculture

Bill: HB262
Sponsors: McQueen (D50)
Title: PUBLICATION OF CAPITAL OUTLAY PROJECTS AND ALLOCATIONS
Summary: (Similar to 2017 HB121, HB141, SB25) Beginning with this session, requires the Legislative Council Service to publish a searchable list on its website of capital projects.
Subjects: Banks, Securities and Loans; Business, Manufacturing and Economic Development; Information Technology; Public Finance and Budgets; State Affairs and State Agencies; Municipalities/City Government; County Affairs
Related: 2017:HB121; 2017:HB141; 2017:SB25
Progress: 2nd House: Referred to Committee

SFC CLERK RECORDED 03/28/2019

Status: 02/04/2019 – Senate Rules Committee
History: 01/17/2019 – H Introduced and referred to House Judiciary.
01/23/2019 – H Reported Do Pass by House Judiciary.
02/01/2019 – H Opened for floor debate.
02/01/2019 – H Passed 64-0.
02/04/2019 – S Received in the Senate and referred to Senate Rules.
02/04/2019 – S Also referred to Senate Finance.
Category: Tax, Finance & Capital Outlay
Notes: EC Support - 2/07/2019

Bill: HB264
Sponsors: Chandler (D43)
Title: PAID FAMILY AND MEDICAL LEAVE AND TRUST FUND
Summary: (Largely identical to 2019 HB213) Proposes the Paid Family and Medical Leave Act; creates the Paid Family and Medical Leave Implementation Advisory Committee in the Workforce Solutions Department and the Paid Family and Medical Leave Trust Fund; appropriates \$1 million (GF nonreverting) to the trust fund for use in FY 2020 and subsequent years to implement the provisions of the act.
Subjects: Appropriations; State Affairs and State Agencies; Labor; Health and Medical Practice; Human Services; Family and Juveniles
Related: 2019:HB213
Progress: Introduced
Status: 01/17/2019 – House Commerce and Economic Development Committee
History: 01/17/2019 – H Introduced and referred to House Commerce & Economic Development.
01/17/2019 – H Also referred to House Judiciary.
01/17/2019 – H Also referred to House Appropriations & Finance.
Category: Labor & Employment

Bill: HB266
Sponsors: Bandy (R3)
Title: FOREST AND WATERSHED RESTORATION ACT
Summary: Establishes the Forest and Watershed Restoration Act and an Advisory Board; appropriates and distributes \$1 million each annually from the Rio Grand Income Fund and the New Mexico Irrigation Works Construction Fund to the Forest Land Protection Revolving Fund to fund approved projects pursuant to the act.
Subjects: Agriculture and Ranching; Appropriations; Business, Manufacturing and Economic Development; Energy Resources and Chemicals; Land, Housing and Real Estate; Natural Resources (Parks and Wildlife); State Affairs and State Agencies; Water
Progress: 2nd House: Referred to Committee
Status: 02/25/2019 – Senate Conservation Committee
History: 01/17/2019 – H Introduced and referred to House Energy, Environment & Natural Resources.
01/17/2019 – H Also referred to House State Government, Elections & Indian Affairs.
01/30/2019 – H Reported Do Pass by House Energy, Environment & Natural Resources.
01/31/2019 – H Also referred to House Appropriations & Finance.
02/14/2019 – H Referral withdrawn from House State Government, Elections & Indian Affairs.
02/22/2019 – H Reported Do Pass as amended by House Appropriations & Finance.
02/24/2019 – H Opened for floor debate.
02/24/2019 – H Passed 62-0.
02/25/2019 – S Received in the Senate and referred to Senate Conservation.
02/25/2019 – S Also referred to Senate Finance.
Category: Public Lands, Natural Resources & Agriculture

Bill: HB267
Sponsors: Ely (D23)
Title: CRIMINAL JUSTICE REFORM: SENTENCING COMMISSION, ARREST RECORDS, DISCLOSURE, CRIME REDUCTION GRANTS
Summary: (Related to 2017 SM66) Increases the New Mexico Sentencing Commission from 24 to 27 members by

adding a representative from the Behavioral Health Services Division of the Human Services Department, a public member appointed by the minority floor leader of the Senate, and a public member appointed by the minority floor leader of the House of Representatives. Provides that the two district court judges shall be appointed by the District and Metropolitan Judges Association. Replaces the member from the Court of Appeals with a magistrate judge appointed by the Chief Justice of the Supreme Court. Carries a \$31,578,550 appropriations.

Subjects: Criminal Code; State Affairs and State Agencies; Human Services; Public Safety and Corrections; Appropriations

Related: 2017:SM66

Progress: 1st House: Referred to Committee

Status: 02/14/2019 – House Appropriations and Finance Committee

History: 01/17/2019 – H Introduced and referred to House State Government, Elections & Indian Affairs.
01/17/2019 – H Also referred to House Judiciary.

01/17/2019 – H Also referred to House Appropriations & Finance.

02/01/2019 – H Reported Do Pass by House State Government, Elections & Indian Affairs.

02/14/2019 – H Reported Do Not Pass but Do Pass as substituted by House Judiciary.

Category: Courts & Public Safety

Bill: HB269

Sponsors: Martinez, R. (D39); Dow (R38); Gonzales (D42); Sanchez (D40); Lara (D34)

Title: GOVERNMENT REORGANIZATION: CREATES STATE FIRE MARSHAL'S OFFICE

Summary: A government reorganization measure that removes the Fire Marshal Division from the Public Regulation Commission and transfers its functions and authority to a separate entity called the Fire Marshal's Office as an autonomous agency that is administratively attached to the Office of Superintendent of Insurance. Creates a quasi-policy and advisory Fire Services Council to oversee the Office and hear appeals taken from State Fire Marshal orders.

Subjects: Insurance; Health and Medical Practice; County Affairs; Municipalities/City Government; State Affairs and State Agencies;

Progress: Introduced

Status: 01/17/2019 – House State Government, Elections and Indian Affairs Committee

History: 01/17/2019 – H Introduced and referred to House State Government, Elections & Indian Affairs.
01/17/2019 – H Also referred to House Judiciary.

Category: Fire, EMS & E911

Notes: EC Support 1/24/2019M County Priority -

Removes Fire Marshall's office and Fire Fund from the PRC, creates independent agency attached to OIC

Bill: HB271

Sponsors: Montoya (R1)

Title: MUNICIPAL DISPENSER'S LICENSE

Summary: (Similar to SB79) Permits the governing body of a municipality that is located in a local option district to request and the director, Alcohol and Gaming Division, to issue one municipal dispenser's license for each 10,000 residents of the municipality. The license may be used only to lease to a qualified lessee, may not be transferred and does not expire. Municipal dispenser licenses do not count for purposes of establishing the maximum number of licenses permitted in the municipality.

Subjects: Alcohol, Firearms and Tobacco Products; County Affairs; Business, Manufacturing and Economic Development

Related: 2019:SB79

Progress: Introduced

Status: 01/17/2019 – House Commerce and Economic Development Committee

History: 01/17/2019 – H Introduced and referred to House Commerce & Economic Development.
01/17/2019 – H Also referred to House Local Government, Land Grants & Cultural Affairs.

Category: Liquor License Bills

Bill: HB272

Sponsors: Montoya (R1)

Title: TYPE B RESTAURANT LIQUOR LICENSE

Summary: (Duplicate of SB210) Allows local option districts to adopt ordinances approving the issuance of restaurant licenses, designated type B restaurant licenses, for the sale and service of beer, wine and alcoholic beverages. Sets the fee for issuance at \$20,000 and for renewal at \$1,300 per annum. Effective July 1, 2019.

Subjects: Alcohol, Firearms and Tobacco Products; County Affairs; Municipalities/City Government; Business, Manufacturing and Economic Development; State Affairs and State Agencies

Related: 2019:SB210

Progress: Introduced

Status: 01/17/2019 – House Commerce and Economic Development Committee

History: 01/17/2019 – H Introduced and referred to House Commerce & Economic Development.
01/17/2019 – H Also referred to House Judiciary.

Category: Liquor License Bills

Bill: HB273

Sponsors: Montoya (R1)

Title: RESTAURANT LICENSES LIMITED TO SELLING NEW MEXICO PRODUCTS

Summary: (Duplicate of SB78) Allows local option districts to approve restaurant licenses for either (1) for sale of beer or wine only or (2) sale of beer and wine and of spirituous liquors distilled and bottled in New Mexico. The geographic locations for type 2 licenses must be limited. Sets the fee for a type 2 restaurant license at \$2,000 per year. Effective July 1, 2019.

Subjects: Alcohol, Firearms and Tobacco Products; County Affairs; Municipalities/City Government; Business, Manufacturing and Economic Development

Related: 2019:SB78

Progress: Introduced

Status: 01/17/2019 – House Local Government, Land Grants and Cultural Affairs Committee

History: 01/17/2019 – H Introduced and referred to House Local Government, Land Grants & Cultural Affairs.
01/17/2019 – H Also referred to House Commerce & Economic Development.

Category: Liquor License Bills

Bill: HB276

Sponsors: Sweetser (D32)

Title: ADVANCED MAPPING FUND FOR STATE ENGINEER

Summary: Creates a nonreverting Advanced Mapping Fund to be administered by the Office of the State Engineer and funded by appropriations, donations, income from investment and money otherwise accruing. Money in the fund is subject to appropriation by the Legislature.

Subjects: Water; State Affairs and State Agencies; Energy Resources and Chemicals; Land, Housing and Real Estate

Progress: Pamphlet Law

Status: 02/05/2019 – Signed by the Governor

History: 01/17/2019 – H Introduced and referred to House Judiciary.
01/22/2019 – H Reported Do Pass by House Judiciary.
01/23/2019 – H Opened for floor debate.
01/23/2019 – H Passed 64-0.
01/24/2019 – S Received in the Senate and referred to Senate Finance.
01/30/2019 – S Reported Do Pass by Senate Finance.
01/31/2019 – S Opened for floor debate.
01/31/2019 – S Passed 41-0.
01/31/2019 – H Enrolled and engrossed.
01/31/2019 – H Signed by Officers of House.
02/01/2019 – S Signed by Officers of Senate.
02/04/2019 – G Signed by the Governor Laws 2019, Ch. 18.
02/05/2019 – H Note: Governor's HEM read today..

Category: Public Lands, Natural Resources & Agriculture

Notes: EC Support 1/24/2019

Bill: HB283**Sponsors:** Small (D36); Stewart (D17)**Title:** INCREASED RENEWABLE ENERGY REQUIREMENTS**Summary:** (Duplicate of SB275; related to 2017 SB312) For rural electric cooperatives and public utilities not municipalities or public colleges, increases the renewable energy standard in five-year stages to 80% by 2045 for cooperatives and to 2040 for other utilities.**Subjects:** Business, Manufacturing and Economic Development; Utilities; Energy Resources and Chemicals; State Affairs and State Agencies; Taxation, Fees and Audits**Progress:** Introduced**Status:** 01/21/2019 – House Energy, Environment and Natural Resources Committee**History:** 01/21/2019 – H Introduced and referred to House Energy, Environment & Natural Resources.
01/21/2019 – H Also referred to House State Government, Elections & Indian Affairs.
01/21/2019 – H Also referred to House Judiciary.**Category:** Public Lands, Natural Resources & Agriculture**Bill: HB286****Sponsors:** Lundstrom (D9)**Title:** PUBLIC-PRIVATE PARTNERSHIPS ACT**Summary:** (Related to 2017 HB275 and SB143) Creates the Public-Private Partnerships Act, the Public-Private Partnerships Board administratively attached to the New Mexico Finance Authority, and the Public-Private Partnership Project Fund within and administered by the Authority, to allow state and local governments to enter into partnerships with private sector entities to facilitate capital projects as an alternative to Procurement Code requirements.**Subjects:** County Affairs; Municipalities/City Government; Business, Manufacturing and Economic Development; Utilities; State Affairs and State Agencies; Land, Housing and Real Estate; Construction and Materials; Banks, Securities and Loans; Taxation, Fees and Audits; Public Finance and Budgets**Progress:** Introduced**Status:** 01/21/2019 – House Labor, Veterans' and Military Affairs Committee**History:** 01/21/2019 – H Introduced and referred to House Labor, Veterans' & Military Affairs.
01/21/2019 – H Also referred to House Judiciary.**Category:** Economic Development & IRBs**Notes:** EC Support 1/31/2019**Bill: HB288****Sponsors:** Johnson (D5)**Title:** RURAL INFRASTRUCTURE TAX CREDIT**Summary:** (For the Economic and Rural Development Committee) Creates the nonrefundable rural infrastructure tax credit. Allows taxpayers making qualified investments to claim tax credits up 30 percent of the cost of the qualified investment against the taxpayer's modified combined tax liability or personal or corporate income tax liability. Amount of credit associated with purchase or land or fixed assets may not exceed 50 percent of the cost of construction of one or more buildings.**Subjects:** Business, Manufacturing and Economic Development; State Affairs and State Agencies; Construction and Materials; Taxation, Fees and Audits**Progress:** Introduced**Status:** 01/21/2019 – House Commerce and Economic Development Committee**History:** 01/21/2019 – H Introduced and referred to House Commerce & Economic Development.
01/21/2019 – H Also referred to House Taxation & Revenue.**Category:** Economic Development & IRBs**Bill: HB290****Sponsors:** Romero, A. (D46)**Title:** MANDATED METHADONE THERAPY FOR INMATES**Summary:** Mandates an adult or juvenile correctional facility, detention center or local jail to provide an inmate who is methadone-dependent with methadone therapy in an amount and manner that is consistent with medical best practices for avoiding withdrawal and treating opioid dependence.**Subjects:** Health and Medical Practice; Public Safety and Corrections; County Affairs; Municipalities/City

Government; State Affairs and State Agencies; Criminal Code; Family and Juveniles

Progress: 1st House: Reported from Committees

Status: 02/22/2019 – House Local Government, Land Grants and Cultural Affairs Committee

History: 01/21/2019 – H Introduced and referred to House Health & Human Services.

01/21/2019 – H Also referred to House Local Government, Land Grants & Cultural Affairs.

02/20/2019 – H Reported Do Not Pass but Do Pass as substituted by House Health & Human Services.

02/22/2019 – H Also referred to House Appropriations & Finance.

Category: Courts & Public Safety

Notes: EC Oppose 1/31/2019 NM Counties oppose HB290, which would require county detention facilities to provide methadone therapy to inmates who are methadone-dependent.

There is no funding specified to support HB290 even though implementation would be costly.

Methadone is not a medication that all healthcare providers can dispense. Special licensure is required and there are a limited number of licensed methadone clinics in the state. There are 27 adult and 8 juvenile county detention facilities in New Mexico. Only nine of the counties that operate detention facilities have methadone clinics. Even if a county has a clinic, existing clinics are not necessarily convenient—Rio Arriba county, for example, has a methadone clinic but it is 1 ½ hours from the county jail. Other detention facilities are even further from licensed clinics.

Only the Bernalillo County Metropolitan Detention Center (MDC) currently has a contractor with the required licensure and capability to dispense methadone. It was a long and costly process to obtain that licensure. To the extent this bill would require county detention facilities to become licensed methadone clinics the cost would require a substantial appropriation—not just for medicine itself but for additional medical staff, training, equipment, and physical plant improvements. The county would need to acquire licenses and comply with regulations from several agencies including the USDEA, NM Board of Pharmacy, Substance Abuse and Mental Health Services Administration (SAMHSA), Commission on Accreditation for Rehabilitation Facility (CARF), and the New Mexico Human Services Behavioral Health Services Division (BHSD) State Opioid Treatment Authority (SOTA). The county would need a doctor certified to dispense methadone, a secure pharmacy with surveillance, a certified nurse to dispense, medication, and counseling services because counseling is a required component of methadone maintenance. Preliminary estimates indicate that creating and maintaining such a program would cost each county several hundred thousand dollars. Using MDC as a reference, the fixed cost for methadone maintenance for approximately 125 inmates per day is \$19.51 per inmate per day or \$890,150 per year. MDC uses funds awarded by a New Mexico Human Services Behavioral Health Services Division grant to pay for its program and currently doses approximately 250 inmates per day.

Counties are not licensed to dispense methadone and would need to contract with providers that meet the federal and state legal requirements and regulations and such providers are not available in every community. Methadone maintenance requires daily transportation to a licensed Methadone clinic. Transportation is costly and staff intensive particularly when it involves high security violent offenders. It also creates a security risk because detainees and their families would know that the transport would be happening daily and friends, family, or enemies of the detainee would know they could see the detainee at the dosing visits. This would create a substantial safety risk. Many counties operate with fewer than six detention officers on duty at a time. Dedicating two officers for medical transport would significantly compromise the staffing levels required for safe operation of the facility. Counties who could not staff the transportation while maintaining necessary staffing levels for the safe operation of their facilities would be forced to transfer detainees to facilities out of county at additional cost and potential hardship to the detainee's family. Requiring daily transport for dosing would also require transport vehicles.

County detention facilities have detoxification protocols. Many facilities are narcotic free and introduction of opiate replacement into the secure facilities could require those detainees to be segregated from the general population. Some counties have substance treatment programs in their detention facilities that are showing some encouraging progress in reducing recidivism. Some of these programs are drug free. Requiring continuation of methadone would disqualify detainees from participation.

Bill: HB292**Sponsors:** Schmedes (R22)**Title:** ELECTIONS: VOTER PRIVACY DURING EARLY-VOTING PERIOD**Summary:** Relates to the Absentee Ballot Register maintained by county clerks and provides for confidentiality of the register for the 28 days preceding an election.**Subjects:** Elections**Progress:** Introduced**Status:** 01/21/2019 – House State Government, Elections and Indian Affairs Committee**History:** 01/21/2019 – H Introduced and referred to House State Government, Elections & Indian Affairs.
01/21/2019 – H Also referred to House Judiciary.**Category:** Elections**Bill: HB293****Sponsors:** Nibert (R59)**Title:** FILING AND RECORDING OF DUPLICATES**Summary:** Substantially identical to 2017 SB212) Where an original instrument of writing is unavailable for filing and recording, a copy of it will be accepted for filing and recording if a valid affidavit is presented with the following information:**Subjects:** Banks, Securities and Loans**Progress:** 2nd House: Referred to Committee**Status:** 02/25/2019 – Senate Public Affairs Committee**History:** 01/21/2019 – H Introduced and referred to House State Government, Elections & Indian Affairs.
01/21/2019 – H Also referred to House Judiciary.

02/06/2019 – H Reported Do Pass by House State Government, Elections & Indian Affairs.

02/22/2019 – H Reported Do Pass by House Judiciary.

02/24/2019 – H Opened for floor debate.

02/24/2019 – H Passed 60-0.

02/25/2019 – S Received in the Senate and referred to Senate Public Affairs.

02/25/2019 – S Also referred to Senate Judiciary.

Category: Elections**Notes:** Clerks - Supported - 1/24/2019**Bill: HB308****Sponsors:** Gallegos, Doreen (D52)**Title:** DENTAL THERAPIST LICENSURE**Summary:** (Similar to 2017 HB264 as amended; 2016 HB191 and SB217). Revises the Dental Health Care Act and related statutes to provide for the licensing, regulation, supervision, scope of practice, and allowable practice environments of dental therapy, a new category of dental health care service. Establishes qualifications for director of the Office of Oral Health in the Department of Health. Requires public school students to obtain or opt out of dental examinations prior to annual school enrollment. Provides for reimbursement of dental therapy under the Public Assistance Act and the Nonprofit Health Care Plan Law. Requires a study and report.**Subjects:** Labor; Health and Medical Practice; Criminal Code; State Affairs and State Agencies; Family and Juveniles; Interim Studies and Interim Committees; Taxation, Fees and Audits; Indians**Related:** 2017:HB264; 2016:HB191; 2016:SB217**Progress:** 2nd House: Referred to Committee**Status:** 02/25/2019 – Senate Public Affairs Committee**History:** 01/22/2019 – H Introduced and referred to House Health & Human Services.

01/22/2019 – H Also referred to House Judiciary.

02/06/2019 – H Reported Do Not Pass but Do Pass as substituted by House Health & Human Services.

02/13/2019 – H Referral withdrawn from House Judiciary.

02/13/2019 – H Referred to House State Government, Elections & Indian Affairs.

02/20/2019 – H Reported Do Pass by House State Government, Elections & Indian Affairs.

02/22/2019 – H Note: Committee Report out of HSGC expunged and replaced to include an amendment..

02/22/2019 – H Reported Do Pass as amended by House State Government, Elections & Indian Affairs.

02/22/2019 – H Opened for floor debate.
02/22/2019 – H Passed 61-2.
02/25/2019 – S Received in the Senate and referred to Senate Public Affairs.
02/25/2019 – S Also referred to Senate Judiciary.

Category: Health

Bill: HB312

Sponsors: Chandler (D43)

Title: FORFEITURE ACT AMENDMENTS

Summary: For forfeitures under local law, requires conviction by a criminal court of a felony offense and clear and convincing evidence that the property is subject to forfeiture. Generally makes explicit that forfeitures under local law must follow the same rules as forfeitures under state law.

Subjects: County Affairs; Courts and Civil Matters; Municipalities/City Government; Criminal Code; State Affairs and State Agencies; Land, Housing and Real Estate; Family and Juveniles; Banks, Securities and Loans; Public Finance and Budgets

Progress: 1st House: Reported from Committees

Status: 02/22/2019 – House Calendar

History: 01/22/2019 – H Introduced and referred to House Judiciary.
01/22/2019 – H Also referred to House Appropriations & Finance.
02/18/2019 – H Reported Do Not Pass but Do Pass as substituted by House Judiciary.
02/22/2019 – H Referral withdrawn from House Appropriations & Finance.

Scheduled: 02/25/2019 – House Calendar, 11:00 a.m., House Chambers

Category: Courts & Public Safety

Notes: HB312 is a New Mexico Counties priority. Unintended consequences from the 2015 amendments to the Forfeiture Act have caused hardship to local law enforcement. Use of the term “abandoned property” in the Forfeiture Act (NMSA 1978 §31-27-1 et seq.) created confusion regarding the proper handling and disposal of abandoned and unclaimed property that would otherwise be governed by NMSA 1978 §29-1-14 and required the state treasurer to assume responsibility for processing abandoned property that should be handled at the local level. The 2015 amendments also did not extend the state Forfeiture Act to local forfeiture programs.

HB312 seeks to resolve the abandoned property confusion by using the term “disclaimed property” to describe property subject to forfeiture proceedings because it is often attached to investigations involving suspected ill-gotten gains as opposed to property that is otherwise disposed of outside of forfeiture. It requires conviction prior to forfeiture and extends due process protections to local forfeiture programs. It requires proceeds from forfeiture to go to the general fund. It allows the state treasurer to designate appropriate entities to dispose of forfeited property potentially saving substantial transportation and storage costs. It provides remedies for defendants who would otherwise need the property to pay their attorney fees as well as protections for innocent owners. It also provides for reimbursement for law enforcement for the costs of storage, maintenance, transportation and disposal of properly forfeited property. While modest, these improvements to the Forfeiture Act will provide much needed relief to local law enforcement.

Bill: HB316

Sponsors: Rehm (R31)

Title: FELON IN POSSESSION OF FIREARM OR DESTRUCTIVE DEVICE

Summary: (Identical to 2017 HB17 and HB52; similar to 2018 HB19, final version, section 4 – chapter 74 of 2018; virtually identical to 2018 HB25 and HB118) Increases the penalty for a felon in possession of a firearm or destructive device from a fourth- to a third-degree felony under the Criminal Sentencing Act.

Subjects: Alcohol, Firearms and Tobacco Products; Courts and Civil Matters; Criminal Code; Public Safety and Corrections

Related: 2018:HB19; 2018:HB25; 2018:HB118; 2017:HB17; 2017:HB52

Progress: Introduced

Status: 01/24/2019 – House Consumer and Public Affairs Committee

History: 01/24/2019 – H Introduced and referred to House Consumer & Public Affairs.
01/24/2019 – H Also referred to House Judiciary.

01/24/2019 – H Also referred to House Appropriations & Finance.
Category: Gun Bills

Bill: HB317

Sponsors: Rehm (R31)

Title: DUI AND IGNITION INTERLOCK FOR CERTAIN DRUGS

Summary: (Identical to 2017 HB22 and 2018 HB39) Sets specific standards in the state's DUI laws regarding drugs. It is unlawful for a person under the influence of any drug to drive a vehicle within the state. Prohibits driving with certain amounts of controlled substances or metabolites in the blood. Clarifies that the ignition interlock requirement only applies to offenders with alcohol concentration in their blood or breath. Increases eighth or subsequent DUI conviction to a second-degree felony. Modifies DUI laws by adopting uniform references to "unlawful alcohol," "controlled substance," and "controlled substance metabolite" concentrations in the driver's blood or breath.

Subjects: Criminal Code; Transportation; Public Safety and Corrections

Related: 2018:HB39; 2017:HB22

Progress: Introduced

Status: 01/24/2019 – House Consumer and Public Affairs Committee

History: 01/24/2019 – H Introduced and referred to House Consumer & Public Affairs.

01/24/2019 – H Also referred to House Judiciary.

01/24/2019 – H Also referred to House Appropriations & Finance.

Category: Courts & Public Safety

Bill: HB324

Sponsors: Armstrong, D. (D17)

Title: FIREFIGHTER OCCUPATIONAL CONDITIONS

Summary: (Almost identical to 2017, HB 157 as passed, vetoed on grounds of making unnecessary changes to workers' compensation laws) Amends the Occupational Disease Disablement Law, as it relates to firefighters, to include posttraumatic stress disorder and mental health disorder among the diseases presumed to be proximately caused by employment as a firefighter.

Subjects: Health and Medical Practice; Labor

Related: 2017:HB157

Progress: 1st House: Reported from Committees

Status: 02/13/2019 – House Labor, Veterans' and Military Affairs Committee

History: 01/24/2019 – H Introduced and referred to House Health & Human Services.

01/24/2019 – H Also referred to House Labor, Veterans' & Military Affairs.

02/13/2019 – H Reported Do Pass as amended by House Health & Human Services.

Category: Labor & Employment

Notes: Board Neutral Position - 2/16/2019

Bill: HB332

Sponsors: Gonzales (D42); Cisneros (D6)

Title: VALUATION OF AGRICULTURAL PROPERTY AND CONSERVATION OF UNIMPROVED LAND

Summary: (Related to 2018 HB163) Adds to the definition of "agricultural use" for property tax valuation purposes the use of unimproved land used in compliance with a management plan developed by the landowner and approved by EM&NRD that will achieve agricultural and natural resource management priorities of the department. Creates a new special method of valuation to value such land at 25 percent of its current and correct value. Applies to 2020 and subsequent property tax years.

Subjects: County Affairs; Municipalities/City Government; State Affairs and State Agencies; Land, Housing and Real Estate; Agriculture and Ranching; Taxation, Fees and Audits

Related: 2018:HB163

Progress: Introduced

Status: 01/24/2019 – House Agriculture and Water Resources Committee

History: 01/24/2019 – H Introduced and referred to House Agriculture and Water Resources.

01/24/2019 – H Also referred to House Taxation & Revenue.

Category: Tax, Finance & Capital Outlay

Notes: EC Oppose 1/31/2019 By Nick Ashcroft, Linebery Policy Center

SFC CLERK RECORDED 03/28/2019

SECTION 1. Section 7-36-20 NMSA 1978 (being Laws 1973, Chapter 258, Section 21, as amended) States that "The value of land ... determined on the basis of the land's capacity to produce agricultural products." Where are the agricultural products that these additions will produce? If land is valued on it's capacity to produce ag products, what is the product that Section 1. J.2.e. produces? These lands have special valuation because they produce a product and contribute to the State GDP. Moving Section 1.B. to Section 1. J. making it look like it is new text, when it is identical. Section 1.D. What specific conservation and management practices are appropriate to "preserve and maintain unimproved land"? Is farm land unimproved land, it has likely been leveled and improvement made to allow irrigation?

Section 1.J.2.e. is new and hasn't been part of the discussion with stakeholders. Doesn't qualify under Section 1 A and has the greatest likelihood of impacting counties and agriculture. This paragraph requires a management plan...that will achieve agriculture and natural resource management priorities identified by that department. Using "and" between agriculture and natural resources could be interpreted that the management plan must include agricultural priorities and not just natural resources. It states that the "department" will identify the priorities (assume on and individual by individual basis), but then identifies the priorities to include 5 specific priorities. Once again the use of the term "and" in the 5 priorities could mean that all 5 priorities must be met, not just one of them. Which would mean that this "agricultural use" must include forest management, soil health, agricultural productivity, water conservation, wildlife habitat, and sensitive lands. Would these uses have to be on the entire geographic area or only represented within the geographic area? Priority 2 is restoration of agricultural productivity which is the purpose of J.2.b &c. This will allow vacant lands, not previously in agriculture and anywhere in the state, to be taxed at a lower rate (without penalty when developed) than it currently is and therefore will increase other property taxes. This is not a revenue neutral bill.

The purpose of Section 2 is unclear, is this the method of valuation for lands under Section 1.J.2.e? It doesn't appear to be related to Section 1.J.2.e., because it requires the lands meet qualified guidelines and not an approved management plan. However, the guidelines are very similar to the priorities under Section 1.J.2.e., but there is no reference to the previous section that identifies the purpose of Section 2 as the method for valuation Section 1.J.2.e.

Section 2 doesn't require a management plan, only meeting guidelines and also has no penalty for developing the land at any time.

If Section 2 is not related to the additions in the previous sections then it appears to completely be unnecessary because it is more restrictive (5 previous years in agriculture and acreage limitations) and taxes would be higher than under the Agricultural Special Method of Valuation.

It looks like Section 1 changes don't require that the land was in agriculture prior to changing to the agricultural special valuation. This change in definition of agricultural use would allow vacant lands, with no limitation on acreage or prior use, to change to agricultural special valuation. Causing a decrease in the taxes the county would collect. There is no penalty if the lands are developed, which was a purpose of the tax change to protect open spaces. This would be a great benefit to land speculators across the state cheaper taxes, no costs, no production, and no penalties.

Bill: HB338

Sponsors: Salazar, T. (D70)

Title: PUBLIC EMPLOYEES RETIREMENT ASSOCIATION ACT FUND SOLVENCY MEASURES

Summary: Package of measures to remedy the sizable actuarial solvency problems of the Public Employees Retirement Association (PERA). Raises employee and employer contribution rates by up to 17 percent for the period July 1, 2019 through June 30, 2021 and then allow the rates to decline back to current levels, depending on the value of the coverage plan funded ratio. Bans COLA for next three fiscal years for most retirees.

Subjects: Labor; County Affairs; Municipalities/City Government; Public Employees/Retirement; State Affairs and State Agencies; Family and Juveniles; Public Finance and Budgets

Progress: Introduced

Status: 01/24/2019 – House State Government, Elections and Indian Affairs Committee

History: 01/24/2019 – H Introduced and referred to House State Government, Elections & Indian Affairs.
01/24/2019 – H Also referred to House Appropriations & Finance.

Category: Labor & Employment

Bill: HB342

Sponsors: Maestas (D16); Rue (R23)

Title: CRIMINAL JUSTICE REFORMS

Summary: (Identical in part to 2019 HB43, similar in part to 2018 HB160, vetoed by the governor) A criminal justice reform measure that addresses offenders with behavioral health diagnoses and related jail incarceration procedures; immunity for assisting with overdose cases; procedures for pre-prosecution diversion programs; probation and parole procedures; pre-sentence reports; requirements for crime victims' reparations; accurate eyewitness identification requirements; duties of N.M. Sentencing Commission; eyewitness identification policies and training.

Subjects: Health and Medical Practice; County Affairs; Criminal Code; State Affairs and State Agencies; Human Services; Family and Juveniles; Public Safety and Corrections

Progress: 2nd House: Referred to Committee

Status: 02/25/2019 – Senate Public Affairs Committee

History: 01/24/2019 – H Introduced and referred to House Judiciary.

02/21/2019 – H Reported Do Not Pass but Do Pass as substituted by House Judiciary.

02/24/2019 – H Opened for floor debate.

02/24/2019 – H Passed 61-0.

02/25/2019 – S Received in the Senate and referred to Senate Public Affairs.

02/25/2019 – S Also referred to Senate Judiciary.

Category: Courts & Public Safety

Notes: EC No Position 1/31/2019

Bill: HB348

Sponsors: Strickler (R2)

Title: DETAINING AND TRANSPORTING FOR EMERGENCY MENTAL HEALTH EVALUATION AND TREATMENT

Summary: (Related to 2018, HB 221) Amends the Mental Health and Developmental Disabilities Code to provide for the detention and transportation of persons for emergency mental health evaluation and treatment; details procedures for entering structures to detain and transport a client; establishes rules for confidentiality; amends definition of "developmental disability."

Subjects: Health and Medical Practice; Human Services; Public Safety and Corrections; Courts and Civil Matters; Transportation; County Affairs; Municipalities/City Government

Related: 2018:HB221

Progress: 1st House: Referred to Committee

Status: 02/12/2019 – House Judiciary Committee

History: 01/24/2019 – H Introduced and referred to House Health & Human Services.

01/24/2019 – H Also referred to House Judiciary.

02/12/2019 – H Reported without recommendation by House Health & Human Services.

Category: Courts & Public Safety

Bill: HB356

Sponsors: Martinez, J. (D11)

Title: CANNABIS REGULATION ACT

Summary: (Related to 2018 HB332, 2017 HB89, 2016 HB75, 2015 HB160) Cited as both the Cannabis regulation Act and the Cannabis Tax Act, the 140-page bill sets up a comprehensive scheme to regulate, license and tax activities related to the production, distribution, sale and consumption of cannabis and cannabis products.

Subjects: County Affairs; Municipalities/City Government; Criminal Code; Business, Manufacturing and Economic Development; State Affairs and State Agencies; Land, Housing and Real Estate; Family and Juveniles; Banks, Securities and Loans; Agriculture and Ranching; Environment and Pollution; Legislature; Taxation, Fees and Audits

Progress: 1st House: Reported from Committees

Status: 02/24/2019 – House Calendar

History: 01/24/2019 – H Introduced and referred to House Health & Human Services.

01/24/2019 – H Also referred to House Judiciary.

02/11/2019 – H Reported Do Pass by House Health & Human Services.
02/24/2019 – H Reported Do Not Pass but Do Pass as substituted by House Judiciary.

Scheduled: 02/25/2019 – House Calendar, 11:00 a.m., House Chambers
Category: Health

Bill: HB357

Sponsors: Sanchez (D40)

Title: METHADONE DISTRIBUTION BY NURSES

Summary: Amends the Pharmacy Act to provide that licensed registered nurses and license practical nurses employed at methadone and buprenorphine treatment services may supply those drugs for take-home purposes, and that doing so shall not be considered dispensing.

Subjects: Labor; Health and Medical Practice

Progress: Introduced

Status: 01/24/2019 – House Health and Human Services Committee

History: 01/24/2019 – H Introduced and referred to House Health & Human Services.

01/24/2019 – H Also referred to House Judiciary.

Category: Courts & Public Safety

Bill: HB364

Sponsors: Maestas (D16)

Title: USE OF RESTRICTED HOUSING IN CORRECTIONAL FACILITIES

Summary: (Substantially similar to 2017 HB175, final version as vetoed by the governor) Creates the Restricted Housing Act to regulate the use of restricted housing in correctional facilities, including county jails, prisons or other detention facilities. Applies to public correctional facilities and those operated by a private contractor on behalf of the state or a political subdivision.

Subjects: Health and Medical Practice; County Affairs; State Affairs and State Agencies; Family and Juveniles; Public Safety and Corrections

Related: 2017:HB175

Progress: 1st House: Reported from Committees

Status: 02/18/2019 – House Judiciary Committee

History: 01/24/2019 – H Introduced and referred to House Health & Human Services.

01/24/2019 – H Also referred to House Judiciary.

02/18/2019 – H Reported Do Pass by House Health & Human Services.

Category: Courts & Public Safety

Bill: HB369

Sponsors: Gallegos, David (R61)

Title: LOCAL MULTIPLE SOURCE CONTRACTS

Summary: (Similar to 2018, SB 181) Amends the Procurement Code to disallow local public bodies from entering into certain multiple source contracts.

Subjects: Labor; County Affairs; Municipalities/City Government; Business, Manufacturing and Economic Development; Construction and Materials; State Affairs and State Agencies

Related: 2018:SB181

Progress: 1st House: Reported from Committees

Status: 02/22/2019 – House State Government, Elections and Indian Affairs Committee

History: 01/25/2019 – H Introduced and referred to House Local Government, Land Grants & Cultural Affairs.

01/25/2019 – H Also referred to House State Government, Elections & Indian Affairs.

02/22/2019 – H Reported Do Not Pass but Do Pass as substituted by House Local Government, Land Grants & Cultural Affairs.

Category: General Government

Bill: HB373

Sponsors: Armstrong, G. (R49)

Title: NEW MEXICO CENTRAL ARIZONA PROJECT ENTITY ACT

Summary: (Related to 2018, SB 340, SB 72 and HB 127) Creates the New Mexico Central Arizona Project Entity

as a political subdivision to consumptively use water from the Gila and San Francisco Rivers pursuant to the Colorado River Basin Project Act and the Arizona Water Settlements Act.

Subjects: Water; Agriculture and Ranching; State Affairs and State Agencies; County Affairs; Municipalities/City Government

Related: 2018:SB340; 2018:SB72; 2018:HB127

Progress: 1st House: Reported from Committees

Status: 02/07/2019 – House Energy, Environment and Natural Resources Committee

History: 01/25/2019 – H Introduced and referred to House Agriculture and Water Resources.

01/25/2019 – H Also referred to House Energy, Environment & Natural Resources.

01/25/2019 – H Also referred to House Appropriations & Finance.

02/06/2019 – H Note: Committee referral order changed.

02/07/2019 – H Reported Do Pass by House Agriculture and Water Resources.

Category: Public Lands, Natural Resources & Agriculture

Bill: HB374

Sponsors: Armstrong, G. (R49)

Title: UNDERGROUND WATER APPROPRIATION APPLICATIONS

Summary: Amends the requirements for applications for use of underground water to require identification of end users; establishes prior decisions as legal precedent; provides grounds for rejecting applications.

Subjects: Water; State Affairs and State Agencies; Land, Housing and Real Estate

Progress: Introduced

Status: 01/25/2019 – House Agriculture and Water Resources Committee

History: 01/25/2019 – H Introduced and referred to House Agriculture and Water Resources.

01/25/2019 – H Also referred to House Judiciary.

Category: Public Lands, Natural Resources & Agriculture

Bill: HB384

Sponsors: Maestas (D16)

Title: HISTORICALLY UNDERUTILIZED BUSINESS OPPORTUNITY ACT

Summary: (Similar to 2015 HB517) Proposes the Historically Underutilized Business Opportunity Act, with a stated purpose to promote full and equal business opportunities for all businesses by encouraging and setting goals for the use of historically underutilized business by state agencies in all public purchasing decisions.

Subjects: Business, Manufacturing and Economic Development; State Affairs and State Agencies; Indians

Related: 2015:HB517

Progress: 1st House: Reported from Committees

Status: 02/25/2019 – House Calendar

History: 01/28/2019 – H Introduced and referred to House Commerce & Economic Development.

01/28/2019 – H Also referred to House State Government, Elections & Indian Affairs.

02/11/2019 – H Reported Do Pass by House Commerce & Economic Development.

02/25/2019 – H Reported Do Not Pass but Do Pass as substituted by House State Government, Elections & Indian Affairs.

Category: Economic Development & IRBs

Bill: HB385

Sponsors: Johnson (D5)

Title: ACCESS TO THE RURAL UNIVERSAL SERVICE FUND

Summary: (Related to 2017 HB53, HB57 and SB308)

Subjects: Business, Manufacturing and Economic Development; Utilities; Telecommunications

Related: 2017:HB53; 2017:HB57; 2017:SB308

Progress: 1st House: Reported from Committees

Status: 02/25/2019 – House Calendar

History: 01/28/2019 – H Introduced and referred to House Commerce & Economic Development.

01/28/2019 – H Also referred to House State Government, Elections & Indian Affairs.

02/11/2019 – H Reported Do Pass as amended by House Commerce & Economic Development.

02/25/2019 – H Reported Do Not Pass but Do Pass as substituted by House State Government,

Elections & Indian Affairs.
Category: Economic Development & IRBs

Bill: HB396

Sponsors: Harper (R57)

Title: CHANGING THE NAME TO "SALES TAXES"

Summary: (Similar in concept to portions of 2017 HB8 and 2017 HB412) Mammoth 695-page bill re-brands all of the state and local gross receipts taxes as state or local sales taxes. For example, all cites to the "leased vehicle gross receipts tax" become "leased vehicle sales tax". Similarly, "compensating" taxes become "use" taxes. Makes the occasional technical correction.

Subjects: Alcohol, Firearms and Tobacco Products; Health and Medical Practice; Schools and Teachers; County Affairs; Municipalities/City Government; Transportation; Business, Manufacturing and Economic Development; Utilities; Energy Resources and Chemicals; Land, Housing and Real Estate; Construction and Materials; Banks, Securities and Loans; Agriculture and Ranching; Environment and Pollution; Telecommunications

Related: 2017:HB8; 2017:HB412

Progress: 1st House: Reported from Committees

Status: 02/18/2019 – House Taxation and Revenue Committee

History: 01/28/2019 – H Introduced and referred to House State Government, Elections & Indian Affairs.
01/28/2019 – H Also referred to House Taxation & Revenue.
02/18/2019 – H Reported Do Pass by House State Government, Elections & Indian Affairs.

Category: Tax, Finance & Capital Outlay

Bill: HB403

Sponsors: Dow (R38)

Title: MINIMUM WAGE IN PUBLIC CONTRACTS

Summary: Relates to public procurement and requires a state agency or local public body to include in the terms of any contract for services a provision to increase reimbursement to contractors in direct proportion to any increase in the state minimum wage and a requirement that employees under such contracts receive wage increases in accordance with any increase in the state minimum wage.

Subjects: Labor; State Affairs and State Agencies; County Affairs; Municipalities/City Government

Progress: 1st House: Reported from Committees

Status: 02/19/2019 – House Appropriations and Finance Committee

History: 01/29/2019 – H Introduced and referred to House Labor, Veterans' & Military Affairs.
01/29/2019 – H Also referred to House Appropriations & Finance.

02/19/2019 – H Reported Do Not Pass but Do Pass as substituted by House Labor, Veterans' & Military Affairs.

Category: General Government

Bill: HB407

Sponsors: Trujillo, L. (D48); Ivey-Soto (D15)

Title: ELECTION CODE OVERHAUL

Summary: A 472-page bill that provides substantive and pro forma changes to each of the sections of the Election Code listed below, reading almost like a handbook for county clerks on how to conduct and resolve issues that arise in the complicated world of running elections in New Mexico. To undertake an analysis of this bill would be an exercise in futility in the short timeframe available to NMLR. The fiscal impact report prepared by Legislative Council Service will be posted on NMLR's website when it is available and related actions and amendments will be reported as they occur. The 44 key subjects addressed by the bill are listed below.

Subjects: State Affairs and State Agencies; Elections; County Affairs; Municipalities/City Government

Progress: 1st House: Reported from Committees

Status: 02/18/2019 – House Judiciary Committee

History: 01/29/2019 – H Introduced and referred to House State Government, Elections & Indian Affairs.
01/29/2019 – H Also referred to House Judiciary.
02/18/2019 – H Reported Do Pass by House State Government, Elections & Indian Affairs.

Category: Elections

Bill: HB408**Sponsors:** Rehm (R31)**Title:** PRETRIAL DETENTION WITHOUT BOND AND SUBSTANCE ABUSE TREATMENT**Summary:** Authorizes a district court to deny bail before conviction to certain defendants and to require participation in one of several substance abuse treatment programs during pendency of the case (before final disposition).**Subjects:** Courts and Civil Matters; Criminal Code; Public Safety and Corrections**Progress:** Introduced**Status:** 01/29/2019 – House Consumer and Public Affairs Committee**History:** 01/29/2019 – H Introduced and referred to House Consumer & Public Affairs.
01/29/2019 – H Also referred to House Judiciary.**Category:** Courts & Public Safety**Bill: HB411****Sponsors:** Trujillo, J. (D45)**Title:** AVERAGE DISTRIBUTION OR TRANSFER AMOUNT**Summary:** (Duplicate of SB396; 2018 SB236) Re-defines "average distribution or transfer amount" in Section 7-1-6.15 of the Tax Administration Act from an average of three annual numbers to an average of 36 monthly amounts. Effective July 1, 2019.**Subjects:** County Affairs; Municipalities/City Government; State Affairs and State Agencies; Public Finance and Budgets**Related:** 2019:SB396; 2018:SB236**Progress:** 2nd House: Referred to Committee**Status:** 02/19/2019 – Senate Corporations and Transportation Committee**History:** 01/29/2019 – H Introduced and referred to House Local Government, Land Grants & Cultural Affairs.
01/29/2019 – H Also referred to House Taxation & Revenue.
02/07/2019 – H Reported Do Pass by House Local Government, Land Grants & Cultural Affairs.
02/11/2019 – H Reported Do Pass by House Taxation & Revenue.
02/18/2019 – H Opened for floor debate.
02/18/2019 – H Passed 63-0.
02/19/2019 – S Received in the Senate and referred to Senate Corporations & Transportation.
02/19/2019 – S Also referred to Senate Finance.**Category:** Tax, Finance & Capital Outlay**Notes:** EC Support - 2/07/2019**Bill: HB416****Sponsors:** Armstrong, D. (D17)**Title:** MEDICAID BUY-IN ACT**Summary:** (Duplicate of 2019, SB 405) Establishes a state public option through Medicaid to provide residents with a choice of high-quality, low-cost health insurance using a state-administered buy-in plan; creates the Health Care Affordability and Access Improvement Fund; establishes an advisory council; appropriates \$12 million (GF) to HSD for use in FY 2020 for implementation and administration of the plan and to conduct an expansion study, and \$12 million (GF, nonreverting) to the Fund for use in FY 2020 and subsequent years to ensure affordability for enrollees in the plan.**Subjects:** Health and Medical Practice; Insurance; Human Services**Related:** 2019:SB405**Progress:** 1st House: Reported from Committees**Status:** 02/18/2019 – House Appropriations and Finance Committee**History:** 01/31/2019 – H Introduced and referred to House Health & Human Services.
01/31/2019 – H Also referred to House Appropriations & Finance.

02/18/2019 – H Reported Do Pass as amended by House Health & Human Services.

Category: Health**Bill: HB429**

Sponsors: Rehm (R31)
Title: PROPERTY TAX VALUATION FREEZE CHANGES
Summary: For the 2020 and subsequent property tax years, increases the income limit for qualifying persons aged 65 or older or disabled to \$50,000 per year for purposes of freezing property valuation, an amount which is indexed for inflation in following years.
Subjects: Health and Medical Practice; County Affairs; Municipalities/City Government; Land, Housing and Real Estate; Family and Juveniles; Aging; Taxation, Fees and Audits
Progress: 1st House: Reported from Committees
Status: 02/19/2019 – House Taxation and Revenue Committee
History: 01/31/2019 – H Introduced and referred to House Local Government, Land Grants & Cultural Affairs.
01/31/2019 – H Also referred to House Taxation & Revenue.
02/19/2019 – H Reported without recommendation by House Local Government, Land Grants & Cultural Affairs.
Category: Tax, Finance & Capital Outlay
Notes: Assessors oppose 2/21/2019

Bill: HB439
Sponsors: Trujillo, J. (D45)
Title: ENHANCED 911 ADVISORY BOARD
Summary: Creates a nine voting-member Enhanced 911 Advisory Board to consult with DFA's Local Government Division on administering the Enhanced 911 Fund, report to the Legislature, adopt rules, funding enhanced 911 systems and establish service areas.
Subjects: Public Safety and Corrections; Telecommunications
Progress: 1st House: Reported from Committees
Status: 02/19/2019 – House State Government, Elections and Indian Affairs Committee
History: 01/31/2019 – H Introduced and referred to House Local Government, Land Grants & Cultural Affairs.
01/31/2019 – H Also referred to House State Government, Elections & Indian Affairs.
02/19/2019 – H Reported Do Pass by House Local Government, Land Grants & Cultural Affairs.
Category: Fire, EMS & E911
Notes: Board supported 8/03/2018
EC Support - 2/07/2019

Bill: HB440
Sponsors: Akhil (D20)
Title: SOLAR ENERGY IMPROVEMENT ASSESSMENTS
Summary: Provides authority for a county to impose a solar energy improvement special assessment that will be effective within an incorporated municipality, provided the municipality adopts a resolution approving the application of the county ordinance.
Subjects: Utilities; County Affairs; Municipalities/City Government
Progress: 1st House: Reported from Committees
Status: 02/25/2019 – House Calendar
History: 01/31/2019 – H Introduced and referred to House Local Government, Land Grants & Cultural Affairs.
01/31/2019 – H Also referred to House Energy, Environment & Natural Resources.
02/14/2019 – H Reported Do Pass by House Local Government, Land Grants & Cultural Affairs.
02/25/2019 – H Reported Do Pass by House Energy, Environment & Natural Resources.
Category: Tax, Finance & Capital Outlay
Notes: EC Opposes - 2/21/2019

Bill: HB444
Sponsors: Ferrary (D37)
Title: WILD HORSES SPECIAL LICENSE PLATE
Summary: Directs the issuance of a license plate by the Motor Vehicle Division with a logo expressing support for wild horses; imposes an additional fee of \$40 annually.
Subjects: Transportation; Taxation, Fees and Audits
Progress: Introduced
Status: 01/31/2019 – House Transportation, Public Works and Capital Improvements Committee

History: 01/31/2019 – H Introduced and referred to House Transportation, Public Works & Capital Improvements.
01/31/2019 – H Also referred to House Appropriations & Finance.
Category: Public Lands, Natural Resources & Agriculture

Bill: HB445
Sponsors: Ferrary (D37)
Title: WILD HORSE PROTECTION AND HABITAT ACT
Summary: (Related to 2019, SB158) Creates the Wild Horse Protection and Habitat Act, the New Mexico Equine Board and the Wild Horse Protection and Habitat Fund; includes wild horses in the definition of "animal" under the Animal Cruelty Statute; removes wild horses from the definition of "animals" or "livestock" under the Livestock Code; requires property owners to fence out wild horses; imposes penalties; appropriates \$300,000 (GF) to the New Mexico Equine Board for use in FY 2020 to carry out the act.
Subjects: Natural Resources (Parks and Wildlife); Indians; Appropriations; Agriculture and Ranching
Related: 2019:SB158
Progress: Introduced
Status: 01/31/2019 – House Energy, Environment and Natural Resources Committee
History: 01/31/2019 – H Introduced and referred to House Energy, Environment & Natural Resources.
01/31/2019 – H Also referred to House Judiciary.
01/31/2019 – H Also referred to House Appropriations & Finance.
Category: Public Lands, Natural Resources & Agriculture

Bill: HB459
Sponsors: Rubio (D35)
Title: LOCAL GOVERNMENT DIRECT LOANS TO FOOD RETAILERS
Summary: Amends the Local Economic Development Act to authorize municipalities and counties to make direct loans to grocery stores or small food retailers.
Subjects: County Affairs; Municipalities/City Government; Business, Manufacturing and Economic Development; Banks, Securities and Loans
Progress: Introduced
Status: 02/01/2019 – House Commerce and Economic Development Committee
History: 02/01/2019 – H Introduced and referred to House Commerce & Economic Development.
02/01/2019 – H Also referred to House Local Government, Land Grants & Cultural Affairs.
Category: Economic Development & IRBs

Bill: HB463
Sponsors: Cook (R56)
Title: FOOD FREEDOM ACT
Summary: Creates the Food Freedom Act to allow for production and sale of certain homemade food or drink products that are exempt from licensure, permitting, inspection, packaging and labeling requirements.
Subjects: Agriculture and Ranching; Health and Medical Practice; Business, Manufacturing and Economic Development
Progress: 1st House: Reported from Committees
Status: 02/21/2019 – House Commerce and Economic Development Committee
History: 02/01/2019 – H Introduced and referred to House Agriculture and Water Resources.
02/01/2019 – H Also referred to House Commerce & Economic Development.
02/21/2019 – H Reported Do Pass by House Agriculture and Water Resources.
Category: Economic Development & IRBs

Bill: HB468
Sponsors: Pratt (D27)
Title: ELECTION NOMINATING PETITIONS
Summary: Amends the Election Code to change the number of signatures required for nominating petitions for minor party, major party and independent candidates for office.

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Subjects: County Affairs; Courts and Civil Matters; Utilities; State Affairs and State Agencies; Elections
Progress: Introduced
Status: 02/04/2019 – House State Government, Elections and Indian Affairs Committee
History: 02/04/2019 – H Introduced and referred to House State Government, Elections & Indian Affairs.
Category: Elections

Bill: HB470
Sponsors: Trujillo, L. (D48)
Title: ELECTRONIC PRESENTATION FOR NOTARIAL ACTS
Summary: Requires a personal appearance before a notarial officer for certain documents that are presented electronically; authorizes the Secretary of State to adopt rules and standards for online electronic certified platforms; provides for secure storage of electronically authenticated documents.
Subjects: State Affairs and State Agencies; Land, Housing and Real Estate; Information Technology
Progress: 1st House: Reported from Committees
Status: 02/20/2019 – House Judiciary Committee
History: 02/04/2019 – H Introduced and referred to House State Government, Elections & Indian Affairs.
02/04/2019 – H Also referred to House Judiciary.
02/20/2019 – H Reported Do Pass as amended by House State Government, Elections & Indian Affairs.
Category: General Government

Bill: HB478
Sponsors: Armstrong, G. (R49)
Title: FUNDS FOR RURAL ECONOMIC DEVELOPMENT
Summary: Appropriates \$250,000 (GF) to the New Mexico Institute of Mining and Technology for use in FY 2020 to support rural economic development.
Subjects: Higher Education; Business, Manufacturing and Economic Development; Appropriations
Progress: 1st House: Reported from Committees
Status: 02/11/2019 – House Appropriations and Finance Committee
History: 02/05/2019 – H Introduced and referred to House Commerce & Economic Development.
02/05/2019 – H Also referred to House Appropriations & Finance.
02/11/2019 – H Reported Do Pass by House Commerce & Economic Development.
Category: Economic Development & IRBs

Bill: HB479
Sponsors: Harper (R57); Ivey-Soto (D15)
Title: CONSOLIDATING CERTAIN LOCAL OPTION TAXES, DE-EARMARKING REVENUES
Summary: (Relates to HB6, SB358 & SB421) 76-page bill folds several of the municipal local option gross receipts taxes into the municipal gross receipts tax and several county local option gross receipts taxes into the county gross receipts tax.
Subjects: County Affairs; Municipalities/City Government; Business, Manufacturing and Economic Development; State Affairs and State Agencies; Taxation, Fees and Audits
Related: 2019:HB6; 2019:SB358; 2019:SB421
Progress: 2nd House: Referred to Committee
Status: 02/25/2019 – Senate Corporations and Transportation Committee
History: 02/05/2019 – H Introduced and referred to House Local Government, Land Grants & Cultural Affairs.
02/05/2019 – H Also referred to House Taxation & Revenue.
02/14/2019 – H Reported Do Pass as amended by House Local Government, Land Grants & Cultural Affairs.
02/20/2019 – H Reported Do Pass by House Taxation & Revenue.
02/22/2019 – H Opened for floor debate.
02/22/2019 – H Passed 64-0.
02/25/2019 – S Received in the Senate and referred to Senate Corporations & Transportation.
02/25/2019 – S Also referred to Senate Finance.
Category: Tax, Finance & Capital Outlay
Notes: NMC's de-earmark bill

EC Support - 2/07/2019
HB 479 is a much needed streamlining of the county gross receipts tax paradigm. Currently, many of the available tax increments are in earmarked funds that limit counties' ability to use their resources wisely. The GRT increments are often so narrowly tailored that they are unused and often unusable. Legislative appropriators always caution against earmarked funds, because the funds inevitably have too much or too little money, never the right amount.
HB 479 allows counties to allocate the right amount of money to the issue, since they will be able to choose the exact amount needed. County budgets will still have to be approved by DFA, and audits will still be required, so there is no risk or cost to the state with this proposal. Importantly, the same percentage of GRT increments that currently requires going to a voter referendum remains in place in this bill, and the total amount of GRT authority is consolidated and reduced.

Bill: HB482
Sponsors: Montoya (R1)
Title: INCREASES DISPENSER'S AND RETAILER'S LICENSES IN COUNTY AREA
Summary: Amends the Liquor Control Act to allow issuance of dispenser's or retailer's liquor licenses per 1,000 (currently 2,000) inhabitants in the area of a county outside municipalities.
Subjects: Alcohol, Firearms and Tobacco Products; County Affairs; Municipalities/City Government; Business, Manufacturing and Economic Development; State Affairs and State Agencies
Progress: Introduced
Status: 02/05/2019 – House State Government, Elections and Indian Affairs Committee
History: 02/05/2019 – H Introduced and referred to House State Government, Elections & Indian Affairs.
02/05/2019 – H Also referred to House Judiciary.
Category: Liquor License Bills

Bill: HB484
Sponsors: Sanchez (D40)
Title: GROUND WATER RESOURCES STUDY
Summary: (Similar to SB255) Appropriates \$350,000 (GF) to NMSU's Department of Animal and Range Sciences for use in FYs 2020 and 2021 to study the quantity and quality of ground water resources in Colfax, Harding, Mora and Union Counties to determine appropriate land use in rural agricultural areas of those counties. Directs the focus to Colfax and Harding Counties especially.
Subjects: Higher Education; Water; County Affairs; Agriculture and Ranching; Appropriations
Related: 2019:SB255
Progress: 1st House: Reported from Committees
Status: 02/21/2019 – House Appropriations and Finance Committee
History: 02/05/2019 – H Introduced and referred to House Agriculture and Water Resources.
02/05/2019 – H Also referred to House Appropriations & Finance.
02/21/2019 – H Reported Do Pass by House Agriculture and Water Resources.
Category: Public Lands, Natural Resources & Agriculture
Notes: HB484 (Duplicate to SB255) provides important funding to analyze water resources for rural communities in the northeastern areas of the state. New Mexico Counties has supported similar legislative attempts to secure research funding for this initiative in 2018 (SB55) and in 2016 (SB64). Groundwater data is particularly important for agricultural resources along the eastern portion of the state and future economic development in communities facing depleted resources from the Ogallala Aquifer. Information from the study would complement ongoing federal investments and other state investments through the Office of the State Engineer and New Mexico Bureau of Geology for proactive groundwater management and conservation.

Bill: HB489
Sponsors: Martinez, J. (D11)
Title: INCREASES PRODUCTION LIMITS FOR BEER, WINE, LIQUOR PRODUCERS
Summary: (Duplicate of SB413) Amends the Liquor Excise Tax Act and the Liquor Control Act to expand in several ways the permitted low-tax production of small brewers, winegrowers and craft distillers. Effective July 1, 2019.
Subjects: Insurance; Business, Manufacturing and Economic Development; Taxation, Fees and Audits

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Related: 2019:SB413
Progress: 1st House: Reported from Committees
Status: 02/20/2019 – House Taxation and Revenue Committee
History: 02/05/2019 – H Introduced and referred to House Commerce & Economic Development.
02/05/2019 – H Also referred to House Taxation & Revenue.
02/20/2019 – H Reported Do Pass as amended by House Commerce & Economic Development.
Category: Liquor License Bills

Bill: HB490
Sponsors: Ruiloba (D12)
Title: LAW ENFORCEMENT SCHOOL-SPECIFIC TRAINING
Summary: Amends the Law Enforcement Training Act to require that initial and in-service training for law enforcement officers include best practices for law enforcement and school interactions, and to require the Law Enforcement Academy Board to establish qualifications for instructors and courses specific to those best practices.
Subjects: Schools and Teachers; County Affairs; Municipalities/City Government; Public Safety and Corrections
Progress: 1st House: Reported from Committees
Status: 02/18/2019 – House Judiciary Committee
History: 02/05/2019 – H Introduced and referred to House Education.
02/05/2019 – H Also referred to House Judiciary.
02/18/2019 – H Reported Do Pass by House Education.
Category: Courts & Public Safety

Bill: HB493
Sponsors: Trujillo, Christine (D25)
Title: USE OF DEADLY FORCE BY LAW ENFORCEMENT OFFICER
Summary: Establishes a notice and hearing procedure following the use of deadly force by a law enforcement officer in the course of the officer's duties that results in a person's death or injury. Directs the sheriff or chief of police of the jurisdiction in which the incident occurred to report the incident to the district attorney of that county within 24 hours. Directs the district attorney to report the incident to the governor within 24 hours of notification. Directs the governor to select an assistant attorney general with experience in criminal prosecution to represent the state as a special prosecutor at a probable cause hearing within three days of notification.
Subjects: Courts and Civil Matters; Criminal Code; Public Safety and Corrections
Progress: Introduced
Status: 02/05/2019 – House State Government, Elections and Indian Affairs Committee
History: 02/05/2019 – H Introduced and referred to House State Government, Elections & Indian Affairs.
02/05/2019 – H Also referred to House Judiciary.
Category: Courts & Public Safety
Notes: EC Oppose - 2/07/2019

Bill: HB499
Sponsors: Dow (R38)
Title: FUNDS FOR 16 STATE PARKS PROJECTS
Summary: Appropriates \$7.4 million (GF) to the State Parks Division of the Energy, Minerals and Natural Resources Department for use in FYs 2019 through 2023 for 16 projects in state parks, as follows:
Subjects: Natural Resources (Parks and Wildlife); Appropriations
Progress: 1st House: Reported from Committees
Status: 02/19/2019 – House Appropriations and Finance Committee
History: 02/06/2019 – H Introduced and referred to House Energy, Environment & Natural Resources.
02/06/2019 – H Also referred to House Appropriations & Finance.
02/19/2019 – H Reported Do Pass by House Energy, Environment & Natural Resources.
Category: Public Lands, Natural Resources & Agriculture

Bill: HB501

Sponsors: Trujillo, J. (D45)
Title: INCREASE PUBLIC EMPLOYER PENSION CONTRIBUTION RATES
Summary: (Related to 2019 HB338) Increases by 0.50 percent employer contributions to funds under the Public Employees Retirement Act and the Educational Retirement Fund.
Subjects: Schools and Teachers; County Affairs; Municipalities/City Government; Public Employees/Retirement; State Affairs and State Agencies; Public Finance and Budgets
Related: 2019:HB338
Progress: 1st House: Reported from Committees
Status: 02/20/2019 – House Appropriations and Finance Committee
History: 02/06/2019 – H Introduced and referred to House State Government, Elections & Indian Affairs.
02/06/2019 – H Also referred to House Appropriations & Finance.
02/20/2019 – H Reported Do Pass by House State Government, Elections & Indian Affairs.
Scheduled: 02/26/2019 – House Appropriations and Finance Committee, 1:30 p.m., Room 307
Category: General Government

Bill: HB504
Sponsors: Akhil (D20)
Title: FUNDS FOR FINGERPRINT MACHINES
Summary: Appropriates \$300,000 (GF) to the Local Government Division of the Department of Finance and Administration for use in FY 2020 for fingerprint machines for law enforcement agencies statewide.
Subjects: Public Safety and Corrections; Appropriations
Progress: 1st House: Reported from Committees
Status: 02/20/2019 – House Appropriations and Finance Committee
History: 02/06/2019 – H Introduced and referred to House Consumer & Public Affairs.
02/06/2019 – H Also referred to House Appropriations & Finance.
02/20/2019 – H Reported Do Pass by House Consumer & Public Affairs.
Category: Courts & Public Safety

Bill: HB512
Sponsors: Martinez, R. (D39)
Title: VOLUNTEER FIREFIGHTER SERVICE CREDIT
Summary: Amends the Volunteer Firefighters Retirement Act to allow volunteer firefighters to post or adjust uncredited service credit earned for one or more years beginning January 1, 1984.
Subjects: County Affairs; Municipalities/City Government; Public Employees/Retirement; Public Safety and Corrections
Progress: Introduced
Status: 02/07/2019 – House Labor, Veterans' and Military Affairs Committee
History: 02/07/2019 – H Introduced and referred to House Labor, Veterans' & Military Affairs.
02/07/2019 – H Also referred to House Local Government, Land Grants & Cultural Affairs.
Scheduled: 02/26/2019 – House Labor, Veterans' and Military Affairs Committee, Immediately Following Floor Session, Room 315
Category: Fire, EMS & E911

Bill: HB520
Sponsors: McQueen (D50)
Title: EXEMPTS SOLAR ENERGY SYSTEMS FROM PROPERTY TAXATION
Summary: Includes residential solar energy systems within the list of exempt tangible personal property for the 2020 and succeeding property tax years.
Subjects: County Affairs; Municipalities/City Government; Business, Manufacturing and Economic Development; Land, Housing and Real Estate; Family and Juveniles; Environment and Pollution; Taxation, Fees and Audits
Progress: 1st House: Reported from Committees
Status: 02/21/2019 – House Taxation and Revenue Committee
History: 02/08/2019 – H Introduced and referred to House Energy, Environment & Natural Resources.
02/08/2019 – H Also referred to House Taxation & Revenue.
02/21/2019 – H Reported Do Pass by House Energy, Environment & Natural Resources.

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Category: Tax, Finance & Capital Outlay
Notes: EC opposed 2/21/19

Bill: HB527
Sponsors: Gonzales (D42)
Title: PAY FILM PRODUCTION TAX CREDIT BACKLOG
Summary: Authorizes the Taxation and Revenue Department to pay all outstanding film production tax credits approved before the effective date of this bill (June 14, 2019) by June 30, 2019 and to pay any claims approved between June 14, 2019 and June 30, 2020 in the fiscal year in which the claims are approved.
Subjects: Labor; Business, Manufacturing and Economic Development; State Affairs and State Agencies; Cultural Affairs; Appropriations; Taxation, Fees and Audits
Progress: 1st House: Referred to Committee
Status: 02/25/2019 – House Appropriations and Finance Committee
History: 02/08/2019 – H Introduced and referred to House Commerce & Economic Development.
02/08/2019 – H Also referred to House Appropriations & Finance.
02/25/2019 – H Reported Do Pass as amended by House Commerce & Economic Development.
Category: Tax, Finance & Capital Outlay

Bill: HB534
Sponsors: Lundstrom (D9)
Title: PUBLIC-PRIVATE PARTNERSHIP ACT
Summary: (Related to 2019 HB 286 and 2017 HB275 and SB143) Creates the Public-Private Partnership Act, the Public-Private Partnership Board and the Public-Private Partnership Project Fund to allow state and local governments to enter into partnerships with private sector entities for infrastructure projects related to transportation or broadband telecommunications network facilities.
Subjects: Transportation; Business, Manufacturing and Economic Development; State Affairs and State Agencies; Telecommunications; Public Finance and Budgets
Related: 2019:HB286; 2017:HB275; 2017:SB143
Progress: 1st House: Referred to Committee
Status: 02/15/2019 – House Judiciary Committee
History: 02/11/2019 – H Introduced and referred to House Labor, Veterans' & Military Affairs.
02/11/2019 – H Also referred to House Judiciary.
02/15/2019 – H Reported Do Pass as amended by House Labor, Veterans' & Military Affairs.
Scheduled: 02/25/2019 – House Judiciary Committee, 1:30 p.m., Room 309 (Revised 02/24/2019)
Category: Economic Development & IRBs

Bill: HB540
Sponsors: Ruiloba (D12)
Title: DELINQUENCY ACT: RISK ASSESSMENT, RISK SCREENING AND DIVERSION
Summary: (Related to 2017 HB16) Introduces requirements for and consideration of risk assessment, risk screening and diversion into the procedures and standards of the Delinquency Act. Specifies that a delinquent child is a child who has committed a delinquent act and who is ten years of age or older. Adds definitions for "diversion," "risk assessment," "risk screening," "status offense," and "technical violation."
Subjects: Health and Medical Practice; Courts and Civil Matters; Criminal Code; State Affairs and State Agencies; Human Services; Family and Juveniles; Public Safety and Corrections
Related: 2017:HB16
Progress: 1st House: Reported from Committees
Status: 02/22/2019 – House Judiciary Committee
History: 02/11/2019 – H Introduced and referred to House Consumer & Public Affairs.
02/11/2019 – H Also referred to House Judiciary.
02/22/2019 – H Reported Do Pass by House Consumer & Public Affairs.
02/22/2019 – H Reported Do Pass by House Consumer & Public Affairs.
Category: Courts & Public Safety
Notes: EC Support - 2/21/2019

Bill: HB542**Sponsors:** Hochman-Vigil (D15)**Title:** LAW ENFORCEMENT AND CORRECTIONAL OFFICER LOAN REPAYMENT ACT AND APPROPRIATION**Summary:** Proposes to create the Law Enforcement and Correctional Officer Loan Repayment Act and nonreverting Fund, to which \$250,000 (GF) is appropriated for the Higher Education Department for a loan-for-service program to award grants to repay education loans for licensed officers, contingent on a minimum of two years' service, with a preference for those who agree to serve in underserved areas. Provides for contracts, interest, penalties, and enforcement. Authorizes HED rule-making.**Subjects:** Higher Education; Public Employees/Retirement; State Affairs and State Agencies; Public Safety and Corrections; Appropriations; Public Finance and Budgets**Progress:** 1st House: Reported from Committees**Status:** 02/25/2019 – House Appropriations and Finance Committee**History:** 02/11/2019 – H Introduced and referred to House State Government, Elections & Indian Affairs.
02/11/2019 – H Also referred to House Appropriations & Finance.
02/25/2019 – H Reported Do Pass as amended by House State Government, Elections & Indian Affairs.**Scheduled:** 02/25/2019 – House State Government, Elections and Indian Affairs Committee, 8:00 a.m., Room 305 (Revised 02/24/2019)**Category:** Courts & Public Safety**Bill: HB544****Sponsors:** Rehm (R31)**Title:** ADDRESSING RETIREMENT FUND SOLVENCY**Summary:** (Related to HB338 and HB501) Resolves the solvency issues with various state/local retirement plans by permanently modifying, for most plans, the calculation of pension amounts and increasing retirement contribution rates by three percent for employees and employers. Eliminates COLA for the year July 1, 2019 through June 30, 2020 for retirees who worked less than 25 years and are not disabled.**Subjects:** Labor; County Affairs; Municipalities/City Government; Public Employees/Retirement; Family and Juveniles; Public Finance and Budgets**Related:** 2019:HB338; 2019:HB501**Progress:** Introduced**Status:** 02/11/2019 – House State Government, Elections and Indian Affairs Committee**History:** 02/11/2019 – H Introduced and referred to House State Government, Elections & Indian Affairs.
02/11/2019 – H Also referred to House Judiciary.**Category:** General Government**Bill: HB548****Sponsors:** Lundstrom (D9)**Title:** SPECIAL APPROPRIATIONS FOR STATE AGENCIES, HIGHER ED, LEGISLATURE**Summary:** (Duplicate of 2019 SB536) Appropriates \$14.675 million (GF) for six state agencies and institutions for use in FYs 2019 and 2020, as follows:**Subjects:** Higher Education; Courts and Civil Matters; State Affairs and State Agencies; Appropriations**Related:** 2019:SB536**Progress:** Introduced**Status:** 02/13/2019 – House Appropriations and Finance Committee**History:** 02/13/2019 – H Introduced and referred to House Appropriations & Finance.**Category:** Tax, Finance & Capital Outlay**Bill: HB564****Sponsors:** Maestas (D16); Rue (R23)**Title:** PROBATION AND PAROLE GOOD BEHAVIOR**Summary:** (Similar in part to 2019 SB73) Declares the purpose of probation to be to enforce victim restitution, hold persons accountable, promote re-integration into law-abiding society, and reduce the risks of re-

offense.

Subjects: Health and Medical Practice; Courts and Civil Matters; Criminal Code; Human Services; Public Safety and Corrections; Aging; Civil Rights

Related: 2019:SB73

Progress: 1st House: Passed

Status: 02/24/2019 – Passed in the House

History: 02/13/2019 – H Introduced and referred to House Judiciary.
02/21/2019 – H Reported Do Pass as amended by House Judiciary.
02/24/2019 – H Opened for floor debate.
02/24/2019 – H Passed 51-16.

Category: Courts & Public Safety

Bill: HB568

Sponsors: Trujillo, J. (D45)

Title: CAPITAL PROJECTS: REAUTHORIZATION OF GF AND STB REVENUES

Summary: Reappropriates remaining balances from previously authorized projects for new purposes; expands and changes purposes for others; extends time for use of revenue; and establishes conditions for the reversion or transfer of prior appropriations either from Severance Tax Bonds or the General Fund. Projects involved are listed below.

Subjects: Appropriations; Capital Outlay Requests; State Affairs and State Agencies; Transportation

Progress: Introduced

Status: 02/13/2019 – House Taxation and Revenue Committee

History: 02/13/2019 – H Introduced and referred to House Taxation & Revenue.

Category: Tax, Finance & Capital Outlay

Bill: HB577

Sponsors: Cadena (D33)

Title: "OUT-OF-STATE INMATE" DEFINITION CHANGED

Summary: Under current law, in the Privately Operated Correctional Facilities Oversight Act, the designation for an "out-of-state inmate" does not apply to certain persons incarcerated on behalf of an Indian tribe or pueblo or to persons held on behalf of the United States. The bill strikes the exclusion for a person held on behalf of the U.S., thereby leaving the exclusion to apply only to persons incarcerated on behalf of an Indian tribe or pueblo whose lands are located wholly or partially within New Mexico.

Subjects: Criminal Code; Business, Manufacturing and Economic Development; State Affairs and State Agencies; Public Safety and Corrections; Indians

Progress: Introduced

Status: 02/13/2019 – House Consumer and Public Affairs Committee

History: 02/13/2019 – H Introduced and referred to House Consumer & Public Affairs.
02/13/2019 – H Also referred to House Judiciary.

Scheduled: 02/26/2019 – House Consumer and Public Affairs Committee, 1:30 p.m., Room 317

Category: Courts & Public Safety

Bill: HB579

Sponsors: Harper (R57); Cisneros (D6)

Title: TAX PACKAGE

Summary: (Related to HB6, HB396, SB358 and SB421) Makes significant changes to the income tax acts and the state and local gross receipts tax acts: includes provisions allowing New Mexico to tax interstate sales ("Wayfair fix"), expanding the compensating tax to licenses, franchises and services and creating local compensating taxes.

Subjects: County Affairs; Municipalities/City Government; Family and Juveniles; Information Technology; Taxation, Fees and Audits; Business, Manufacturing and Economic Development

Progress: Introduced

Status: 02/13/2019 – House Taxation and Revenue Committee

History: 02/13/2019 – H Introduced and referred to House Taxation & Revenue.

Category: Tax, Finance & Capital Outlay

Bill: HB588**Sponsors:** Trujillo, L. (D48)**Title:** ENHANCED 911 PROGRAM TRANSFERRED TO DEPT OF INFORMATION TECHNOLOGY**Summary:** Transfers authority to administer the Enhanced 911 Program from the Department of Finance and Administration to the Department of Information Technology, which includes the Enhanced 911 Fund. Makes reconciling changes to related sections of law.**Subjects:** State Affairs and State Agencies; Public Safety and Corrections; Municipalities/City Government; County Affairs; Information Technology; Telecommunications**Progress:** Introduced**Status:** 02/14/2019 – House State Government, Elections and Indian Affairs Committee**History:** 02/14/2019 – H Introduced and referred to House State Government, Elections & Indian Affairs.**Category:** Fire, EMS & E911**Notes:** EC Oppose - 2/21/2019

The statewide local government 911 stakeholders are opposed to the proposed bill as drafted, for several reasons.

- It is the opinion of the NM 911 local government stakeholders that this bill is an attempt by the state to sabotage and disregard the intent of the language already set forth this session in HB 439. This is yet another example of the State neither including nor consulting with the local government stakeholders regarding their actions or intentions in administering the program, as the specific content of this proposed bill was not shared with the stakeholders prior to its introduction. Furthermore, we are absolutely opposed to the composition of the Advisory Board as proposed in this bill, as there was no consultation and the members are not who the stakeholders would like to see on the board.
- The Department of Information Technology is an enterprise agency. In their role as service provider for New Mexico State agencies, the stakeholders are concerned that the dedicated 911 fund will be diverted or otherwise used to subsidize or leverage funding for other DoIT technology projects. The integrity and purpose of the fund must be maintained.
- The Department of Information Technology has had operational authority over the program under a MOU and JPA for almost two years now. In that time, they have failed in even moving the program incrementally forward, not filling a single 911 program manager position, and having no Bureau Chief or program Director to oversee it.
- Although the Department of Information Technology is the technology authority for the state, they have absolutely no subject matter experts in the operation, management, or administration of anything related to 911.
- Our wishes are that the Advisory Board proposed in HB439 be established and implemented to assist the Department of Finance and Administration, local government division in the operation, management and administration of the 911 program in New Mexico.

Bill: HB590**Sponsors:** Chandler (D43)**Title:** CLARIFIES WHICH OIL AND GAS PROPERTY IS SUBJECT TO PROPERTY TAXATION**Summary:** Requires that property regulated by the Federal Energy Regulatory Commission must be valued in accordance with the special method of valuation at 7-36-27 for property used in connection with oil, natural gas, carbon dioxide or liquid hydrocarbons, as opposed to the general methods of valuation.**Subjects:** County Affairs; Municipalities/City Government; Business, Manufacturing and Economic Development; Energy Resources and Chemicals; State Affairs and State Agencies; Taxation, Fees and Audits**Progress:** 1st House: Reported from Committees**Status:** 02/25/2019 – House Taxation and Revenue Committee**History:** 02/14/2019 – H Introduced and referred to House Energy, Environment & Natural Resources.

02/14/2019 – H Also referred to House Taxation & Revenue.

02/25/2019 – H Reported Do Pass by House Energy, Environment & Natural Resources.

Category: Tax, Finance & Capital Outlay

Notes: EC Support - 2/21/2019

Bill: HB596

Sponsors: Ruiloba (D12)

Title: DEDUCTIONS AND SPECIAL METHOD OF VALUATION FOR DATA CENTERS

Summary: (Duplicate of SB352) Creates a gross receipts deduction and companion compensating tax deduction for receipts from the sale or lease of data center equipment to the owner or operator, or qualified co-tenant in, a qualified data center. Creates a special method of valuation for valuing property of a data center.

Subjects: County Affairs; Municipalities/City Government; Business, Manufacturing and Economic Development; Information Technology; Taxation, Fees and Audits

Related: 2019:SB352

Progress: Introduced

Status: 02/14/2019 – House Commerce and Economic Development Committee

History: 02/14/2019 – H Introduced and referred to House State Government, Elections & Indian Affairs.

02/14/2019 – H Also referred to House Taxation & Revenue.

02/14/2019 – H Introduced and referred to House Commerce & Economic Development.

02/14/2019 – H Also referred to House Taxation & Revenue.

Category: Tax, Finance & Capital Outlay

Notes: Assessors oppose 2/21/2019

Bill: HB604

Sponsors: Montoya (R1)

Title: SECURITIZATION BOND ACT

Summary: (Related in part to 2019 SB489 and very similar to 2019 SB492) Cited as the Securitization Bond Act, provides for the use of securities to be issued by a utility company under a financing order approved by the Public Regulation Commission to recover approved securitization costs related to the abandonment of an coal-fired, electric generating facility.

Subjects: Courts and Civil Matters; Business, Manufacturing and Economic Development; Utilities; Energy Resources and Chemicals; State Affairs and State Agencies; Banks, Securities and Loans

Progress: Introduced

Status: 02/14/2019 – House Energy, Environment and Natural Resources Committee

History: 02/14/2019 – H Introduced and referred to House Energy, Environment & Natural Resources.

02/14/2019 – H Also referred to House Judiciary.

Category: Public Lands, Natural Resources & Agriculture

Bill: HB606

Sponsors: Rehm (R31)

Title: INCREASING SHERIFFS' SERVICE OF PROCESS FEE

Summary: Increases a sheriffs' fee for serving a writ, citation, order, subpoena, or summons from not more than \$40 to not more than \$60.

Subjects: County Affairs; Courts and Civil Matters; Public Employees/Retirement; Taxation, Fees and Audits

Progress: Introduced

Status: 02/14/2019 – House State Government, Elections and Indian Affairs Committee

History: 02/14/2019 – H Introduced and referred to House State Government, Elections & Indian Affairs.

02/14/2019 – H Also referred to House Judiciary.

Category: Courts & Public Safety

Bill: HB609

Sponsors: Gonzales (D42)

Title: GAS TAX RATE AND DISTRIBUTIONS

Summary: (Duplicate of SB504; related to 2019 HB6, SB421, SB505 and SB506; 2018, SB177; 2017: HB63, SB131, SB132; 2016: SB251, SB 284, SJR22) Effective 7/1/19, raises the gasoline tax ten cents to 27 cents/gallon and the special fuel excise tax five cents to 27 cents/gallon. Additional revenue is split among the State Road Fund, municipalities and counties and the newly created State Road

Maintenance Fund.

Subjects: County Affairs; Municipalities/City Government; Transportation; Business, Manufacturing and Economic Development
Related: 2019:SB504; 2019:HB6; 2019:SB421; 2019:SB505; 2019:SB506
Progress: Introduced
Status: 02/14/2019 – House Transportation, Public Works and Capital Improvements Committee
History: 02/14/2019 – H Introduced and referred to House Transportation, Public Works & Capital Improvements.
 02/14/2019 – H Also referred to House Taxation & Revenue.
Scheduled: 02/28/2019 – House Transportation, Public Works and Capital Improvements Committee, 8:30 a.m, Room 305
Category: Tax, Finance & Capital Outlay

Bill: HB624

Sponsors: Rubio (D35)
Title: IMMIGRATION DETENTION FACILITIES ACT
Summary: (Relates to 2017 SM82) Enacts the Immigration Detention Facilities Act. Defines "immigration detention facility" as a facility that houses or detains for any length of time non-United States citizens for purposes of civil immigration custody or detention.
Subjects: Health and Medical Practice; Courts and Civil Matters; State Affairs and State Agencies; Human Services; Family and Juveniles; Public Safety and Corrections; Civil Rights
Related: 2017:SM82
Progress: Introduced
Status: 02/14/2019 – House Consumer and Public Affairs Committee
History: 02/14/2019 – H Introduced and referred to House Consumer & Public Affairs.
 02/14/2019 – H Also referred to House Judiciary.
Category: Courts & Public Safety

Bill: HB625

Sponsors: Ely (D23)
Title: REFUGEE CHILDREN
Summary: Prohibits separation of a refugee child from a parent or guardian without court findings, detention of a refugee child without judicial determination of probable cause, or great bodily harm to a child through neglect of basic needs; provides for penalties; creates the Refugee Services Program Fund, appropriates \$100,000 (GF, nonreverting) to the Fund for use in FY 2020 and subsequent years to provide services to refugee children and \$150,000 (GF) to the Attorney General for use in FY 2020 for support and prosecution of violations of the act.
Subjects: State Affairs and State Agencies; Family and Juveniles; Appropriations; Civil Rights
Progress: Introduced
Status: 02/14/2019 – House Consumer and Public Affairs Committee
History: 02/14/2019 – H Introduced and referred to House Consumer & Public Affairs.
 02/14/2019 – H Also referred to House Judiciary.
Category: Courts & Public Safety

Bill: HB626

Sponsors: Rubio (D35)
Title: SEPARATION OF A REFUGEE CHILD FROM THE CHILD'S PARENT
Summary: (Related to 2019 HB624 and HB625) Prohibits the state and its political subdivisions from contracting with a detention facility involved in:
Subjects: Health and Medical Practice; County Affairs; Courts and Civil Matters; Municipalities/City Government; Criminal Code; State Affairs and State Agencies; Human Services; Family and Juveniles; Public Safety and Corrections; Civil Rights
Related: 2019:HB624; 2019:HB625
Progress: Introduced
Status: 02/14/2019 – House Consumer and Public Affairs Committee
History: 02/14/2019 – H Introduced and referred to House Consumer & Public Affairs.

02/14/2019 – H Also referred to House Judiciary.

Category: Courts & Public Safety

Bill: HB647

Sponsors: McQueen (D50)

Title: NARROWING LIMIT ON INCREASE IN RESIDENTIAL PROPERTY VALUATION

Summary: Limits the three percent cap on year-to-year increase in residential property valuation to owner-occupied residences. Applies to 2020 and subsequent property tax years.

Subjects: County Affairs; Land, Housing and Real Estate; Family and Juveniles; Taxation, Fees and Audits

Progress: Introduced

Status: 02/14/2019 – House Local Government, Land Grants and Cultural Affairs Committee

History: 02/14/2019 – H Introduced and referred to House Local Government, Land Grants & Cultural Affairs.

02/14/2019 – H Also referred to House Taxation & Revenue.

Scheduled: 02/26/2019 – House Local Government, Land Grants and Cultural Affairs Committee, 9:00 a.m., Room 309 (Revised 02/24/2019)

Category: Tax, Finance & Capital Outlay

Notes: EC Support - 2/21/2019

Bill: HB651

Sponsors: Stansbury (D28)

Title: WATER DATA ACT AND WATER DATA COUNCIL

Summary: Cited as the Water Data Act, creates the Water Data Council to identify and integrate key water data sets; makes a \$300,000 (GF) appropriation to NMIMT's board of regents for the Bureau of Geology and Mineral Resources and \$200,000 (GF) to Interstate Stream Commission. both for use in FY2020 and subsequent years to carry out provisions of act. Contains a policy statement: to improve water resources planning and management and water security, it is the policy of the state to develop a modern, integrated approach to collecting sharing and utilizing data and information for water management.

Subjects: Water; Appropriations; Higher Education; State Affairs and State Agencies; Municipalities/City Government; County Affairs; Environment and Pollution

Progress: Introduced

Status: 02/14/2019 – House Energy, Environment and Natural Resources Committee

History: 02/14/2019 – H Introduced and referred to House Energy, Environment & Natural Resources.

02/14/2019 – H Also referred to House Appropriations & Finance.

Category: Public Lands, Natural Resources & Agriculture

Bill: HB659

Sponsors: Trujillo, Christine (D25)

Title: PUBLIC EMPLOYEE BARGAINING CHANGES

Summary: Makes a number of changes to the Public Employee Bargaining Act; clarifies remedies available to the Public Employee Labor Relations Board to enforce the Public Employee Bargaining Act; requires local Labor Relations Boards to enforce the same provisions as in the Public Employee Bargaining Act.

Subjects: Labor; Public Employees/Retirement

Progress: 1st House: Referred to Committee

Status: 02/14/2019 – House Labor, Veterans' and Military Affairs Committee

History: 02/14/2019 – H Introduced and referred to House Labor, Veterans' & Military Affairs.

02/14/2019 – H Also referred to House Judiciary.

Category: Labor & Employment

Notes: EC Oppose - 2/21/2019

Bill: HJM3

Sponsors: Ezzell (R58)

Title: RECONSTRUCT U.S ROUTE 380

Summary: Citing the age and condition of US Route 380 and the fact that the Department of Transportation has imposed length limitations on trucks using this road to 65 feet, resolves that the Department of

Transportation redesign and reconstruct the curves on the route between Hondo and Carrizozo to allow same length shipping trucks as on interstate highways and that the Legislature appropriate sufficient funds for this.

Subjects: Transportation; Business, Manufacturing and Economic Development; State Affairs and State Agencies; Construction and Materials; Public Safety and Corrections; Legislature

Progress: 2nd House: Referred to Committee

Status: 02/22/2019 – Senate Rules Committee

History: 01/11/2019 – H Prefiled in the House.

01/21/2019 – H Introduced and referred to House Transportation, Public Works & Capital Improvements.

02/08/2019 – H Reported Do Pass by House Transportation, Public Works & Capital Improvements.

02/21/2019 – H Opened for floor debate.

02/21/2019 – H Passed 59-2.

02/22/2019 – S Received in the Senate and referred to Senate Rules.

02/22/2019 – S Also referred to Senate Corporations & Transportation.

Category: Transportation & Roads

Bill: HJM12

Sponsors: Chandler (D43)

Title: STUDY ALL-MAIL ELECTIONS

Summary: Requests the Secretary of State to study the feasibility of all-mail elections; make a cost-benefit analysis to consider pros and cons of holding all-mail elections; study states that have successfully implemented all-mail elections as possible models; and address the effects of all-mail elections on New Mexico's Native American population.

Subjects: Elections; Interim Studies and Interim Committees

Progress: Introduced

Status: 02/05/2019 – House State Government, Elections and Indian Affairs Committee

History: 02/05/2019 – H Introduced and referred to House State Government, Elections & Indian Affairs.

Category: Elections

Bill: HJR2

Sponsors: Garcia, Miguel (D14)

Title: CA REQUIRING PROPERTY TAX EXEMPTION FOR POOR ELDERLY

Summary: Proposes a constitutional amendment to require the Legislature to exempt from property taxation the owner-occupied principal residence of a person aged 75 or older whose annual income is no more than \$15,000 as adjusted for inflation annually.

Subjects: County Affairs; Municipalities/City Government; State Affairs and State Agencies; Land, Housing and Real Estate; Family and Juveniles; Constitutional Issues and Amendments; Miscellaneous; Aging; Taxation, Fees and Audits

Progress: 1st House: Reported from Committees

Status: 02/05/2019 – House Taxation and Revenue Committee

History: 12/19/2018 – H Prefiled in the House.

01/21/2019 – H Introduced and referred to House Local Government, Land Grants & Cultural Affairs.

01/21/2019 – H Also referred to House Taxation & Revenue.

02/05/2019 – H Reported Do Pass by House Local Government, Land Grants & Cultural Affairs.

Category: Tax, Finance & Capital Outlay

Notes: Assessors oppose 2/21/2019

Bill: HJR3

Sponsors: Garcia, Miguel (D14)

Title: CA: PROPERTY TAX EXEMPTION FOR POOR DISABLED PERSONS

Summary: Proposes a constitutional amendment to require the Legislature to exempt from property taxation the owner-occupied principal residence of a 100 percent permanently disabled person whose annual household income is no more than \$15,000, adjusted for inflation annually.

Subjects: County Affairs; Municipalities/City Government; State Affairs and State Agencies; Human Services; Family and Juveniles; Constitutional Issues and Amendments; Miscellaneous; Taxation, Fees and

Audits
Progress: Introduced
Status: 01/21/2019 – House Local Government, Land Grants and Cultural Affairs Committee
History: 12/19/2018 – H Prefiled in the House.
01/21/2019 – H Introduced and referred to House Local Government, Land Grants & Cultural Affairs.
01/21/2019 – H Also referred to House Taxation & Revenue.
Category: Tax, Finance & Capital Outlay

Bill: HJR4
Sponsors: Trujillo, Christine (D25)
Title: U.S. CONVENTION TO RESTORE FREE, FAIR ELECTIONS
Summary: (Identical to 2018 HJR11) Resolves that the New Mexico Legislature respectfully petitions the United States Congress to call a convention, pursuant to Article 5 of the US Constitution, for the exclusive purpose of proposing a Constitutional amendment to restore free and fair elections, as soon as two-thirds of the states have applied for a convention for a similar purpose.
Subjects: Elections
Related: 2018:HJR11
Progress: Introduced
Status: 01/21/2019 – House Consumer and Public Affairs Committee
History: 01/04/2019 – H Prefiled in the House.
01/21/2019 – H Introduced and referred to House Consumer & Public Affairs.
01/21/2019 – H Also referred to House State Government, Elections & Indian Affairs.
01/21/2019 – H Also referred to House Judiciary.
Category: Elections

Bill: HJR6
Sponsors: Pratt (D27)
Title: CA: PRIMARY AND STATEWIDE RUNOFF ELECTIONS
Summary: Calls for amending Article 7, Section 5 of the state Constitution to authorize the Legislature to provide by law for runoff elections for primary or statewide elections.
Subjects: Constitutional Issues and Amendments; Elections
Progress: 1st House: Referred to Committee
Status: 02/12/2019 – House Judiciary Committee
History: 01/24/2019 – H Introduced and referred to House State Government, Elections & Indian Affairs.
01/24/2019 – H Also referred to House Judiciary.
02/12/2019 – H Reported Do Pass by House State Government, Elections & Indian Affairs.
Category: Elections

Bill: HJR9
Sponsors: Powdrell-Culbert (R44)
Title: CA: FIRST-RESPONDER SPOUSE PROPERTY TAX EXEMPTION
Summary: Proposes an amendment to Article 8 of the New Mexico Constitution that exempts from property tax the residential property of an unmarried surviving spouse of a first responder who died in the line of duty; places the burden of proof of eligibility on the claimant.
Subjects: Constitutional Issues and Amendments; Taxation, Fees and Audits
Progress: 1st House: Reported from Committees
Status: 02/22/2019 – House State Government, Elections and Indian Affairs Committee
History: 02/06/2019 – H Introduced and referred to House Local Government, Land Grants & Cultural Affairs.
02/06/2019 – H Also referred to House Judiciary.
02/19/2019 – H Reported Do Pass by House Local Government, Land Grants & Cultural Affairs.
02/22/2019 – H Referral withdrawn from House Judiciary.
02/22/2019 – H Also referred to House State Government, Elections & Indian Affairs.
Category: Tax, Finance & Capital Outlay
Notes: Assessors no position 2/21/2019

Bill: HM36**Sponsors:** Lundstrom (D9)**Title:** STUDY TO AVOID INMATE RECIDIVISM**Summary:** Requests the Corrections Department and Workforce Solutions Department to undertake a feasibility study of steps to assist newly-released inmates with transitional housing and employment and successful reintegration into society.**Subjects:** State Affairs and State Agencies; Public Safety and Corrections; Interim Studies and Interim Committees**Progress:** 1st House: Reported from Committees**Status:** 02/21/2019 – House Calendar**History:** 02/08/2019 – H Introduced and referred to House Judiciary.
02/21/2019 – H Reported Do Pass as amended by House Judiciary.**Scheduled:** 02/25/2019 – House Calendar, 11:00 a.m., House Chambers**Category:** Courts & Public Safety**Bill: HM63****Sponsors:** Sanchez (D40)**Title:** EQUITABLE TAX DISTRIBUTIONS FROM LANL AND FEDERAL RESEARCH FACILITIES**Summary:** Requests that any taxation task force convened in 2019 by the Governor or the Legislature be requested to research and develop legislative recommendations to promote more equitable regional tax distributions from Los Alamos National Laboratory or similar federal research facilities in New Mexico. Contains an alternative request, if no such task force is commissioned during 2019, that the Legislative Finance Committee and the Revenue Stabilization and Tax Policy Committee study the issue.**Subjects:** Interim Studies and Interim Committees; Taxation, Fees and Audits; County Affairs; Business, Manufacturing and Economic Development**Progress:** 1st House: Referred to Committee**Status:** 02/19/2019 – House Local Government, Land Grants and Cultural Affairs Committee**History:** 02/19/2019 – H Introduced and referred to House Local Government, Land Grants & Cultural Affairs.**Category:** Tax, Finance & Capital Outlay**Bill: SB7****Sponsors:** Wirth (D25)**Title:** OCCUPANCY TAX REVENUES MAY BE USED FOR AFFORDABLE HOUSING**Summary:** Allows a municipality or county imposing an occupancy tax to use up to 50 percent of the tax revenues from short-term occupancy rentals to defray the costs of affordable housing.**Subjects:** County Affairs; Municipalities/City Government; Land, Housing and Real Estate; Family and Juveniles; Taxation, Fees and Audits**Progress:** 1st House: Reported from Committees**Status:** 02/08/2019 – Senate Corporations and Transportation Committee**History:** 12/20/2018 – S Prefiled in the Senate.

01/16/2019 – S Introduced and referred to Senate Public Affairs.

01/16/2019 – S Also referred to Senate Corporations & Transportation.

01/16/2019 – S Also referred to Senate Finance.

02/08/2019 – S Reported Do Not Pass but Do Pass as substituted by Senate Public Affairs.

Scheduled: 02/25/2019 – Senate Corporations and Transportation Committee, 2:00 p.m., Room 311**Category:** Tax, Finance & Capital Outlay**Bill: SB8****Sponsors:** Martinez, Richard (D5)**Title:** FIREARM SALE BACKGROUND CHECK**Summary:** (Duplicate of 2019 HB8) (Related to 2019 HB40 and SB201. Similar to 2017 HB50) Requires a background check when conducting sales of a firearm; provides penalties.**Subjects:** Criminal Code; Alcohol, Firearms and Tobacco Products**Related:** 2019:HB82; 2019:HB40; 2019:SB201; 2017:HB50**Progress:** 2nd House: Referred to Committee

Status: 02/15/2019 – House Consumer and Public Affairs Committee
History: 12/17/2018 – S Prefiled in the Senate.
01/16/2019 – S Introduced and referred to Senate Public Affairs.
01/16/2019 – S Also referred to Senate Judiciary.
01/25/2019 – S Reported Do Pass by Senate Public Affairs.
01/31/2019 – S Reported Do Pass as amended by Senate Judiciary.
01/31/2019 – S Note: Motion on adopting committee report.
02/14/2019 – S Opened for floor debate.
02/14/2019 – S Floor amendments adopted (Amendment 1) (Sen. Peter Wirth) Roll Call 27-15.
02/14/2019 – S Floor amendments adopted (Amendment 2) (Sen. Joseph Cervantes) Roll Call 26-16.
02/14/2019 – S Note: Audio: Amendment 2.
02/14/2019 – S Floor amendments failed (Amendment 3) (Sen. William Sharer) Roll Call 16-26.
02/14/2019 – S Floor amendments failed (Amendment 3) (Sen. Pat Woods) Roll Call 16-26.
02/14/2019 – S Floor amendments failed (Amendment 3) (Sen. Craig Brandt) Roll Call 16-26.
02/14/2019 – S Floor amendments failed (Amendment 3) (Sen. Gregory Baca) Roll Call 16-26.
02/14/2019 – S Passed 22-20.
02/15/2019 – H Received in the House and referred to House Consumer & Public Affairs.
02/15/2019 – H Also referred to House Judiciary.
Scheduled: 02/26/2019 – House Consumer and Public Affairs Committee, 1:30 p.m., Room 317
Category: Gun Bills

Bill: SB10
Sponsors: Cisneros (D6)
Title: SMALL BUSINESS INVESTMENT CORP FUNDS
Summary: (Related to SB0030) Increases the portion of the Severance Tax Permanent Fund required to be invested in the Small Business Investment Corporation from one to two percent of the Fund's market value.
Subjects: Business, Manufacturing and Economic Development; State Affairs and State Agencies; Banks, Securities and Loans; Public Finance and Budgets
Related: 2019:SB30
Progress: 1st House: Passed
Status: 02/25/2019 – Passed in the Senate
History: 02/04/2019 – S Introduced and referred to Senate Corporations & Transportation.
02/04/2019 – S Also referred to Senate Finance.
02/18/2019 – S Reported Do Pass by Senate Corporations & Transportation.
02/22/2019 – S Reported Do Pass by Senate Finance.
02/25/2019 – S Opened for floor debate.
02/25/2019 – S Passed 36-0.
Scheduled: 02/25/2019 – Senate Calendar, 11:00 a.m., Senate Chambers
Category: Economic Development & IRBs

Bill: SB11
Sponsors: Cisneros (D6); Romero, A. (D46)
Title: GROSS RECEIPTS TAX APPLICATION: LANL
Summary: (Identical to 2018, SB 17 – vetoed by governor as tax increase, singling out of one nonprofit – LANL operator – and potential hardship to New Mexicans) Amends the Gross Receipts Tax Act to apply the tax to a prime contractor who operates a national laboratory in New Mexico, whether or not the prime contractor qualifies as a Section 501(c)(3) nonprofit organization. The bill does so by amending Sec. 7-9-29 relating to I.C. exemptions to specifically exclude a nonprofit prime contractor of a national lab from the exemption.
Subjects: Business, Manufacturing and Economic Development; Taxation, Fees and Audits; County Affairs; Municipalities/City Government
Related: 2018:SB17
Progress: 2nd House: Passed
Status: 02/25/2019 – Senate concurred with House amendments
History: 12/17/2018 – S Prefiled in the Senate.
01/16/2019 – S Introduced and referred to Senate Corporations & Transportation.

01/16/2019 – S Also referred to Senate Finance.
 01/24/2019 – S Reported Do Pass by Senate Corporations & Transportation.
 02/01/2019 – S Reported Do Pass by Senate Finance.
 02/05/2019 – S Opened for floor debate.
 02/05/2019 – S Passed 29-6.
 02/06/2019 – H Received in the House and referred to House Taxation & Revenue.
 02/20/2019 – H Reported Do Pass by House Taxation & Revenue.
 02/24/2019 – H Opened for floor debate.
 02/24/2019 – H Floor amendments adopted (Amendment 1) (Rep. Jason Harper) Voice Vote.
 02/24/2019 – H Passed 64-0.
 02/25/2019 – S Note: Concurrence vote postponed.
 02/25/2019 – S Senate concurred with House amendments.

Category: Tax, Finance & Capital Outlay
Notes: EC Support 1/24/2019

Bill: SB14
Sponsors: Ingle (R27); Salazar, T. (D70)
Title: EDUCATIONAL RETIREMENT CHANGES: ELIGIBILITY, BENEFITS, RETURN TO WORK
Summary: Bill proposes a number of changes regarding eligibility for and financing of ERA retirement and return to work rules.
Subjects: Labor; Schools and Teachers; Public Employees/Retirement; State Affairs and State Agencies; Appropriations; Public Finance and Budgets
Progress: 1st House: Reported from Committees
Status: 01/30/2019 – Senate Finance Committee
History: 12/20/2018 – S Prefiled in the Senate.
 01/16/2019 – S Introduced and referred to Senate Education.
 01/16/2019 – S Also referred to Senate Finance.
 01/30/2019 – S Reported Do Pass by Senate Education.
Category: General Government

Bill: SB19
Sponsors: Griggs (R34)
Title: RESTRICTION ON TRANSFER OF DISPENSER'S LICENSE
Summary: Requires a licensee desiring to transfer a dispenser's license outside its local option district to choose, at the time of application for the transfer, whether the transferred license shall permit (1) the sale, serving or consumption of alcoholic beverages by the drink or (2) sale of alcoholic beverages in unbroken packages. Once made, the selection is permanent.
Subjects: Alcohol, Firearms and Tobacco Products; County Affairs; Municipalities/City Government; Business, Manufacturing and Economic Development
Progress: 1st House: Reported from Committees
Status: 02/07/2019 – Senate Judiciary Committee
History: 12/22/2018 – S Prefiled in the Senate.
 01/16/2019 – S Introduced and referred to Senate Corporations & Transportation.
 01/16/2019 – S Also referred to Senate Judiciary.
 02/07/2019 – S Reported Do Pass by Senate Corporations & Transportation.
Category: Liquor License Bills

Bill: SB21
Sponsors: Kernan (R42)
Title: HEALTH PROFESSIONAL LOAN REPAYMENT THROUGH PHYSICIAN FEES
Summary: (Essentially identical to 2018 SB10 and 2017 SB152). Establishes a Physician Excellence Fund and authorizes the Higher Education Department to apply appropriated funds for health professional loan repayment to assist licensed allopathic and osteopathic primary care physicians trained in family medicine, general internal medicine, obstetrics, gynecology or general pediatrics, and who practice in designated undeserved areas.
Subjects: Higher Education; Labor; Health and Medical Practice; Taxation, Fees and Audits; Public Finance and

Budgets

Related: 2018:SB10; 2017:SB152

Progress: 2nd House: Referred to Committee

Status: 02/06/2019 – House Health and Human Services Committee

History: 12/17/2018 – S Prefiled in the Senate.

01/16/2019 – S Introduced and referred to Senate Public Affairs.

01/25/2019 – S Reported Do Not Pass but Do Pass as substituted by Senate Public Affairs.

02/05/2019 – S Opened for floor debate.

02/05/2019 – S Passed 32-0.

02/06/2019 – H Received in the House and referred to House Health & Human Services.

02/06/2019 – H Also referred to House State Government, Elections & Indian Affairs.

Scheduled: 02/25/2019 – House Health and Human Services Committee, 8:00 a.m., Room 315

Category: Health

Bill: SB29

Sponsors: Padilla (D14); Gallegos, Doreen (D52)

Title: RESIDENT AND VETERAN BUSINESS SET-ASIDE ACT

Summary: (Revised 02/21/2019 NMLR) Proposes the "Resident Business Set-aside Act", which applies to contracts of the state government. Requires that 33 percent of the total number of an agency's contracts be awarded to resident and veteran businesses. Reconciles related provisions of the act to impose qualifying resident requirements on businesses owned by an Indian nation, tribe or pueblo by requiring a declaration that the business's principal place of business is in New Mexico and that at least 80 percent of the employees in the preceding year were residents of New Mexico.

Subjects: Courts and Civil Matters; Business, Manufacturing and Economic Development; State Affairs and State Agencies; Indians; Legislature

Progress: 1st House: Reported from Committees

Status: 01/28/2019 – Senate Judiciary Committee

History: 01/16/2019 – S Introduced and referred to Senate Corporations & Transportation.

01/16/2019 – S Also referred to Senate Judiciary.

01/28/2019 – S Reported Do Pass by Senate Corporations & Transportation.

Category: Economic Development & IRBs

Bill: SB41

Sponsors: Papen (D38)

Title: MEDICAID PROVIDER AND MANAGED CARE ACT

Summary: (Identical to final version of 2018 SB2, passed unanimously by both chambers but pocket vetoed by the Governor) (For the Legislative Health and Human Services Committee) Provides for maintenance of Medicaid services pending determination of disputes regarding overpayments and allegations of fraud. Establishes due process for providers and subcontractors in such disputes. Provides for audits and prohibition of extrapolation of audit findings. Establishes provider rights to request an informal conference and expedited adjudicatory proceedings from an administrative law judge in the Department of Finance and Administration, pursuant to the Administrative Procedures Act. Provides for release of suspended payment on posting of a surety bond; judicial review of final determinations; and award of costs.

Subjects: Insurance; Health and Medical Practice; Courts and Civil Matters; Criminal Code; State Affairs and State Agencies; Taxation, Fees and Audits

Related: 2018:SB2

Progress: 2nd House: Referred to Committee

Status: 02/15/2019 – House Health and Human Services Committee

History: 12/20/2018 – S Prefiled in the Senate.

01/16/2019 – S Introduced and referred to Senate Judiciary.

01/16/2019 – S Also referred to Senate Finance.

01/22/2019 – S Reported Do Pass by Senate Judiciary.

02/12/2019 – S Reported Do Pass as amended by Senate Finance.

02/14/2019 – S Opened for floor debate.

02/14/2019 – S Passed 38-0.

02/15/2019 – H Received in the House and referred to House Health & Human Services.

02/15/2019 – H Also referred to House Judiciary.
Category: Health

Bill: SB50
Sponsors: Steinborn (D36)
Title: AUTOMATIC VOTER REGISTRATION
Summary: (Duplicate of 2019, HB84) (Related to 2017, HB28) Provides for the simultaneous automatic registration of qualified electors who have a driver's license or identification card issued or renewed by the state. Designates TRD, HSD and the Secretary of State as voter registration agencies.
Subjects: Civil Rights; County Affairs; Elections; State Affairs and State Agencies
Related: 2019:HB84; 2017:HB28
Progress: Introduced
Status: 01/16/2019 – Senate Rules Committee
History: 12/17/2018 – S Prefiled in the Senate.
01/16/2019 – S Introduced and referred to Senate Rules.
01/16/2019 – S Also referred to Senate Judiciary.
Category: Elections

Bill: SB52
Sponsors: Steinborn (D36); Roybal Caballero (D13)
Title: VOTER REGISTRATION AT EARLY VOTING SITES
Summary: (Related to 2019, HB 86 and 2017, SB 224) Permits qualified electors to register to vote in primary or general elections up to three days before an election at early voting sites.
Subjects: Civil Rights; County Affairs; Elections; Municipalities/City Government; State Affairs and State Agencies
Related: 2019:HB86; 2017:SB224
Progress: Introduced
Status: 01/16/2019 – Senate Rules Committee
History: 12/17/2018 – S Prefiled in the Senate.
01/16/2019 – S Introduced and referred to Senate Rules.
01/16/2019 – S Also referred to Senate Public Affairs.
Category: Elections
Notes: Clerks - Opposed - 1/24/2019

Bill: SB64
Sponsors: McSorley (D16)
Title: BEHAVIORAL HEALTH INVESTMENT ZONES
Summary: Adds to the duties of the Interagency Behavioral Health Purchasing Collaborative to create and rank behavioral health investment zones statewide for allocation of non-Medicaid behavioral health service delivery. The collaborative is directed to adopt rules through the Human Services Department to complete this task by July 1, 2020. Requires quarterly reports to the Legislative Finance Committee and annual reports to the Legislative Health and Human Services Committee. Carries no appropriation.
Subjects: Health and Medical Practice; County Affairs; Municipalities/City Government; State Affairs and State Agencies; Human Services; Indians; Interim Studies and Interim Committees; Cultural Affairs
Progress: Introduced
Status: 01/16/2019 – Tabled indefinitely in the Senate
History: 12/30/2018 – S Prefiled in the Senate.
01/16/2019 – S Introduced.
01/16/2019 – S Tabled Indefinitely.
Category: Health

Bill: SB72
Sponsors: McSorley (D16)
Title: HIKE CIGARETTE TAX AND TOBACCO PRODUCTS TAX RATES; TAX E-CIGARETTES
Summary: (For Legislative Health and Human Services Committee and Tobacco Settlement Revenue Oversight

SFC CLERK RECORDED 03/28/2019

Committee) Raises the per-pack (of 20) tax on cigarettes from \$1.66 to \$3.16, or 7.5 cents per cigarette. Boosts the tobacco products tax from 25% to 76% of the product value of the tobacco products. Adjusts the definition of "tobacco product" to include e-cigarettes. Also bumps the tax rate of qualifying tribal cigarette taxes by 7.5 cents per cigarette. Effective July 1, 2019.

Subjects: Alcohol, Firearms and Tobacco Products; Schools and Teachers; Business, Manufacturing and Economic Development; Taxation, Fees and Audits

Progress: Introduced

Status: 01/16/2019 – Tabled indefinitely in the Senate

History: 01/16/2019 – S Introduced.

01/16/2019 – S Tabled Indefinitely.

Category: Tax, Finance & Capital Outlay

Bill: SB73

Sponsors: McSorley (D16)

Title: REDUCTION OF SUPERVISED PROBATION TIME

Summary: For persons convicted of a crime for which imprisonment is authorized, and after one year spent on supervised probation subsequent to incarceration, 30 days supervised probation time shall be changed to unsupervised probation for every 30 days served without a probation violation.

Subjects: Civil Rights; Courts and Civil Matters; Criminal Code; Public Safety and Corrections

Progress: Introduced

Status: 01/16/2019 – Tabled indefinitely in the Senate

History: 12/17/2018 – S Prefiled in the Senate.

01/16/2019 – S Introduced.

01/16/2019 – S Tabled Indefinitely.

Category: Courts & Public Safety

Bill: SB78

Sponsors: Soules (D37)

Title: RESTAURANT LICENSES LIMITED TO SELLING NEW MEXICO PRODUCTS

Summary: Allows local option districts to approve restaurant licenses for either (1) for sale of beer or wine only or (2) sale of beer and wine and of spirituous liquors distilled and bottled in New Mexico. The geographic locations for type 2 licenses must be limited. Sets the fee for a type 2 restaurant license at \$2,000 per year. Effective July 1, 2019.

Subjects: Alcohol, Firearms and Tobacco Products; County Affairs; Municipalities/City Government; Business, Manufacturing and Economic Development

Progress: 2nd House: Referred to Committee

Status: 02/22/2019 – House Commerce and Economic Development Committee

History: 12/20/2018 – S Prefiled in the Senate.

01/16/2019 – S Introduced and referred to Senate Rules.

01/16/2019 – S Also referred to Senate Corporations & Transportation.

02/04/2019 – S Reported Do Pass as amended by Senate Rules.

02/12/2019 – S Reported Do Pass by Senate Corporations & Transportation.

02/19/2019 – S Opened for floor debate.

02/19/2019 – S Passed 26-8.

02/22/2019 – H Received in the House and referred to House Commerce & Economic Development.

02/22/2019 – H Also referred to House State Government, Elections & Indian Affairs.

Category: Liquor License Bills

Bill: SB79

Sponsors: Soules (D37)

Title: MUNICIPAL DISPENSER'S LICENSE

Summary: Permits the governing body of a municipality that is located in a local option district to request and the director, Alcohol and Gaming Division, to issue one municipal dispenser's license for each 20,000 residents of the municipality. The license may be used only to lease to a qualified lessee, may not be transferred and does not expire. Municipal dispenser licenses do not count for purposes of establishing the maximum number of licenses permitted in the municipality.

Subjects: Alcohol, Firearms and Tobacco Products; County Affairs
Progress: Introduced
Status: 01/16/2019 – Senate Corporations and Transportation Committee
History: 12/22/2018 – S Prefiled in the Senate.
 01/16/2019 – S Introduced and referred to Senate Corporations & Transportation.
 01/16/2019 – S Also referred to Senate Judiciary.
Category: Liquor License Bills

Bill: SB97
Sponsors: O'Neill (D13)
Title: INTERSTATE MEDICAL LICENSURE COMPACT
Summary: (For the Legislative Health and Human Services Committee) Passage of the bill and signature by the Governor would join New Mexico as a member of the Interstate Medical Licensure Compact, an agreement among states to create an expedited process for licensing allopathic and osteopathic physicians in multiple states.
Subjects: Health and Medical Practice; Business, Manufacturing and Economic Development; State Affairs and State Agencies; Interim Studies and Interim Committees; Taxation, Fees and Audits
Progress: 1st House: Reported from Committees
Status: 01/30/2019 – Senate Judiciary Committee
History: 12/17/2018 – S Prefiled in the Senate.
 01/16/2019 – S Introduced and referred to Senate Public Affairs.
 01/16/2019 – S Also referred to Senate Judiciary.
 01/30/2019 – S Reported Do Pass by Senate Public Affairs.
Category: Health

Bill: SB102
Sponsors: Cisneros (D6)
Title: FRONTIER COMMUNITIES WORKING GROUP
Summary: Appropriates \$50,000 (GF) for use in FY 2020 to the Economic Development Department to convene a working group to identify ways to direct state resources into frontier communities to develop infrastructure, community and essential services.
Subjects: Agriculture and Ranching; Appropriations; Business, Manufacturing and Economic Development; County Affairs; Energy Resources and Chemicals; Environment and Pollution; Human Services; Land, Housing and Real Estate; Municipalities/City Government; State Affairs and State Agencies; Utilities; Water
Progress: Introduced
Status: 01/16/2019 – Senate Corporations and Transportation Committee
History: 12/19/2018 – S Prefiled in the Senate.
 01/16/2019 – S Introduced and referred to Senate Corporations & Transportation.
 01/16/2019 – S Also referred to Senate Finance.
Category: Economic Development & IRBs

Bill: SB105
Sponsors: Munoz (D4)
Title: CONSTRUCTION INDUSTRIES DIVISION: INSPECTIONS, LICENSURE, PENALTIES, RECOVERY FUND
Summary: A 104-page bill that make sweeping changes to the Construction Industries Licensing Act; changes its name to the Construction Inspection and Licensing Act. Creates a Recovery Fund and detailed process that allows up to \$50,000 per claim to be made for code violations up to five years after the construction work is terminated. Increases authority of Trade Bureaus to investigate complaints and inspect construction projects; enhances Division's authority to issue a Determination(s) of Violation and authorize disbursements to claimants from the Recovery Fund. Declares that building plans submitted to trade bureaus for review are not public record and therefore not subject to disclosure.
Subjects: Business, Manufacturing and Economic Development; Construction and Materials; County Affairs; Land, Housing and Real Estate; Municipalities/City Government; State Affairs and State Agencies; Appropriations; Criminal Code; Utilities; Courts and Civil Matters; Agriculture and Ranching; Taxation, Fees and Audits

Progress: Introduced

Status: 01/16/2019 – Senate Corporations and Transportation Committee

History: 12/19/2018 – S Prefiled in the Senate.

01/16/2019 – S Introduced and referred to Senate Corporations & Transportation.

01/16/2019 – S Also referred to Senate Judiciary.

01/16/2019 – S Also referred to Senate Finance.

Category: Economic Development & IRBs

Notes: From Joe Dudziak (Los Alamos):

- * Changes the name from Construction Industries licensing act to "Construction Inspection and Licensing Act" (CILA)
- * It does grandfather in single service building departments.
- * Building departments will enforce CILA. Currently CID enforces CILA
- * CID will inspect all public buildings (that is not currently in CILA)
- * CBOs must be approved by CIC (construction industries commission)
- * Requires CBOs to enforce journeyman ratios
- * Allows CID to assign a municipal inspector (including County Inspector) or CBO a complaint and spells out how the CBO or inspector is to investigate the complaint etc. and if the CBO or Inspector does not do it that way they can be disciplined by the Commission.
- * I have been told that the bill has been pulled so CID can re-write it. We are taking a close look at this to be able to tell when it resurfaces. This is a bad bill. We will watch it to see if it is still bad when it is re-written (which it likely will be).
- * We will probably know 24 hrs before it is scheduled to go to committee hearing. We will get the word out when we find out. It would be really good to get a lot of people who oppose this bill to go to the first committee meeting.

From Steve Archuleta:

- * Basically, they require local county and municipal building departments to become full service departments, having a Chief Building Official and at least one Building Inspector, plus an Electrical Inspector, an HVAC/Plumbing Inspector and potentially adding Fire Inspections and Propane Inspections if they end up at CID under other proposals that are out there for the Fire Marshall's Office being moved from/to the PRC.
- * This is not consistent with the State enabling legislation.
- * No local government could afford to do this.
- * Where regions like ours and some in the south tried to regionalize to address this, CID has voided the JPA's and said it's only permissible where they approve it at their discretion, and to-date they have refused to, including voiding decade old regional or inter-governmental agreements.
- * The goal was to generate revenue for CID by taking over the permitting and grabbing the fees but they don't have and can't and won't recruit enough inspectors to do the entire state, so inspections are either not getting done, taking too long to get or are being done by unqualified inspectors (like them hiring inspectors we fired).
- * Once CID grabs the money they refuse to respond to code violations or public complaints about building code issues, people building illegally without permits or inspections, etc., making the local government still have to retain a building department to enforce anything after the initial CO is issued.
- * In some cases, CID Inspectors issue approvals without checking first or having the builder check with the local government to see if the local zoning, design or energy codes even permit the construction; putting the homeowner, builder or store owner in the middle between CID and the local government.
- * In some cases CID has signed off on plans without Fire Marshall, public works, NMDOT or utility reviews and in several cases issued permits and never performed any on-site or progress inspections before issuing a CO at the end of the construction.
- * At least one inspector gave a CO to a multi-story restaurant owned by a family member with no approvals or inspections.
- * There is no oversight at CID and you can't get any answers on anything.
- * Right now it's a mess and doesn't solve anything except putting more responsibility on local government in exchange for the state stealing the building permit fees that have traditionally funded the departments at the local level, without relieving them of the legal liability for enforcement.
- * The state inspectors have said that they have been told by the state not to get involved in anything that would result in a lawsuit by the public or interfere with private businesses, so there is no

enforcement and there are an increasing percentage of people that know it and have stopped complying with the law.

Bill: SB106

Sponsors: Sapien (D9)

Title: SHORT-TERM OCCUPANCY TAX EXEMPTION

Summary: (Identical to 2015 SB402; 2017 HB266 and SB254) Removes the occupancy tax exemption for vendors offering fewer than three rooms attached to a taxable premises or three other taxable premises for lodging. Effective July 1, 2019.

Subjects: County Affairs; Municipalities/City Government; Land, Housing and Real Estate; Family and Juveniles; Taxation, Fees and Audits

Related: 2017:HB266; 2017:SB254; 2015:SB402

Progress: Pamphlet Law

Status: 02/04/2019 – Signed by the Governor

History: 12/19/2018 – S Prefiled in the Senate.

01/16/2019 – S Introduced and referred to Senate Corporations & Transportation.

01/22/2019 – S Reported Do Pass as amended by Senate Corporations & Transportation.

01/24/2019 – S Opened for floor debate.

01/24/2019 – S Passed 36-5.

01/25/2019 – H Received in the House and referred to House Taxation & Revenue.

01/30/2019 – H Reported Do Pass by House Taxation & Revenue.

01/31/2019 – H Opened for floor debate.

01/31/2019 – H Passed 56-9.

02/01/2019 – S Enrolled and engrossed.

02/01/2019 – S Signed by Officers of Senate.

02/04/2019 – G Signed by the Governor Laws 2019, Ch. 25.

Category: Tax, Finance & Capital Outlay

Bill: SB111

Sponsors: Sapien (D9)

Title: RENTAL CAR AND CAR SHARING: CONCESSION FEES AT LOCAL AIRPORTS

Summary: Amends the Municipal Airport Law to require rental car companies to enter into concession fee agreements to operate at municipal or county airports; amends the Rental Car Insurance Limited Producer License Act to define "car facilitation company" and equate it with a car rental company; establishes financial responsibility of car rental companies while the vehicle is in use by other than its registered owner.

Subjects: Insurance; County Affairs; Municipalities/City Government; Transportation; Business, Manufacturing and Economic Development

Progress: Introduced

Status: 01/16/2019 – Senate Corporations and Transportation Committee

History: 12/19/2018 – S Prefiled in the Senate.

01/16/2019 – S Introduced and referred to Senate Corporations & Transportation.

01/16/2019 – S Also referred to Senate Judiciary.

Category: Tax, Finance & Capital Outlay

Bill: SB113

Sponsors: Stefanics (D39)

Title: LOCAL INFRASTRUCTURE GRT RATE INCREASE

Summary: Increases the maximum rate of the municipal infrastructure gross receipts tax and the county infrastructure gross receipts tax from 0.25 to 0.625 percent. Allows county commissions to impose the first one-eighth percent increment and any increment dedicated to economic development purposes without referendum, to mirror similar provisions of the municipal tax. Also raises the existing limit on the amount of tax money that may be spent on promotion and administration from the greater of \$50,000 or ten percent of the revenue collected to \$250,000 or 20 percent. Effective July 1, 2019.

Subjects: County Affairs; Municipalities/City Government; Business, Manufacturing and Economic Development; Land, Housing and Real Estate

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Progress: Introduced
Status: 01/16/2019 – Senate Corporations and Transportation Committee
History: 12/19/2018 – S Prefiled in the Senate.
01/16/2019 – S Introduced and referred to Senate Corporations & Transportation.
01/16/2019 – S Also referred to Senate Finance.
Category: Economic Development & IRBs

Bill: SB116
Sponsors: Woods (R7)
Title: OPTIONAL PUBLIC HEARING FOR CERTAIN PROPERTY TAX REBATE
Summary: Existing law permits counties to rebate part of the property tax due on residences of low income taxpayers (those with modified gross incomes of \$24,000 or less). Since 1994, only two counties have ever adopted this rebate. If a county has not adopted an ordinance to provide the rebate, the county must hold a public hearing in January of every odd-numbered year on whether or not it should. This bill allows the county to make the hearing optional.
Subjects: County Affairs; Human Services; Family and Juveniles; Taxation, Fees and Audits
Progress: 1st House: Reported from Committees
Status: 01/29/2019 – Senate Judiciary Committee
History: 12/19/2018 – S Prefiled in the Senate.
01/16/2019 – S Introduced and referred to Senate Corporations & Transportation.
01/16/2019 – S Also referred to Senate Judiciary.
01/29/2019 – S Reported Do Pass by Senate Corporations & Transportation.
Category: Tax, Finance & Capital Outlay
Notes: EC Support 1/31/2019

Bill: SB121
Sponsors: Woods (R7)
Title: REINSTATE DOT RESPONSIBILITY FOR FENCES AND CATTLE GUARDS
Summary: Amends the Motor Vehicle Code to reinstate the Department of Transportation's and county commissioners' duty to maintain fencing, cattle guards and livestock warning signs on public highways.
Subjects: Transportation; State Affairs and State Agencies; County Affairs; Agriculture and Ranching; Public Safety and Corrections
Progress: 1st House: Reported from Committees
Status: 02/21/2019 – Senate Calendar
History: 12/19/2018 – S Prefiled in the Senate.
01/16/2019 – S Introduced and referred to Senate Corporations & Transportation.
01/16/2019 – S Also referred to Senate Judiciary.
02/07/2019 – S Reported Do Not Pass but Do Pass as substituted by Senate Corporations & Transportation.
02/21/2019 – S Reported Do Not Pass but Do Pass as substituted by Senate Judiciary.
Scheduled: 02/25/2019 – Senate Calendar, 11:00 a.m., Senate Chambers
Category: General Government
Notes: This bill was amended to take counties responsibility for fencing and signage away. Only NM DOT has responsibility under this bill now.

Bill: SB122
Sponsors: Woods (R7)
Title: CONSTRUCTION INDUSTRIES LICENSING ACT
Summary: (Related to 2019, HB49; essentially identical to 2017, HB 431 and SB 352) Provides for licensing of private inspection companies; allows companies to provide private inspectors for governments and for contractors and homeowners; requires the employment of certified building officials; limits employment of inspectors; clarifies provisions of the Construction Industries Licensing Act; makes technical changes.
Subjects: Business, Manufacturing and Economic Development; Construction and Materials; County Affairs; Municipalities/City Government; State Affairs and State Agencies

Related: 2019:HB49; 2017:HB431; 2017:SB352

Progress: Introduced

Status: 01/16/2019 – Senate Corporations and Transportation Committee

History: 12/19/2018 – S Prefiled in the Senate.

01/16/2019 – S Introduced and referred to Senate Corporations & Transportation.

01/16/2019 – S Also referred to Senate Judiciary.

Category: Economic Development & IRBs

Bill: SB124

Sponsors: Padilla (D14)

Title: BREASTFEEDING AND LACTATION POLICIES FOR INMATES

Summary: (Similar to 2017, HB 277) Requires correctional facilities to develop and implement policies for lactating inmates.

Subjects: Family and Juveniles; Health and Medical Practice; Human Services; Public Safety and Corrections

Related: 2017:HB277

Progress: 2nd House: Referred to Committee

Status: 02/08/2019 – House Health and Human Services Committee

History: 12/20/2018 – S Prefiled in the Senate.

01/16/2019 – S Introduced and referred to Senate Judiciary.

01/22/2019 – S Reported Do Pass by Senate Judiciary.

01/23/2019 – S Referred to Senate Judiciary (Removed from Calendar; returned to Judiciary).

01/31/2019 – S Reported Do Not Pass but Do Pass as substituted by Senate Judiciary.

02/07/2019 – S Opened for floor debate.

02/07/2019 – S Passed 37-0.

02/08/2019 – H Received in the House and referred to House Health & Human Services.

02/08/2019 – H Also referred to House Judiciary.

Scheduled: 02/25/2019 – House Health and Human Services Committee, 8:00 a.m., Room 315

Category: Courts & Public Safety

Notes: EC No Position 1/24/2019

Bill: SB126

Sponsors: Papen (D38)

Title: PRIMARY CARE CLINICS CAPITAL FUNDING

Summary: (Related to 2019, SB0128) (Endorsed by the New Mexico Finance Authority Oversight Committee) Amends the Primary Care Capital Funding Act to make county- or municipality-owned primary care clinics in rural or underserved areas eligible for primary care capital funding; permits the New Mexico Finance Authority to recover from the Primary Care Capital Fund the costs of administering the fund and originating loans up to an amount equal to ten percent of original loan amounts.

Subjects: Appropriations; County Affairs; Health and Medical Practice; Municipalities/City Government; Public Finance and Budgets; State Affairs and State Agencies

Related: 2019:SB128

Progress: 2nd House: Referred to Committee

Status: 02/22/2019 – House Local Government, Land Grants and Cultural Affairs Committee

History: 12/20/2018 – S Prefiled in the Senate.

01/17/2019 – S Introduced and referred to Senate Public Affairs.

01/17/2019 – S Also referred to Senate Finance.

02/01/2019 – S Reported Do Pass by Senate Public Affairs.

02/19/2019 – S Reported Do Pass by Senate Finance.

02/20/2019 – S Opened for floor debate.

02/20/2019 – S Passed 39-0.

02/22/2019 – H Received in the House and referred to House Local Government, Land Grants & Cultural Affairs.

02/22/2019 – H Also referred to House Appropriations & Finance.

Category: Health

Bill: SB127

Sponsors: Papen (D38)
Title: ALCOHOLIC BEVERAGES IMPORTS AND SHIPMENTS
Summary: Amends the Liquor Control Acts to tighten controls on who may ship alcoholic beverages into New Mexico. Effective July 2019.
Subjects: Alcohol, Firearms and Tobacco Products; Criminal Code; Transportation; Business, Manufacturing and Economic Development; State Affairs and State Agencies
Progress: 1st House: Reported from Committees
Status: 02/05/2019 – Senate Judiciary Committee
History: 12/20/2018 – S Prefiled in the Senate.
01/17/2019 – S Introduced and referred to Senate Corporations & Transportation.
01/17/2019 – S Also referred to Senate Judiciary.
02/05/2019 – S Reported Do Pass by Senate Corporations & Transportation.
Category: Liquor License Bills

Bill: SB128
Sponsors: Papen (D38)
Title: LOCAL GOVERNMENT BEHAVIORAL HEALTH CLINIC FUNDING
Summary: (Related to 2019 SB126) (For New Mexico Finance Authority Oversight Committee) Amends the Behavioral Health Capitol Funding Act by redefining "eligible entity" in two ways.
Subjects: Health and Medical Practice; County Affairs; Municipalities/City Government; Business, Manufacturing and Economic Development; Appropriations; Public Finance and Budgets
Related: 2019:SB126
Progress: 2nd House: Referred to Committee
Status: 02/24/2019 – House Local Government, Land Grants and Cultural Affairs Committee
History: 12/20/2018 – S Prefiled in the Senate.
01/17/2019 – S Introduced and referred to Senate Public Affairs.
01/17/2019 – S Also referred to Senate Finance.
02/01/2019 – S Reported Do Pass by Senate Public Affairs.
02/20/2019 – S Reported Do Pass by Senate Finance.
02/22/2019 – S Opened for floor debate.
02/22/2019 – S Passed 42-0.
02/24/2019 – H Received in the House and referred to House Local Government, Land Grants & Cultural Affairs.
02/24/2019 – H Also referred to House Appropriations & Finance.
Category: Health

Bill: SB141
Sponsors: Ortiz y Pino (D12)
Title: PSYCHOLOGY INTERJURISDICTIONAL COMPACT
Summary: (For the Legislative Health and Human Services Committee) Proposes that New Mexico join the Psychology Interjurisdictional Compact (PSYPACT) to facilitate providing psychological services using telecommunication technology across state lines, and permit temporary in-person face-to-face services, by psychologists not licensed in the receiving state.
Subjects: Labor; Health and Medical Practice; State Affairs and State Agencies
Progress: 1st House: Reported from Committees
Status: 02/04/2019 – Senate Judiciary Committee
History: 12/20/2018 – S Prefiled in the Senate.
01/17/2019 – S Introduced and referred to Senate Public Affairs.
01/17/2019 – S Also referred to Senate Judiciary.
02/04/2019 – S Reported Do Pass by Senate Public Affairs.
Category: Health

Bill: SB143
Sponsors: Stewart (D17)
Title: PRC FIRE SAFETY STANDARDS
Summary: Requires the Public Regulation Commission to mandate inspection of fire and smoke dampers and fire

control systems.

Subjects: State Affairs and State Agencies; Construction and Materials; Land, Housing and Real Estate; Business, Manufacturing and Economic Development; Schools and Teachers; Higher Education; Public Safety and Corrections; Insurance; County Affairs; Municipalities/City Government

Related: 2019:HB177

Progress: 2nd House: Referred to Committee

Status: 02/22/2019 – House Labor, Veterans' and Military Affairs Committee

History: 12/20/2018 – S Prefiled in the Senate.

01/17/2019 – S Introduced and referred to Senate Public Affairs.

01/17/2019 – S Also referred to Senate Corporations & Transportation.

02/01/2019 – S Reported Do Pass as amended by Senate Public Affairs.

02/12/2019 – S Reported Do Not Pass but Do Pass as substituted by Senate Corporations & Transportation.

02/19/2019 – S Opened for floor debate.

02/19/2019 – S Passed 26-5.

02/22/2019 – H Received in the House and referred to House Labor, Veterans' & Military Affairs.

02/22/2019 – H Also referred to House State Government, Elections & Indian Affairs.

Category: Fire, EMS & E911

Bill: SB144

Sponsors: Rue (R23)

Title: WEBSITE POSTING: CAPITAL OUTLAY PROJECT FUNDING

Summary: Requires the Legislative Council Service, within thirty days after the adjournment of a legislative session, to publish on the Legislature's website a searchable listing of all the projects in a capital outlay bill passed by the Legislature.

Subjects: State Affairs and State Agencies; Appropriations; Legislature; Capital Outlay Requests

Progress: Introduced

Status: 01/17/2019 – Senate Rules Committee

History: 12/20/2018 – S Prefiled in the Senate.

01/17/2019 – S Introduced and referred to Senate Rules.

01/17/2019 – S Also referred to Senate Finance.

Category: Tax, Finance & Capital Outlay

Notes: EC Support - 2/07/2019

Bill: SB147

Sponsors: Brandt (R40)

Title: SCHOOL EVACUATION, SHELTER-IN-PLACE AND ACTIVE SHOOTER DRILLS

Summary: Amends emergency drill requirements for public and private schools to require four drills each school year, of which two shall be shelter-in-place drills that include preparation to respond to an active shooter and two shall be evacuation drills.

Subjects: Schools and Teachers; Public Safety and Corrections

Progress: 2nd House: Referred to Committee

Status: 02/22/2019 – House Education Committee

History: 12/22/2018 – S Prefiled in the Senate.

01/17/2019 – S Introduced and referred to Senate Education.

01/17/2019 – S Also referred to Senate Public Affairs.

01/24/2019 – S Reported Do Pass by Senate Education.

02/01/2019 – S Reported Do Not Pass but Do Pass as substituted by Senate Public Affairs.

02/07/2019 – S Opened for floor debate.

02/07/2019 – S Passed 37-0.

02/08/2019 – H Received in the House and referred to House Consumer & Public Affairs.

02/08/2019 – H Also referred to House Education.

02/22/2019 – H Reported Do Pass by House Consumer & Public Affairs.

Category: Courts & Public Safety

Bill: SB148

Sponsors: Brandt (R40)
Title: FORMER OFFICERS AS SCHOOL SAFETY PERSONNEL
Summary: (For the Legislative Education Study Committee) In the Public Employee's Retirement Act, provides that retired law enforcement officers employed as school security personnel will still receive cost-of-living adjustments on their pensions.
Subjects: Schools and Teachers; Public Employees/Retirement; Public Safety and Corrections
Progress: 1st House: Reported from Committees
Status: 01/24/2019 – Senate Finance Committee
History: 12/22/2018 – S Prefiled in the Senate.
01/17/2019 – S Introduced and referred to Senate Education.
01/17/2019 – S Also referred to Senate Finance.
01/24/2019 – S Reported Do Pass by Senate Education.
Category: Gun Bills

Bill: SB149

Sponsors: Griggs (R34)
Title: RENAME ALCOHOL AND GAMING DIVISION
Summary: Reorganizes the Regulation and Licensing Department by restoring the Alcohol and Gaming Division to its previous name of Alcoholic Beverage Control Division. Makes the appropriate transfer of all assets, contractual obligations and statutory authority from one division to the other.
Subjects: State Affairs and State Agencies; Alcohol, Firearms and Tobacco Products
Progress: Pamphlet Law
Status: 02/04/2019 – Signed by the Governor
History: 12/22/2018 – S Prefiled in the Senate.
01/17/2019 – S Introduced and referred to Senate Rules.
01/23/2019 – S Reported Do Pass by Senate Rules.
01/24/2019 – S Opened for floor debate.
01/24/2019 – S Passed 40-0.
01/25/2019 – H Received in the House and referred to House State Government, Elections & Indian Affairs.
01/28/2019 – H Reported Do Pass by House State Government, Elections & Indian Affairs.
01/30/2019 – H Opened for floor debate.
01/30/2019 – H Passed 65-0.
01/31/2019 – S Enrolled and engrossed.
01/31/2019 – S Signed by Officers of Senate.
02/04/2019 – G Signed by the Governor Laws 2019, Ch. 29.
Category: Liquor License Bills
Notes: Rocket Docket

Bill: SB151

Sponsors: Tallman (D18)
Title: DISCLOSE CONFIDENTIAL TAX INFORMATION TO LFC, DFA ECONOMISTS
Summary: Seeks to concentrate with the state professional economists information essential to evaluating tax expenditures and economic development incentives. Would provide Taxation and Revenue Department with authority to provide taxpayer tax return information to certain state employees or contractors. Defines "state professional economist" as a professional economist who is an employee or contractor of LFC, DFA or TRD. Effective July 1, 2019. Provides a \$136,000 (GF) appropriation to LFC to evaluate tax incentives and other economic development incentives.
Subjects: County Affairs; Municipalities/City Government; Criminal Code; Business, Manufacturing and Economic Development; State Affairs and State Agencies; Appropriations; Taxation, Fees and Audits; Public Finance and Budgets
Progress: 1st House: Reported from Committees
Status: 02/25/2019 – Senate Judiciary Committee
History: 12/22/2018 – S Prefiled in the Senate.
01/17/2019 – S Introduced and referred to Senate Corporations & Transportation.
01/17/2019 – S Also referred to Senate Judiciary.
01/17/2019 – S Also referred to Senate Finance.

02/25/2019 – S Reported Do Not Pass but Do Pass as substituted by Senate Corporations & Transportation.

Category: Tax, Finance & Capital Outlay

Bill: SB154

Sponsors: Papen (D38)

Title: PUBLIC PROPERTY DISPOSITION ACT

Summary: (Related to 2017 SB335, passed unanimously but pocket vetoed by the Governor) Governs all forms of disposition of tangible public property and K-9 dogs, and the sale or lease of state real property; exempts certain agencies and provides alternative procedures for them; creates the Surplus Property Bureau in the Transportation Services Division of the General Services Department; and creates the Surplus Property Fund.

Subjects: Higher Education; Schools and Teachers; Criminal Code; Business, Manufacturing and Economic Development; State Affairs and State Agencies; Land, Housing and Real Estate; Public Finance and Budgets; Cultural Affairs

Related: 2017:SB335

Progress: 1st House: Reported from Committees

Status: 02/06/2019 – Senate Public Affairs Committee

History: 12/22/2018 – S Prefiled in the Senate.

01/17/2019 – S Introduced and referred to Senate Rules.

01/17/2019 – S Also referred to Senate Public Affairs.

02/06/2019 – S Reported Do Pass as amended by Senate Rules.

Category: Tax, Finance & Capital Outlay

Bill: SB158

Sponsors: Woods (R7)

Title: WILD HORSES

Summary: (Related to 2018, SJM 5) Excludes wild horses and other animals from the definition of "livestock;" adds disposition procedures for wild horses captured on public or private land.

Subjects: Agriculture and Ranching; Natural Resources (Parks and Wildlife); State Affairs and State Agencies

Related: 2018:SJM5

Progress: 2nd House: Referred to Committee

Status: 02/22/2019 – House State Government, Elections and Indian Affairs Committee

History: 12/26/2018 – S Prefiled in the Senate.

01/17/2019 – S Introduced and referred to Senate Conservation.

01/17/2019 – S Also referred to Senate Judiciary.

02/12/2019 – S Reported Do Not Pass but Do Pass as substituted by Senate Conservation.

02/19/2019 – S Reported Do Pass as amended by Senate Judiciary.

02/20/2019 – S Opened for floor debate.

02/20/2019 – S Passed 37-1.

02/22/2019 – H Received in the House and referred to House State Government, Elections & Indian Affairs.

02/22/2019 – H Also referred to House Judiciary.

Category: Public Lands, Natural Resources & Agriculture

Bill: SB165

Sponsors: Sanchez, C. (D30); Powdrell-Culbert (R44)

Title: MUNICIPALITY AUTHORITY: PLEDGE ANY REVENUE TO REPAY REFUNDING BONDS

Summary: (For the New Mexico Finance Authority Oversight Committee) Removes restrictions on the pledging of gross receipts tax revenue to refund various types of municipal bonds and explicitly provides that a municipality may pledge revenues from one source to the payment of bonds that refund bonds payable from a different source of revenue. Effective July 1, 2019.

Subjects: Municipalities/City Government; Banks, Securities and Loans; Public Finance and Budgets

Progress: 2nd House: Referred to Committee

Status: 02/14/2019 – House Local Government, Land Grants and Cultural Affairs Committee

History: 12/27/2018 – S Prefiled in the Senate.

SFC CLERK RECORDED 03/28/2019

01/17/2019 – S Introduced and referred to Senate Public Affairs.
01/17/2019 – S Also referred to Senate Corporations & Transportation.
02/04/2019 – S Reported Do Pass by Senate Public Affairs.
02/11/2019 – S Reported Do Pass by Senate Corporations & Transportation.
02/13/2019 – S Opened for floor debate.
02/13/2019 – S Passed 42-0.
02/14/2019 – H Received in the House and referred to House Local Government, Land Grants & Cultural Affairs.
02/14/2019 – H Also referred to House Taxation & Revenue.
Scheduled: 02/28/2019 – House Local Government, Land Grants and Cultural Affairs Committee, 9:00 a.m., Room 309 (Revised 02/24/2019)
Category: Tax, Finance & Capital Outlay

Bill: SB166
Sponsors: Sanchez, C. (D30)
Title: INCREASING CIGARETTE TAX AND TAXING E-LIQUID IN E-CIGARETTES
Summary: (Related to 2018 HB232 and SB25) Hikes cigarette tax to ten cents per cigarette (\$2 per pack). Also subjects the "e-liquid" used in e-cigarettes and little cigars to the tobacco products tax at special, higher rates. Introduces two reduced tax rates for cigarettes and tobacco products for which a modified risk order has been issued by the U.S. Secretary of Health and Human Services. Effective July 1, 2019.
Subjects: Alcohol, Firearms and Tobacco Products; Business, Manufacturing and Economic Development; Taxation, Fees and Audits
Related: 2018:HB232; 2019:SB25
Progress: 1st House: Reported from Committees
Status: 02/04/2019 – Senate Corporations and Transportation Committee
History: 12/27/2018 – S Prefiled in the Senate.
01/17/2019 – S Introduced and referred to Senate Public Affairs.
01/17/2019 – S Also referred to Senate Corporations & Transportation.
01/17/2019 – S Also referred to Senate Finance.
02/04/2019 – S Reported Do Pass by Senate Public Affairs.
Scheduled: 02/25/2019 – Senate Corporations and Transportation Committee, 2:00 p.m., Room 311
Category: Tax, Finance & Capital Outlay

Bill: SB167
Sponsors: Sanchez, C. (D30)
Title: SECRETARY OF STATE AUTHORITY TO ACCEPT ELECTRONIC SIGNATURES
Summary: Authorizes the Secretary of State to permit, without adopting a rule, electronic filing of documents, including original documents, and accept for filing a document by electronic filing containing a signature, however made.
Subjects: Business, Manufacturing and Economic Development; State Affairs and State Agencies
Progress: 2nd House: Referred to Committee
Status: 02/14/2019 – House State Government, Elections and Indian Affairs Committee
History: 12/27/2018 – S Prefiled in the Senate.
01/17/2019 – S Introduced and referred to Senate Corporations & Transportation.
01/17/2019 – S Also referred to Senate Judiciary.
01/31/2019 – S Reported Do Pass by Senate Corporations & Transportation.
02/12/2019 – S Reported Do Pass by Senate Judiciary.
02/14/2019 – S Opened for floor debate.
02/14/2019 – S Passed 37-0.
02/14/2019 – H Received in the House and referred to House State Government, Elections & Indian Affairs.
02/14/2019 – H Also referred to House Judiciary.
Category: General Government

Bill: SB190

Sponsors: Ivey-Soto (D15)

Title: INTIMATE PARTNER VIOLENCE SURVIVOR SUFFRAGE ACT

Summary: Amends the Election Code to create the Intimate Partner Violence Survivor Suffrage Act in the Election Code, and requires the Secretary of State to ensure that a participant who is eligible to vote in New Mexico is able to be securely registered to vote and to automatically receive a ballot for each election.

Subjects: County Affairs; Courts and Civil Matters; State Affairs and State Agencies; Family and Juveniles; Elections

Progress: 2nd House: Referred to Committee

Status: 02/22/2019 – House Consumer and Public Affairs Committee

History: 01/04/2019 – S Prefiled in the Senate.

01/17/2019 – S Introduced and referred to Senate Rules.

01/17/2019 – S Also referred to Senate Judiciary.

02/08/2019 – S Reported Do Pass by Senate Rules.

02/18/2019 – S Reported Do Pass as amended by Senate Judiciary.

02/19/2019 – S Opened for floor debate.

02/19/2019 – S Passed 34-0.

02/22/2019 – H Received in the House and referred to House Consumer & Public Affairs.

02/22/2019 – H Also referred to House State Government, Elections & Indian Affairs.

Category: Elections

Notes: Clerks - Supported - 1/24/2019

Bill: SB192

Sponsors: Ivey-Soto (D15)

Title: OPTION TO RELEASE PREGNANT OR LACTATING INDIVIDUAL FROM JAIL

Summary: SPAC Substitute for SB192 retains the intent and substance of the original bill with two differences: (a) changes all references to an "inmate" or "incarcerated person" to an "individual" who is pregnant or lactating and limits the scope of the bill to the release of individuals who are in the custody of a jail. The bill no longer applies to the release inmates from prison.

Subjects: Criminal Code; Public Safety and Corrections; Courts and Civil Matters; Human Services

Progress: 2nd House: Referred to Committee

Status: 02/14/2019 – House Health and Human Services Committee

History: 01/04/2019 – S Prefiled in the Senate.

01/17/2019 – S Introduced and referred to Senate Public Affairs.

01/17/2019 – S Also referred to Senate Judiciary.

01/30/2019 – S Reported Do Not Pass but Do Pass as substituted by Senate Public Affairs.

02/05/2019 – S Reported Do Not Pass but Do Pass as substituted by Senate Judiciary.

02/13/2019 – S Opened for floor debate.

02/13/2019 – S Passed 39-0.

02/14/2019 – H Received in the House and referred to House Health & Human Services.

02/14/2019 – H Also referred to House Judiciary.

Category: Courts & Public Safety

Notes: EC Support 1/24/2019

Bill: SB196

Sponsors: Martinez, Richard (D5); Roybal Caballero (D13); Martinez, J. (D11)

Title: PROHIBITION AGAINST ENFORCING FEDERAL IMMIGRATION LAW

Summary: (Related to 2017 SB270, HB116; 2015 SB315) Prohibits the state and its political subdivisions from using public resources to take any action against a person for entry or residence in the U.S. in violation of federal immigration law. Repeals statutory authorization for state and local law enforcement to participate in the Federal Law Enforcement Assistance Act.

Subjects: Criminal Code; State Affairs and State Agencies; Public Safety and Corrections

Related: 2017:SB270; 2017:HB116; 2015:SB315

Progress: 1st House: Reported from Committees

Status: 01/28/2019 – Senate Judiciary Committee

History: 01/08/2019 – S Prefiled in the Senate.

01/17/2019 – S Introduced and referred to Senate Public Affairs.

01/17/2019 – S Also referred to Senate Judiciary.

01/28/2019 – S Reported Do Pass as amended by Senate Public Affairs.

Category: Courts & Public Safety

Bill: SB199

Sponsors: Wirth (D25)

Title: ELECTRONIC COMMUNICATIONS PRIVACY ACT

Summary: (Identical to 2017 SB 61, passed/vetoed by Governor as a burden on law enforcement, harmful to law enforcement's ability to preserve investigative information and unnecessary) Cited as the Electronic Communications Privacy Act, the bill provides protections from government access to electronic communications by specifying the conditions under which a government entity may compel the production of or access to electronic communication information from a service provider. Requires the issuance of a warrant and specifies conditions that must be satisfied before a warrant or wiretap is authorized.

Subjects: Civil Rights; Courts and Civil Matters; Telecommunications; Information Technology; Public Safety and Corrections

Related: 2017:SB61

Progress: Pamphlet Law

Status: 02/04/2019 – Signed by the Governor

History: 01/09/2019 – S Prefiled in the Senate.

01/17/2019 – S Introduced and referred to Senate Judiciary.

01/22/2019 – S Reported Do Pass by Senate Judiciary.

01/24/2019 – S Opened for floor debate.

01/24/2019 – S Passed 41-0.

01/25/2019 – H Received in the House and referred to House Judiciary.

01/29/2019 – H Reported Do Pass by House Judiciary.

01/30/2019 – H Opened for floor debate.

01/30/2019 – H Passed 68-0.

01/31/2019 – S Enrolled and engrossed.

01/31/2019 – S Signed by Officers of Senate.

02/01/2019 – H Signed by Officers of House.

02/04/2019 – G Signed by the Governor Laws 2019, Ch. 39.

Category: Courts & Public Safety

Notes: We did review this bill and believe it or not, we kind of like the warrant exception. It appears to follow 4th Amendment safeguards so we are not too overly concerned.

Bill: SB201

Sponsors: Padilla (D14)

Title: FIREARM TRANSFER ACT

Summary: (Related to 2019 HB8, HB40 and SB8, 2017 HB50, HB 548 and SB48) Establishes the Firearm Transfer Act to require a background check before a firearm is transferred; creates a crime and imposes penalties; requires reporting of information; sets procedure and standards for restoration of right to receive or possess firearms; provides for contingent repeal.

Subjects: Alcohol, Firearms and Tobacco Products; Courts and Civil Matters; Criminal Code; Public Safety and Corrections; State Affairs and State Agencies

Related: 2019:HB8; 2019:HB40; 2019:SB8; 2017:HB50; 2017:HB548

Progress: Introduced

Status: 01/17/2019 – Senate Public Affairs Committee

History: 01/08/2019 – S Prefiled in the Senate.

01/17/2019 – S Introduced and referred to Senate Public Affairs.

01/17/2019 – S Also referred to Senate Judiciary.

Category: Gun Bills

Bill: SB207

Sponsors: Martinez, Richard (D5)

Title: LICENSED SUBSTANCE ABUSE ASSOCIATES REIMBURSEMENTS

Summary: (Identical to 2018 SB126, related to 2018 SB212) Requires the Secretary of Human Services to adopt

rules to allow licensed substance abuse associates to be reimbursed for services rendered to Medical Assistance recipients within their scope of practice.

Subjects: Health and Medical Practice; Human Services; State Affairs and State Agencies; Insurance

Related: 2018:SB126; 2018:SB212

Progress: 1st House: Passed

Status: 02/25/2019 – Passed in the Senate

History: 01/09/2019 – S Prefiled in the Senate.

01/17/2019 – S Introduced and referred to Senate Public Affairs.

01/17/2019 – S Also referred to Senate Finance.

02/06/2019 – S Reported Do Pass by Senate Public Affairs.

02/22/2019 – S Reported Do Pass by Senate Finance.

02/25/2019 – S Opened for floor debate.

02/25/2019 – S Floor amendments adopted (Amendment 1) (Sen. Carlos Cisneros) Voice Vote.

02/25/2019 – S Passed 41-0.

Scheduled: 02/25/2019 – Senate Calendar, 11:00 a.m., Senate Chambers

Category: Health

Bill: SB210

Sponsors: Griggs (R34)

Title: TYPE B RESTAURANT LIQUOR LICENSE

Summary: Allows local option districts to adopt ordinances approving the issuance of restaurant licenses, designated type B restaurant licenses, for the sale and service of beer, wine and alcoholic beverages. Sets the fee for issuance at \$20,000 and for renewal at \$1,300 per annum. Effective July 1, 2019.

Subjects: Alcohol, Firearms and Tobacco Products; County Affairs; Municipalities/City Government; Business, Manufacturing and Economic Development; State Affairs and State Agencies

Progress: 1st House: Reported from Committees

Status: 02/07/2019 – Senate Judiciary Committee

History: 01/09/2019 – H Prefiled in the House.

01/17/2019 – S Introduced and referred to Senate Corporations & Transportation.

01/17/2019 – S Also referred to Senate Judiciary.

02/07/2019 – S Reported Do Pass by Senate Corporations & Transportation.

Category: Liquor License Bills

Bill: SB216

Sponsors: Rodriguez (D24)

Title: FUNDS FOR LAW ENFORCEMENT ASSISTED DIVERSION

Summary: Appropriates \$700,000 (GF) for use in FY 2020 to the Local Government Division of the Department of Finance and Administration for operational support for law enforcement assisted diversion in the City of Santa Fe and establishment and operation of law enforcement assisted diversion in the counties of Santa Fe, Rio Arriba, Bernalillo and Dona Ana.

Subjects: Public Safety and Corrections; Appropriations; State Affairs and State Agencies

Progress: 1st House: Reported from Committees

Status: 01/29/2019 – Senate Finance Committee

History: 01/09/2019 – S Prefiled in the Senate.

01/17/2019 – S Introduced and referred to Senate Judiciary.

01/17/2019 – S Also referred to Senate Finance.

01/29/2019 – S Reported Do Pass by Senate Judiciary.

Category: Courts & Public Safety

Bill: SB217

Sponsors: Stefanics (D39)

Title: APPRAISALS FOR EMINENT DOMAIN

Summary: Amends the Eminent Domain Code to require both parties to a condemnation to obtain property appraisals prior to the filing of an action if settlement negotiations fail.

Subjects: County Affairs; Courts and Civil Matters; Land, Housing and Real Estate

Progress: Introduced

SFC CLERK RECORDED 03/28/2019

Status: 01/17/2019 – Senate Conservation Committee
History: 01/09/2019 – S Prefiled in the Senate.
01/17/2019 – S Introduced and referred to Senate Conservation.
01/17/2019 – S Also referred to Senate Judiciary.
Category: General Government

Bill: SB219
Sponsors: Wirth (D25); Egolf (D47)
Title: STATE PROJECTS SUBJECT TO HISTORIC DISTRICT OVERSIGHT
Summary: (Virtually identical to 2017 SB409, passed unanimously by both chambers but vetoed by the Governor.) Makes all new construction or renovation projects on state-owned land or land held in trust by the state, regardless of funding source, subject to municipal and local government oversight pursuant to the Historic District and Landmark Act.
Subjects: County Affairs; Municipalities/City Government; State Affairs and State Agencies; Land, Housing and Real Estate
Related: 2017:SB409
Progress: 1st House: Passed
Status: 02/25/2019 – Passed in the Senate
History: 01/09/2019 – S Prefiled in the Senate.
01/17/2019 – S Introduced and referred to Senate Public Affairs.
01/17/2019 – S Also referred to Senate Judiciary.
02/08/2019 – S Reported Do Not Pass but Do Pass as substituted by Senate Public Affairs.
02/21/2019 – S Reported Do Not Pass but Do Pass as substituted by Senate Judiciary.
02/25/2019 – S Opened for floor debate.
02/25/2019 – S Passed 21-20.
Scheduled: 02/25/2019 – Senate Calendar, 11:00 a.m., Senate Chambers
Category: General Government

Bill: SB220
Sponsors: Wirth (D25); Rehm (R31)
Title: ELIGIBILITY FOR RESIDENTIAL VALUATION FREEZE
Summary: Amends the Property Tax Code to add a fourth category of claimant to the freeze on increases in valuation of single-family homes owned by low income persons aged 65 or older or disabled, beginning with the 2020 property tax year. Modified gross income for this group may not exceed \$32,000, as adjusted for inflation in succeeding years.
Subjects: County Affairs; Municipalities/City Government; State Affairs and State Agencies; Land, Housing and Real Estate; Family and Juveniles; Taxation, Fees and Audits
Progress: 1st House: Reported from Committees
Status: 02/04/2019 – Senate Corporations and Transportation Committee
History: 01/09/2019 – S Prefiled in the Senate.
01/17/2019 – S Introduced and referred to Senate Public Affairs.
01/17/2019 – S Also referred to Senate Corporations & Transportation.
02/04/2019 – S Reported Do Pass by Senate Public Affairs.
Category: Tax, Finance & Capital Outlay
Notes: Assessors oppose 2/21/2019

Bill: SB224
Sponsors: Sharer (R1)
Title: CONCEALED CARRY FOR RESERVE POLICE
Summary: (Related to 2017 SB283) Amends the Concealed Handgun Carry Act to add reserve police officers to the list of those exempt from fees and training requirements if they are licensed or seeking a license to carry a concealed handgun.
Subjects: Alcohol, Firearms and Tobacco Products; Public Safety and Corrections
Related: 2017:SB283
Progress: Introduced
Status: 01/17/2019 – Senate Public Affairs Committee

History: 01/11/2019 – S Prefiled in the Senate.
01/17/2019 – S Introduced and referred to Senate Public Affairs.
01/17/2019 – S Also referred to Senate Judiciary.

Category: Gun Bills

Bill: SB227

Sponsors: Stefanics (D39)

Title: UNLAWFUL DISCRIMINATION PRACTICES BY EMPLOYERS

Summary: Amends the Human Rights Act to add sexual orientation and gender identity to the protected classes against which all employers, regardless of number of employees, are prohibited from discriminating unless based on a bona fide occupational qualification or other statutory prohibition.

Subjects: Business, Manufacturing and Economic Development; Civil Rights

Progress: 1st House: Reported from Committees

Status: 02/14/2019 – Senate Judiciary Committee

History: 01/11/2019 – S Prefiled in the Senate.

01/17/2019 – S Introduced and referred to Senate Corporations & Transportation.

01/17/2019 – S Also referred to Senate Judiciary.

02/14/2019 – S Reported Do Pass by Senate Corporations & Transportation.

Scheduled: 02/25/2019 – Senate Judiciary Committee, 1:30 p.m., Room 321

Category: Labor & Employment

Bill: SB232

Sponsors: Woods (R7)

Title: COSTS AND CONDITIONS FOR PUBLIC RECORDS REQUESTS

Summary: Amends the Inspection of Public Records Act to allow public bodies to impose an additional fee for public records requests that require extensive use of resources; to allow for recovery of costs for frivolous court actions to compel production of public records; to prohibit misuse of public records inspections, including for certain commercial purposes; and to authorize injunctions against public records requests made to harass or intimidate a public body.

Subjects: Courts and Civil Matters; Business, Manufacturing and Economic Development; State Affairs and State Agencies; Information Technology; Taxation, Fees and Audits

Progress: 1st House: Reported from Committees

Status: 02/13/2019 – Senate Judiciary Committee

History: 01/17/2019 – S Introduced and referred to Senate Public Affairs.

01/17/2019 – S Also referred to Senate Judiciary.

02/13/2019 – S Reported Do Not Pass but Do Pass as substituted by Senate Public Affairs.

Category: General Government

Bill: SB239

Sponsors: White (R19)

Title: AIRPORT FACILITY LANDING FEES

Summary: Amends the Aviation Act to allow for the imposition of additional landing fees by an airport facility. Current law allows for a fee to be assessed for "compensation," and this proposal expands the authorization to allow a fee to be imposed for general aviation aircraft that weigh more than 12,500 pounds, provided that any landing fees shall be assessed and used in compliance with federal law.

Subjects: Business, Manufacturing and Economic Development; Transportation; County Affairs; Municipalities/City Government

Progress: 2nd House: Referred to Committee

Status: 02/22/2019 – House Commerce and Economic Development Committee

History: 01/11/2019 – S Prefiled in the Senate.

01/17/2019 – S Introduced and referred to Senate Corporations & Transportation.

01/17/2019 – S Also referred to Senate Public Affairs.

02/05/2019 – S Reported Do Pass by Senate Corporations & Transportation.

02/18/2019 – S Reported Do Pass by Senate Public Affairs.

02/19/2019 – S Opened for floor debate.

02/19/2019 – S Passed 31-5.

02/22/2019 – H Received in the House and referred to House Commerce & Economic Development.
02/22/2019 – H Also referred to House Taxation & Revenue.

Category: Tax, Finance & Capital Outlay

Bill: SB240

Sponsors: Cisneros (D6)

Title: NORTHERN N.M. SUBSTANCE USE RECOVERY SERVICES

Summary: Provides \$500,000 (GF) to the Human Services Department for use in FY 2020 and subsequent fiscal years for programs that deploy mobile units in Santa Fe, Rio Arriba, Los Alamos, Taos, Colfax and Mora counties to provide rural health services and evidence-based, peer-supported substance use disorder recovery services. (San Miguel County is not listed.)

Subjects: Appropriations; Health and Medical Practice; County Affairs; Family and Juveniles

Progress: 1st House: Reported from Committees

Status: 02/11/2019 – Senate Finance Committee

History: 01/11/2019 – S Prefiled in the Senate.

01/17/2019 – S Introduced and referred to Senate Public Affairs.

01/17/2019 – S Also referred to Senate Finance.

02/11/2019 – S Reported Do Pass by Senate Corporations & Transportation.

Category: Health

Bill: SB241

Sponsors: Ortiz y Pino (D12)

Title: TELEDENISTRY SITE ESTABLISHED

Summary: Amends the Dental Health Care Act to expand upon what constitutes the practice of teledentistry—a combination of telecommunications and dentistry that involves the exchange of clinical information over remote distances.

Subjects: Business, Manufacturing and Economic Development; Health and Medical Practice; Information Technology

Progress: 2nd House: Referred to Committee

Status: 02/24/2019 – House Health and Human Services Committee

History: 01/11/2019 – S Prefiled in the Senate.

01/17/2019 – S Introduced and referred to Senate Public Affairs.

01/17/2019 – S Also referred to Senate Corporations & Transportation.

02/11/2019 – S Reported Do Pass by Senate Public Affairs.

02/18/2019 – S Reported Do Pass by Senate Corporations & Transportation.

02/22/2019 – S Opened for floor debate.

02/22/2019 – S Passed 37-1.

02/24/2019 – H Received in the House and referred to House Health & Human Services.

02/24/2019 – H Also referred to House State Government, Elections & Indian Affairs.

Category: Health

Bill: SB250

Sponsors: Papen (D38)

Title: RURAL WRAPAROUND FUNDS FOR MENTAL HEALTH SYSTEM OF CARE

Summary: Cited as the Rural Wraparound Services Act, provides \$7 million (GF) to a related fund administered by HSD's Behavioral Health Services Division for a comprehensive community-based mental health system of care. Contemplates outcome-focused support services tailored to adults diagnosed with serious mental illness or youths between the ages of 16 and 22 diagnosed within last year with serious emotional disturbance and includes those who live in rural areas or are homeless.

Subjects: Appropriations; Human Services; Family and Juveniles; Health and Medical Practice; Land, Housing and Real Estate; Taxation, Fees and Audits; Insurance

Progress: Introduced

Status: 01/17/2019 – Senate Public Affairs Committee

History: 01/11/2019 – S Prefiled in the Senate.

01/17/2019 – S Introduced and referred to Senate Public Affairs.

01/17/2019 – S Also referred to Senate Finance.

Category: Health

Bill: SB259

Sponsors: Tallman (D18)

Title: DISCLOSE FINALISTS FOR APPOINTIVE POSITIONS

Summary: Requires state agencies or institutions or political subdivisions to post on their websites the names and resumes of at least three finalists for appointive executive positions.

Subjects: State Affairs and State Agencies; County Affairs; Municipalities/City Government

Progress: 1st House: Referred to Committee

Status: 02/20/2019 – Senate Judiciary Committee

History: 01/21/2019 – S Introduced and referred to Senate Public Affairs.

01/21/2019 – S Also referred to Senate Judiciary.

02/20/2019 – S Reported Do Pass as amended by Senate Public Affairs.

Category: General Government

Bill: SB264

Sponsors: Ortiz y Pino (D12); Armstrong, G. (R49)

Title: RURAL LIBRARIES ENDOWMENT ACT

Summary: Provides for either a constitutional amendment to create an endowment to support the preservation, development and establishment of rural libraries in New Mexico or alternative provisions for that purpose, creates the Rural Libraries Endowment Fund, Program Fund and Grant Program, appropriates \$50 million (GF, nonreverting) to the Rural Libraries Endowment Fund in FY 2020.

Subjects: Constitutional Issues and Amendments; Appropriations; Municipalities/City Government; Indians

Progress: 1st House: Reported from Committees

Status: 02/11/2019 – Senate Finance Committee

History: 01/21/2019 – S Introduced and referred to Senate Public Affairs.

01/21/2019 – S Also referred to Senate Finance.

02/11/2019 – S Reported Do Pass as amended by Senate Public Affairs.

Category: General Government

Bill: SB275

Sponsors: Stewart (D17); Small (D36)

Title: INCREASED RENEWABLE ENERGY REQUIREMENTS

Summary: (Duplicate of HB283; related to 2017 SB312) For rural electric cooperatives and public utilities not municipalities or public colleges, increases the renewable energy standard in five-year stages to 80% by 2045 for cooperatives and to 2040 for other utilities.

Subjects: Business, Manufacturing and Economic Development; Utilities; Energy Resources and Chemicals; State Affairs and State Agencies; Taxation, Fees and Audits

Related: 2019:HB283; 2017:SB312

Progress: Introduced

Status: 01/21/2019 – Senate Conservation Committee

History: 01/21/2019 – S Introduced and referred to Senate Conservation.

01/21/2019 – S Also referred to Senate Corporations & Transportation.

Category: Public Lands, Natural Resources & Agriculture

Bill: SB277

Sponsors: Neville (R2)

Title: STRATEGIC WATER RESERVE APPROPRIATION

Summary: (Identical to HB281 Provides \$5 million (GF) to the Interstate Stream Commission for use in FY 2020 and subsequent fiscal years to administer the Strategic Water Reserve pursuant to Sec. 72-14-3.3 (i.e., purchase or lease surface water or water rights, assist state compliance with compacts and court decrees or water management efforts for benefit of threatened or endangered species; develop river reach or ground water basin priorities for acquisition of water or water rights and storage rights for the strategic water reserve, in cooperation with Indian nations, tribes and pueblos, boards of county commissioners, municipalities).

SFC CLERK RECORDED 03/28/2019

Subjects: Water; Appropriations; State Affairs and State Agencies; County Affairs; Municipalities/City Government; Indians

Progress: 1st House: Reported from Committees

Status: 01/29/2019 – Senate Finance Committee

History: 01/21/2019 – S Introduced and referred to Senate Conservation.
01/21/2019 – S Also referred to Senate Finance.
01/29/2019 – S Reported Do Pass by Senate Conservation.

Category: Public Lands, Natural Resources & Agriculture

Bill: SB278

Sponsors: Ortiz y Pino (D12)

Title: REAL ID LICENSES AND AUTHORIZATIONS CHANGES

Summary: Renames all driver's licenses, permits and driving authorization cards as driver's licenses or licenses. Repeals the fingerprint requirement for non-REAL ID licenses and identification cards. Requires non-REAL ID driver's licenses or ID cards to be accepted by all state and local agencies and public accommodation on the same basis as REAL ID cards. Changes most license expiration dates to the anniversary of the effective date, not 30 days from the applicant's birthday. Provides that notice of license revocation based on blood or breath alcohol tests must also include notice of the right to a hearing.

Subjects: Courts and Civil Matters; Criminal Code; Transportation; State Affairs and State Agencies; Public Safety and Corrections

Progress: 2nd House: Referred to Committee

Status: 02/22/2019 – House Consumer and Public Affairs Committee

History: 01/21/2019 – S Introduced and referred to Senate Public Affairs.

01/21/2019 – S Also referred to Senate Judiciary.

02/11/2019 – S Reported Do Not Pass but Do Pass as substituted by Senate Public Affairs.

02/19/2019 – S Reported Do Pass by Senate Judiciary.

02/21/2019 – S Opened for floor debate.

02/21/2019 – S Passed 31-9.

02/22/2019 – H Received in the House and referred to House Consumer & Public Affairs.

02/22/2019 – H Also referred to House State Government, Elections & Indian Affairs.

Category: General Government

Bill: SB280

Sponsors: Cisneros (D6); Trujillo, J. (D45)

Title: CAPITAL OUTLAY EXPENDITURES

Summary: ADMINISTRATIVE OFFICE OF THE COURTS PROJECTS

Subjects: Appropriations; Capital Outlay Requests; State Affairs and State Agencies; Water

Progress: Introduced

Status: 01/21/2019 – Senate Finance Committee

History: 01/21/2019 – S Introduced and referred to Senate Finance.

Category: Tax, Finance & Capital Outlay

Bill: SB282

Sponsors: Martinez, Richard (D5)

Title: IMMUNITY FOR OVERDOSE MEDICAL ASSISTANCE

Summary: Adds to the grant of immunity to persons who seek medical assistance for an alcohol or drug-related overdose immunity from arrest, other penalty, or civil property forfeiture if the evidence for the alleged violation was gained as a result of the seeking of medical assistance. Provides that the seeking of medical assistance may be used as a mitigating factor in cases where it does not result in immunity.

Subjects: Alcohol, Firearms and Tobacco Products; Health and Medical Practice; Criminal Code; Public Safety and Corrections

Progress: 2nd House: Referred to Committee

Status: 02/24/2019 – House Health and Human Services Committee

History: 01/21/2019 – S Introduced and referred to Senate Public Affairs.

01/21/2019 – S Also referred to Senate Judiciary.
 02/13/2019 – S Reported Do Pass by Senate Public Affairs.
 02/21/2019 – S Reported Do Pass by Senate Judiciary.
 02/22/2019 – S Opened for floor debate.
 02/22/2019 – S Passed 41-0.
 02/24/2019 – H Received in the House and referred to House Health & Human Services.

Category: Courts & Public Safety

Bill: SB285

Sponsors: Candelaria (D26)

Title: INSPECTION OF PUBLIC RECORDS

Summary: Amends the Inspection of Public Records Act to clarify that a custodian of records who does not deliver or mail a written explanation of denial within 15 days after public receipt of a written request for inspection or who fails to permit inspection of all requested records that are not exempt from inspection, is subject to statutory damages if the failure to permit inspection of all nonexempt responsive records is determined to be unreasonable.

Subjects: State Affairs and State Agencies; Public Employees/Retirement

Progress: 1st House: Reported from Committees

Status: 02/13/2019 – Senate Judiciary Committee

History: 01/21/2019 – S Introduced and referred to Senate Public Affairs.

01/21/2019 – S Also referred to Senate Judiciary.

02/13/2019 – S Reported Do Pass by Senate Public Affairs.

Category: General Government

Bill: SB288

Sponsors: Soules (D37)

Title: SAFE SCHOOLS FOR ALL STUDENTS ACT

Summary: (Almost identical to 2017, SB 115) Proposes the Safe Schools for All Students Act to mandate that the Public Education Department promulgate rules to require school districts to develop and implement bullying prevention policies and programs. Repeals existing requirements for school bullying prevention policies and programs.

Subjects: Schools and Teachers; Family and Juveniles

Related: 2017:SB115

Progress: 1st House: Reported from Committees

Status: 02/11/2019 – Senate Judiciary Committee

History: 01/21/2019 – S Introduced and referred to Senate Education.

01/21/2019 – S Also referred to Senate Judiciary.

02/11/2019 – S Reported Do Pass by Senate Education.

Category: Courts & Public Safety

Bill: SB301

Sponsors: Sanchez, C. (D30)

Title: BEER AND WINE SALES AT RESTAURANT MUST BE WITH MEAL

Summary: Mandates that all sales, service and consumption of beer and wine authorized by a restaurant license must be in conjunction with a meal. Defines "meal" as a lunch or dinner entrée and does not include only an appetizer, snack or dessert.

Subjects: Alcohol, Firearms and Tobacco Products; Business, Manufacturing and Economic Development

Progress: 1st House: Reported from Committees

Status: 02/11/2019 – Senate Judiciary Committee

History: 01/22/2019 – S Introduced and referred to Senate Corporations & Transportation.

01/22/2019 – S Also referred to Senate Judiciary.

02/11/2019 – S Reported Do Pass as amended by Senate Corporations & Transportation.

Category: Liquor License Bills

Bill: SB302

Sponsors: Rodriguez (D24)
Title: SETTING THE PER DIEM RATE
Summary: Sets the per diem rate for public officers and employees as established by the federal government for the City of Santa Fe. Expands the agencies authorized to promulgate and carry out rules pursuant to the Per Diem and Mileage Act.
Subjects: Family and Juveniles; Labor; County Affairs; Courts and Civil Matters; Municipalities/City Government; Transportation; Public Employees/Retirement; State Affairs and State Agencies; Public Finance and Budgets
Progress: Introduced
Status: 01/22/2019 – Senate Public Affairs Committee
History: 01/22/2019 – S Introduced and referred to Senate Public Affairs.
01/22/2019 – S Also referred to Senate Finance.
Category: General Government

Bill: SB305
Sponsors: Stewart (D17)
Title: PUBLIC SURPLUS MOTOR VEHICLE RESTRICTIONS
Summary: (Related to 2019, SB 154) Prohibits the sale by state agencies or local public bodies of public surplus motor vehicles to private individuals and the donation of such vehicles to 501(c)(3) organizations.
Subjects: Business, Manufacturing and Economic Development; State Affairs and State Agencies; Transportation
Related: 2019:SB154
Progress: Introduced
Status: 01/22/2019 – Senate Corporations and Transportation Committee
History: 01/22/2019 – S Introduced and referred to Senate Corporations & Transportation.
01/22/2019 – S Also referred to Senate Judiciary.
Category: General Government

Bill: SB306
Sponsors: Smith (D35)
Title: PERMIT FOR SELLING BEER AND WINE AT PRIVATE CELEBRATIONS
Summary: Allows the sale of beer and wine at private celebrations on or off the license-holder's premises by persons holding a winegrower's or small brewer license. Sets permit fee at \$10. Sales may be by the glass or bottle.
Subjects: Alcohol, Firearms and Tobacco Products; Business, Manufacturing and Economic Development
Progress: 1st House: Referred to Committee
Status: 02/20/2019 – Senate Corporations and Transportation Committee
History: 01/22/2019 – S Introduced and referred to Senate Public Affairs.
01/22/2019 – S Also referred to Senate Corporations & Transportation.
02/20/2019 – S Reported Do Pass by Senate Public Affairs.
Scheduled: 02/25/2019 – Senate Corporations and Transportation Committee, 2:00 p.m., Room 311
Category: Liquor License Bills

Bill: SB320
Sponsors: Pirtle (R32)
Title: VOTER REGISTRATION ASSISTANTS MUST BE REGISTERED VOTERS
Summary: Amends the Election Code to require that a registration agent (meaning a state or federal employee who provides voter registration at a state agency, or a tribal registration agent office) or any other individual who assists another person in completion of a voter registration application be a qualified elector registered to vote in the state.
Subjects: Elections; Indians; State Affairs and State Agencies
Progress: Introduced
Status: 01/23/2019 – Senate Rules Committee
History: 01/23/2019 – S Introduced and referred to Senate Rules.
01/23/2019 – S Also referred to Senate Judiciary.
Scheduled: 02/25/2019 – Senate Rules Committee, 8:30 a.m, Room 321
Category: Elections

Bill: SB322**Sponsors:** Sapien (D9)**Title:** COLLEGE DISTRICT LEASE-PURCHASES**Summary:** Amends the College District Tax Act to create a process for community colleges to enter into lease-purchase arrangements primarily for educational technology equipment, broadly defined, to be paid from property tax revenue bonds.**Subjects:** Higher Education; ; State Affairs and State Agencies; Taxation, Fees and Audits**Progress:** 1st House: Passed**Status:** 02/25/2019 - Passed in the Senate**History:** 01/23/2019 - S Introduced and referred to Senate Corporations & Transportation.
01/23/2019 - S Also referred to Senate Finance.
02/12/2019 - S Reported Do Pass by Senate Corporations & Transportation.
02/22/2019 - S Reported Do Pass as amended by Senate Finance.
02/25/2019 - S Opened for floor debate.
02/25/2019 - S Passed 31-10.**Scheduled:** 02/25/2019 - Senate Calendar, 11:00 a.m., Senate Chambers**Category:** Tax, Finance & Capital Outlay**Bill: SB323****Sponsors:** Cervantes (D31)**Title:** DECREASE MARIJUANA AND DRUG PARAPHERNALIA PENALTIES**Summary:** (Virtually identical to 2017 Regular Session SB 258 Senate Floor Substitute; Identical to 2018 SB141) Amends the Criminal Code to decrease penalties for possession of certain amounts of marijuana and for the possession of drug paraphernalia. Creates a "penalty assessment" form of citation as a penalty.**Subjects:** Health and Medical Practice; Criminal Code; Family and Juveniles; Public Safety and Corrections**Related:** 2018:SB141; 2017:SB258**Progress:** 1st House: Referred to Committee**Status:** 02/20/2019 - Senate Judiciary Committee**History:** 01/23/2019 - S Introduced and referred to Senate Public Affairs.
01/23/2019 - S Also referred to Senate Judiciary.
02/20/2019 - S Reported Do Pass by Senate Public Affairs.**Category:** Courts & Public Safety**Bill: SB324****Sponsors:** Cervantes (D31)**Title:** PERMANENT LEGISLATIVE PUBLIC WORKS COMMITTEE**Summary:** Relates to capital expenditures; creates a permanent, 18-member Legislative Public Works Committee to hear proposals for and review capital outlay-funded projects on an annual basis.**Subjects:** Appropriations; Capital Outlay Requests; State Affairs and State Agencies; County Affairs; Municipalities/City Government; Public Finance and Budgets**Progress:** Introduced**Status:** 01/23/2019 - Senate Rules Committee**History:** 01/23/2019 - S Introduced and referred to Senate Rules.
01/23/2019 - S Also referred to Senate Finance.**Scheduled:** 02/25/2019 - Senate Rules Committee, 8:30 a.m, Room 321**Category:** Tax, Finance & Capital Outlay**Bill: SB328****Sponsors:** Cervantes (D31)**Title:** NO FIREARMS FOR ORDERS OF PROTECTION SUBJECTS**Summary:** (Identical to 2017 SB 259, final version) Adds a provision to the Family Violence Protection Act requiring the court to enter an order of protection in cases of domestic abuse ordering the restrained party to deliver any firearm in his or her possession to one of the authorized recipients listed below

and to refrain from purchasing, receiving, possessing or attempting to purchase, receive or possess any firearm while the order of protection is in effect.

Subjects: Alcohol, Firearms and Tobacco Products; Family and Juveniles

Related: 2017:SB259

Progress: 1st House: Reported from Committees

Status: 02/08/2019 – Senate Judiciary Committee

History: 01/23/2019 – S Introduced and referred to Senate Public Affairs.

01/23/2019 – S Also referred to Senate Judiciary.

02/08/2019 – S Reported Do Not Pass but Do Pass as substituted by Senate Public Affairs.

Category: Gun Bills

Bill: SB334

Sponsors: Papen (D38)

Title: FUNDS FOR ASSISTED OUTPATIENT TREATMENT ACT

Summary: Appropriates \$1 million (GF, nonreverting) to the Department of Health for use in FY 2020 and subsequent years to distribute to participating municipalities and counties that have entered into memoranda of understanding with district courts pursuant to the Assisted Outpatient Treatment Act.

Subjects: Appropriations; Health and Medical Practice; County Affairs; Municipalities/City Government

Progress: 1st House: Reported from Committees

Status: 02/11/2019 – Senate Finance Committee

History: 01/23/2019 – S Introduced and referred to Senate Public Affairs.

01/23/2019 – S Also referred to Senate Finance.

02/11/2019 – S Reported Do Pass by Senate Public Affairs.

Category: Health

Bill: SB352

Sponsors: Padilla (D14); Garcia, Harry (D69)

Title: DEDUCTIONS AND SPECIAL METHOD OF VALUATION FOR DATA CENTERS

Summary: Creates a gross receipts deduction and companion compensating tax deduction for receipts from the sale or lease of data center equipment to the owner or operator, or qualified co-tenant in, a qualified data center. Creates a special method of valuation for valuing property of a data center.

Subjects: County Affairs; Municipalities/City Government; Business, Manufacturing and Economic Development; State Affairs and State Agencies; Information Technology; Taxation, Fees and Audits

Progress: Introduced

Status: 01/25/2019 – Senate Corporations and Transportation Committee

History: 01/25/2019 – S Introduced and referred to Senate Corporations & Transportation.

01/25/2019 – S Also referred to Senate Finance.

Category: Tax, Finance & Capital Outlay

Notes: Assessors oppose 2/21/2019

Bill: SB358

Sponsors: Sharer (R1)

Title: TAX REFORM PACKAGE

Summary: (Related to HB6; similar to 2018 SB49, 2017 SB123, 2016 SB145, 2015 SB346 and 2013 SB365) 246-page bill continues the sponsor's effort to reform the state tax system by greatly expanding the gross receipts base to replace the personal and corporate income taxes, motor vehicle excise, leased vehicle gross receipts and boat excise taxes (which are repealed); lower the rate of state gross receipts and compensating taxes tax rate from 5.125% to one percent and the governmental gross receipts from five to one percent; repeal several tax credits; consolidate local option taxes, reducing their maximum permissible rates to 0.5% for municipalities and 0.5% for counties; revise statutes dealing with revenues local governments may pledge to repay indebtedness. All this is effective January 1, 2020.

Subjects: Insurance; Labor; Health and Medical Practice; County Affairs; Municipalities/City Government; Transportation; Business, Manufacturing and Economic Development; Utilities; Energy Resources and Chemicals; State Affairs and State Agencies; Land, Housing and Real Estate; Family and Juveniles; Construction and Materials; Banks, Securities and Loans; Agriculture and Ranching

Progress: Introduced

Status: 01/25/2019 – Senate Corporations and Transportation Committee
History: 01/25/2019 – S Introduced and referred to Senate Corporations & Transportation.
01/25/2019 – S Also referred to Senate Finance.
Category: Tax, Finance & Capital Outlay

Bill: SB367
Sponsors: Candelaria (D26)
Title: SPAY AND NEUTER PROGRAM FEE
Summary: (Virtually identical to final version of 2018 HB64 as passed by both chambers but vetoed, and SB51 as amended) Imposes a \$100 fee on pet food distributors, the bulk of which is to be credited to the Statewide Spay and Neuter Subaccount of the Animal Care and Facility Fund, administered by the Animal Sheltering Board, to provide financial assistance for dog and cat spaying and neutering for low-income households. Provides exemptions.
Subjects: Business, Manufacturing and Economic Development; State Affairs and State Agencies; Agriculture and Ranching; Taxation, Fees and Audits
Progress: 1st House: Reported from Committees
Status: 02/13/2019 – Senate Finance Committee
History: 01/25/2019 – S Introduced and referred to Senate Public Affairs.
01/25/2019 – S Also referred to Senate Finance.
02/13/2019 – S Reported Do Pass as amended by Senate Public Affairs.
Category: Tax, Finance & Capital Outlay
Notes: Board supported - 2/16/2019

Bill: SB369
Sponsors: Cervantes (D31)
Title: WATER TRUST BOARD
Summary: Amends the membership and appointing authority of the Water Trust Board. Shifts appointing authority for the six public members from the Governor, as confirmed by the Senate, to the Legislative Council. Reduces number of members from 16 to 15; removes the executive director of the N.M. Finance Authority and the director of the Department of Game and Fish; adds a member from water associations organized under the Sanitary Projects Act; replaces first member from an irrigation or conservancy district that uses ground water with a member of the agricultural community, but leaves second irrigation or conservancy district member in place; adds requirement that member appointed by president of the Navajo Nation be a Navajo who lives in New Mexico.
Subjects: Public Finance and Budgets; Water; Indians; Municipalities/City Government; County Affairs; State Affairs and State Agencies
Progress: Introduced
Status: 01/25/2019 – Senate Rules Committee
History: 01/25/2019 – S Introduced and referred to Senate Rules.
01/25/2019 – S Also referred to Senate Conservation.
Scheduled: 02/25/2019 – Senate Rules Committee, 8:30 a.m, Room 321
Category: Public Lands, Natural Resources & Agriculture
Notes: EC Support - 1/24/2019

Bill: SB372
Title: PUBLIC CONTRACTS ETHICS ACT: GOVERNMENTAL CONDUCT ACT PARTIALLY ABOLISHED
Summary: Called the "Public Contracts Ethics Act," the bill at first appears to take aim at addressing unethical practices in the procurement of contracts by public employees, public officials, elected officials and their relatives or representatives. However, a closer look reveals that the stronger provisions of the Government Conduct Act directed at the same misdeeds are being abolished and substituted with the weaker civil and criminal penalties contained in this bill.
Subjects: Criminal Code; Courts and Civil Matters; Legislature; State Affairs and State Agencies; Business, Manufacturing and Economic Development; County Affairs; Municipalities/City Government; Public Finance and Budgets
Progress: 1st House: Reported from Committees
Status: 02/15/2019 – Senate Judiciary Committee

History: 01/25/2019 – S Introduced and referred to Senate Public Affairs.
01/25/2019 – S Also referred to Senate Judiciary.
02/15/2019 – S Reported Do Pass as amended by Senate Public Affairs.
Scheduled: 02/25/2019 – Senate Judiciary Committee, 1:30 p.m., Room 321
Category: General Government

Bill: SB374
Sponsors: Steinborn (D36)
Title: LOCAL CHOICE ENERGY ACT
Summary: Enacts the Local Choice Energy Act. Provides definitions including “local choice energy program,” which means a program enacted pursuant to the act by a municipality, county or Indian nation, tribe or pueblo to combine the loads of multiple end-use customers for the sale or purchase of electric energy or the provision of other electric energy related services.
Subjects: County Affairs; Municipalities/City Government; Business, Manufacturing and Economic Development; Utilities; Indians
Progress: Introduced
Status: 01/28/2019 – Senate Conservation Committee
History: 01/28/2019 – S Introduced and referred to Senate Conservation.
01/28/2019 – S Also referred to Senate Corporations & Transportation.
Category: General Government

Bill: SB375
Sponsors: Munoz (D4)
Title: TENANCY TAX
Summary: Within the Lodgers’ Tax Act, authorizes a municipality or county to impose a tenancy tax of up to five percent, applied to lodging periods over 30 days. Clearly separates the existing occupancy tax, which is otherwise unchanged, from the new tenancy tax.
Subjects: County Affairs; Municipalities/City Government; Business, Manufacturing and Economic Development; Family and Juveniles; Taxation, Fees and Audits
Progress: Introduced
Status: 01/28/2019 – Senate Corporations and Transportation Committee
History: 01/28/2019 – S Introduced and referred to Senate Corporations & Transportation.
01/28/2019 – S Also referred to Senate Finance.
Category: Tax, Finance & Capital Outlay
Notes: Board Support - 2/16/2019

Bill: SB393
Sponsors: Soules (D37)
Title: GASOLINE AND NATURAL GAS PROCESSORS SURTAXES
Summary: Imposes a gasoline tax surtax of up to 45 cents per gallon and a natural gas processors surtax of up to three dollars per mmbtu. Distributes the surtax revenues as follows: 15 percent to the Low-income Home Energy Assistance Fund, 10 percent to the Fossil Fuel Displaced Worker Fund and 15 percent to the Renewable Energy Technology Fund, with remainder to the General Fund. Creates a carbon emission income tax credit.
Subjects: County Affairs; Municipalities/City Government; Transportation; Energy Resources and Chemicals; Environment and Pollution; Appropriations; Taxation, Fees and Audits; Human Services; Schools and Teachers
Progress: Introduced
Status: 01/29/2019 – Senate Corporations and Transportation Committee
History: 01/29/2019 – S Introduced and referred to Senate Corporations & Transportation.
01/29/2019 – S Also referred to Senate Finance.
Category: Tax, Finance & Capital Outlay

Bill: SB396
Sponsors: Ingle (R27)

Title: AVERAGE DISTRIBUTION OR TRANSFER AMOUNT

Summary: (Duplicate of 2018 SB236) Re-defines "average distribution or transfer amount" in Section 7-1-6.15 of the Tax Administration Act from an average of three annual numbers to an average of 36 monthly amounts. Effective July 1, 2019.

Subjects: County Affairs; Municipalities/City Government; State Affairs and State Agencies; Public Finance and Budgets

Related: 2018:SB236

Progress: Introduced

Status: 01/29/2019 – Senate Corporations and Transportation Committee

History: 01/29/2019 – S Introduced and referred to Senate Corporations & Transportation.
01/29/2019 – S Also referred to Senate Finance.

Category: Tax, Finance & Capital Outlay

Notes: EC Support - 2/07/2019

Bill: SB405

Sponsors: Ortiz y Pino (D12)

Title: MEDICAID BUY-IN ACT

Summary: Establishes a state public option through Medicaid to provide residents with a choice of high-quality, low-cost health insurance using a state-administered buy-in plan; creates the Health Care Affordability and Access Improvement Fund; establishes an advisory council; appropriates \$12 million (GF) to HSD for use in FY 2020 for implementation and administration of the plan and to conduct an expansion study, and \$12 million (GF, nonreverting) to the Fund for use in FY 2020 and subsequent years to ensure affordability for enrollees in the plan.

Subjects: Health and Medical Practice; Insurance; Human Services; Appropriations

Progress: 1st House: Reported from Committees

Status: 02/15/2019 – Senate Finance Committee

History: 01/29/2019 – S Introduced and referred to Senate Public Affairs.
01/29/2019 – S Also referred to Senate Finance.

02/15/2019 – S Reported Do Pass by Senate Public Affairs.

Category: Health

Bill: SB413

Sponsors: Stewart (D17)

Title: INCREASES PRODUCTION LIMITS FOR BEER, WINE, LIQUOR PRODUCERS

Summary: (Similar in part to SB306) Amends the Liquor Excise Tax Act and the Liquor Control Act to expand in several ways the permitted low-tax production of small brewers, winegrowers and craft distillers. Effective July 1, 2019.

Subjects: Alcohol, Firearms and Tobacco Products; Business, Manufacturing and Economic Development; Taxation, Fees and Audits

Related: 2019:SB306

Progress: 1st House: Referred to Committee

Status: 02/20/2019 – Senate Corporations and Transportation Committee

History: 01/30/2019 – S Introduced and referred to Senate Public Affairs.
01/30/2019 – S Also referred to Senate Corporations & Transportation.
02/20/2019 – S Reported Do Pass as amended by Senate Public Affairs.

Scheduled: 02/25/2019 – Senate Corporations and Transportation Committee, 2:00 p.m., Room 311

Category: Liquor License Bills

Bill: SB418

Sponsors: Moores (R21)

Title: DTS VOTERS IN PRIMARY ELECTIONS

Summary: (Similar to 2019, HB 93; related to 2017, HB 206 and SB 205) Allows voters who have declined to state a party affiliation or who designated affiliation with an unqualified party to vote in a primary election by requesting the ballot of one of the participating parties in that primary. Allows a major political party to hold a primary election open only to registered members of the party under certain limited conditions.

Subjects: Elections
Related: 2019:HB93; 2017:HB206; 2017:SB205
Progress: Introduced
Status: 01/30/2019 – Senate Rules Committee
History: 01/30/2019 – S Introduced and referred to Senate Rules.
01/30/2019 – S Also referred to Senate Judiciary.
Category: Elections

Bill: SB419
Sponsors: Ortiz y Pino (D12)
Title: COOPERATIVE FORMS OF BUSINESS
Summary: Appropriates \$200,000 (GF) to the Economic Development Department for use in FY 2020 to provide or contract for activities to promote and develop cooperative forms of business, including access to training and technical assistance.
Subjects: Appropriations; Business, Manufacturing and Economic Development
Progress: Introduced
Status: 01/30/2019 – Senate Corporations and Transportation Committee
History: 01/30/2019 – S Introduced and referred to Senate Corporations & Transportation.
01/30/2019 – S Also referred to Senate Finance.
Category: Economic Development & IRBs

Bill: SB421
Sponsors: Cisneros (D6)
Title: TAX PACKAGE
Summary: (HB6, SB358) 140-page proposal amends personal and corporate income taxes, gross receipts and compensating taxes, motor vehicle excise tax, fuels taxes and motor vehicle registration fees and imposes municipal and county compensating taxes.
Subjects: Alcohol, Firearms and Tobacco Products; County Affairs; Municipalities/City Government; Transportation; Business, Manufacturing and Economic Development; Energy Resources and Chemicals; Banks, Securities and Loans; Agriculture and Ranching; Taxation, Fees and Audits
Related: 2019:HB6; 2019:SB358
Progress: Introduced
Status: 01/30/2019 – Senate Corporations and Transportation Committee
History: 01/30/2019 – S Introduced and referred to Senate Corporations & Transportation.
01/30/2019 – S Also referred to Senate Finance.
Category: Tax, Finance & Capital Outlay

Bill: SB435
Sponsors: Sedillo Lopez (D16)
Title: UNDERGROUND WATER APPROPRIATION APPLICATIONS
Summary: (Essentially identical to 2019, HB374) Amends the requirements for applications for use of underground water to require identification of end users; establishes prior decisions as legal precedent; provides grounds for rejecting applications.
Subjects: Water
Related: 2019:HB374
Progress: Introduced
Status: 01/31/2019 – Senate Conservation Committee
History: 01/31/2019 – S Introduced and referred to Senate Conservation.
01/31/2019 – S Also referred to Senate Judiciary.
Category: Public Lands, Natural Resources & Agriculture

Bill: SB442
Sponsors: Sapien (D9)
Title: ELECTRONIC PUBLIC DOCUMENT FEES
Summary: (Similar in part to 2019, SB232) Amends the Inspection of Public Records Act to authorize a custodian

of public records to charge reasonable fees, as opposed to actual costs, for downloading copies of public records to a computer disk or storage device, including the actual cost of the computer disk or storage device. Prohibits a custodian of public records from charging fees in excess of \$1 per page for electronic documents.

Subjects: Business, Manufacturing and Economic Development; State Affairs and State Agencies; Information Technology; Taxation, Fees and Audits

Related: 2019:SB232

Progress: Introduced

Status: 02/01/2019 – Senate Public Affairs Committee

History: 02/01/2019 – S Introduced and referred to Senate Public Affairs.
02/01/2019 – S Also referred to Senate Judiciary.

Category: General Government

Notes: EC Support - 2/07/2019

Bill: SB446

Sponsors: Griggs (R34)

Title: RETURN TO WORK RULES FOR PUBLIC EMPLOYEES

Summary: Replaces the existing rules on returning to work on or after July 1, 2019 for PERA, ERA and magistrate and judicial retirees with a simpler set.

Subjects: Labor; Public Employees/Retirement; Energy Resources and Chemicals; Public Finance and Budgets

Progress: Introduced

Status: 02/01/2019 – Senate Public Affairs Committee

History: 02/01/2019 – S Introduced and referred to Senate Public Affairs.
02/01/2019 – S Also referred to Senate Finance.

Category: General Government

Notes: EC Support - 2/07/2019

Bill: SB452

Sponsors: Munoz (D4)

Title: PERA SOLVENCY MEASURES

Summary: (Related to 2019 SB400) Requires the PERA Board annually by May 1 to certify the funded ratio and amortization periods of both the Public Employees Retirement Plan and each of its coverage plans. If amortization rates exceed 25 years, the Board is authorized to reduce benefits, change retirement eligibility requirements, or increase contribution rates. If the funded plan ratio for a coverage plan exceeds 100 percent, the Board may decrease contribution rates under certain circumstances.

Subjects: Public Employees/Retirement; State Affairs and State Agencies; Public Finance and Budgets

Related: 2019:SB400

Progress: 1st House: Referred to Committee

Status: 02/01/2019 – Senate Public Affairs Committee

History: 02/01/2019 – S Introduced and referred to Senate Public Affairs.
02/01/2019 – S Also referred to Senate Finance.

Category: General Government

Bill: SB455

Sponsors: Campos, P. (D8)

Title: CAPITAL OUTLAY REFORM ACT

Summary: (Related to SB0148, SB149) Another crack at reforming the state's disjointed capital expenditure process. Transfers some functions and responsibilities from DFA to the Capital Projects Task Force ("task force") and partially reorganizes DFA. Creates the interim Capital Outlay Committee. Assigns responsibilities and deadlines for the annual update of the state's capital improvements plan.

Subjects: State Affairs and State Agencies; Interim Studies and Interim Committees; Legislature; Public Finance and Budgets

Progress: Introduced

Status: 02/04/2019 – Senate Rules Committee

History: 02/04/2019 – S Introduced and referred to Senate Rules.
02/04/2019 – S Also referred to Senate Finance.

SFC CLERK RECORDED 03/28/2019

Category: Tax, Finance & Capital Outlay

Bill: SB462
Sponsors: Steinborn (D36)
Title: CREATE OUTDOOR RECREATION DIVISION
Summary: (Related to 2017 HM15, HM91, SM119). Creates the New Mexico Outdoor Recreation Division, with a director appointed by the Governor, in the Economic Development Department. Creates the Outdoor Recreation Advisory Committee administratively attached to the division. Creates the Special Projects and Outdoor Recreation Infrastructure Fund. Creates the Outdoor Equity Grant Program and Fund and makes a non-reverting appropriation to the fund for grant-making by the New Mexico Youth Conservation Corps Commission. Appropriates \$1.5 million for the Economic Development Department to operate the new division, and \$100,000 for the program.
Subjects: Transportation; Business, Manufacturing and Economic Development; Energy Resources and Chemicals; State Affairs and State Agencies; Natural Resources (Parks and Wildlife); Indians; Appropriations; Public Finance and Budgets
Related: 2017:HM15; 2017:HM91; 2017:SM119
Progress: Introduced
Status: 02/04/2019 – Senate Conservation Committee
History: 02/04/2019 – S Introduced and referred to Senate Conservation.
02/04/2019 – S Also referred to Senate Finance.
Category: Economic Development & IRBs

Bill: SB472
Sponsors: Stefanics (D39)
Title: ENHANCED 911 ADVISORY BOARD
Summary: (Duplicate of 2019, HB439) Creates a nine voting-member Enhanced 911 Advisory Board to consult with DFA's Local Government Division on administering the Enhanced 911 Fund, report to the Legislature, adopt rules, fund enhanced 911 systems and establish service areas.
Subjects: Public Safety and Corrections; Telecommunications
Related: 2019:HB439
Progress: Introduced
Status: 02/05/2019 – Senate Rules Committee
History: 02/05/2019 – S Introduced and referred to Senate Rules.
02/05/2019 – S Also referred to Senate Public Affairs.
Category: Fire, EMS & E911
Notes: Board support - 8/03/2018
EC Support - 2/07/2019

Bill: SB473
Sponsors: Rodriguez (D24)
Title: ADDITIONAL INVESTMENT VEHICLES FOR STATE AND LOCAL TREASURERS
Summary: Allows the State Treasurer and county and municipal treasurers more options for investing funds under their control.
Subjects: County Affairs; Municipalities/City Government; Business, Manufacturing and Economic Development; State Affairs and State Agencies; Banks, Securities and Loans
Progress: Introduced
Status: 02/05/2019 – Senate Public Affairs Committee
History: 02/05/2019 – S Introduced and referred to Senate Public Affairs.
02/05/2019 – S Also referred to Senate Corporations & Transportation.
Category: Tax, Finance & Capital Outlay
Notes: Supranationals
EC Support - 2/07/2019

Bill: SB474
Sponsors: Campos, P. (D8)

Title: TAX CREDITS FOR INVESTMENT IN FRONTIER COMMUNITIES

Summary: (Related to 2018 SB198, 2017 SB326, 2016 SB206 and 2015 SB477) To encourage residents of frontier communities to invest, create jobs and provide needed services in those frontier communities, establishes nonrefundable individual and corporate income tax credits. Taxpayers making qualified investments may claim a tax credit equal to 25 percent of up to \$100,000 per qualified investment for taxable years on or after January 1, 2019.

Subjects: Labor; Business, Manufacturing and Economic Development; State Affairs and State Agencies; Taxation, Fees and Audits

Progress: Introduced

Status: 02/06/2019 – Senate Corporations and Transportation Committee

History: 02/06/2019 – S Introduced and referred to Senate Corporations & Transportation.
02/06/2019 – S Also referred to Senate Finance.

Category: Economic Development & IRBs

Bill: SB476

Sponsors: Sedillo Lopez (D16)

Title: USE OF DEADLY FORCE BY A LAW ENFORCEMENT OFFICER

Summary: (Identical to 2019, HB493) Establishes a notice and hearing procedure following the use of deadly force by a law enforcement officer in the course of the officer's duties that results in a person's death or injury. Directs the sheriff or chief of police of the jurisdiction in which the incident occurred to report the incident to the district attorney of that county within 24 hours. Directs the district attorney to report the incident to the governor within 24 hours of notification. Directs the governor to select an assistant attorney general with experience in criminal prosecution to represent the state as a special prosecutor at a probable cause hearing within three days of notification.

Subjects: Courts and Civil Matters; Criminal Code; Public Safety and Corrections

Related: 2019:HB493

Progress: Introduced

Status: 02/06/2019 – Senate Public Affairs Committee

History: 02/06/2019 – S Introduced and referred to Senate Public Affairs.
02/06/2019 – S Also referred to Senate Judiciary.

Category: Courts & Public Safety

Notes: EC Oppose - 2/07/2019

Bill: SB486

Sponsors: Baca (R29)

Title: TEMPORARY RELINQUISHMENT OF FIREARMS BY CRIMINAL DEFENDANTS CLAIMING INCOMPETENCY TO STAND TRIAL

Summary: (Related to 2019, HB83 and HB87) Requires a criminal defendant who claims incompetency to stand trial to relinquish all firearms and ammunition until the court determines that the defendant is competent; the relinquished firearms and ammunition shall be returned if and when the court finds the defendant competent.

Subjects: Alcohol, Firearms and Tobacco Products; Health and Medical Practice; Courts and Civil Matters; Criminal Code; Public Safety and Corrections; Taxation, Fees and Audits

Related: 2019:HB83; 2019:HB87

Progress: Introduced

Status: 02/07/2019 – Senate Public Affairs Committee

History: 02/07/2019 – S Introduced and referred to Senate Public Affairs.
02/07/2019 – S Also referred to Senate Judiciary.

Category: Courts & Public Safety

Bill: SB489

Sponsors: Candelaria (D26); Small (D36); Egolf (D47); Roybal Caballero (D13)

Title: ENERGY TRANSITION ACT: BOOSTING QUOTAS FOR RENEWABLE ENERGY PRODUCTION

Summary: (Related to 2019, HB498) An 83-page bill that relates to electricity production and boosts state quotas for production of renewable energy. Cited as the Energy Transition Act, it aims at easing the financial, employment and other strains anticipated to occur as a result of the near-future closing of the San

Juan Generating Station in the Four Corners area.

Subjects: Labor; County Affairs; Municipalities/City Government; Business, Manufacturing and Economic Development; Utilities; Energy Resources and Chemicals; State Affairs and State Agencies; Construction and Materials; Agriculture and Ranching; Environment and Pollution; Indians; Appropriations; Taxation, Fees and Audits

Progress: Introduced

Status: 02/07/2019 – Senate Conservation Committee

History: 02/07/2019 – S Introduced and referred to Senate Conservation.
02/07/2019 – S Also referred to Senate Corporations & Transportation.

Category: Tax, Finance & Capital Outlay

Notes: PNM bill about SJGS

Bill: SB492

Sponsors: Soules (D37)

Title: PUBLIC UTILITY RATEPAYER RELIEF ACT

Summary: (Related in part to 2019 SB489) Cited as the Ratepayer Relief Act, provides for the use of corporate securities to be issued by a utility company under a Financing Order approved by the Public Regulation Commission to recover approved securitization costs related to the abandonment of an electric generating facility.

Subjects: Courts and Civil Matters; Business, Manufacturing and Economic Development; Utilities; Energy Resources and Chemicals; State Affairs and State Agencies; Banks, Securities and Loans

Related: 2019:SB489

Progress: Introduced

Status: 02/08/2019 – Senate Conservation Committee

History: 02/08/2019 – S Introduced and referred to Senate Conservation.
02/08/2019 – S Also referred to Senate Corporations & Transportation.

Category: Public Lands, Natural Resources & Agriculture

Bill: SB504

Sponsors: Smith (D35)

Title: GASOLINE AND SPECIAL FUEL TAX INCREASES

Summary: (Related to 2019 HB6, SB421, SB505 and SB506; 2018, SB177; 2017: HB63, SB131, SB132; 2016: SB251, SB 284, SJR22) Effective 7/1/19, raises the gasoline tax ten cents to 27 cents/gallon and the special fuel tax is raised to 27 cents/gallon. Additional revenue is split among the State Road Fund, municipalities and counties and the newly created State Road Maintenance Fund.

Subjects: County Affairs; Municipalities/City Government; Transportation; Business, Manufacturing and Economic Development; Taxation, Fees and Audits

Related: 2019:HB6; 2019:SB421; 2019:SB506; 2018:SB177; 2017:HB63

Progress: Introduced

Status: 02/08/2019 – Senate Corporations and Transportation Committee

History: 02/08/2019 – S Introduced and referred to Senate Corporations & Transportation.
02/08/2019 – S Also referred to Senate Finance.

Category: Tax, Finance & Capital Outlay

Bill: SB505

Sponsors: Smith (D35)

Title: MV EXCISE TAX INCREASE TO STATE ROAD MAINTENANCE FUND

Summary: Creates the State Road Maintenance Fund. Raises the motor vehicle excise tax rate from three to four percent. Proceeds from the one percent increase flow to the State Road Maintenance Fund.

Subjects: Transportation; Business, Manufacturing and Economic Development; Taxation, Fees and Audits

Progress: Introduced

Status: 02/08/2019 – Senate Corporations and Transportation Committee

History: 02/08/2019 – S Introduced and referred to Senate Corporations & Transportation.
02/08/2019 – S Also referred to Senate Finance.

Category: Tax, Finance & Capital Outlay

Bill: SB506**Sponsors:** Smith (D35)**Title:** GASOLINE AND SPECIAL FUEL TAX INCREASE**Summary:** (Relates to 2019 HB6, SB393, SB421 and SB504) Increases the rate of the gasoline tax by five cents, from 17 to 22 cents per gallon, and the special fuel (diesel) tax also by five cents per gallon, from 21 to 26 cents per gallon.**Subjects:** County Affairs; Municipalities/City Government; Transportation; Business, Manufacturing and Economic Development; Taxation, Fees and Audits**Progress:** Introduced**Status:** 02/08/2019 – Senate Corporations and Transportation Committee**History:** 02/08/2019 – S Introduced and referred to Senate Corporations & Transportation.
02/08/2019 – S Also referred to Senate Finance.**Category:** Tax, Finance & Capital Outlay**Bill: SB509****Sponsors:** Wirth (D25); Salazar, T. (D70)**Title:** REGIONAL WATER UTILITY AUTHORITY ACT**Summary:** (Similar to 2019 HB175 in many respects.) Allows the creation of a new statutory entity—a Regional Water Utility Authority—that may be incorporated through the cooperation of one or more entities to provide water or wastewater treatment services and renewable energy infrastructure for those services within a designated service area to be determined by the parties. Applies to a political subdivision, mutual domestic water consumers association, a sanitation district, a water and sanitation district, or any similar district, a recognized Indian tribe, nation or pueblo, or other agency created pursuant to a joint powers agreement on their behalf.**Subjects:** Water; Utilities; State Affairs and State Agencies; Environment and Pollution**Related:** 2019:HB175**Progress:** Introduced**Status:** 02/08/2019 – Senate Conservation Committee**History:** 02/08/2019 – S Introduced and referred to Senate Conservation.
02/08/2019 – S Also referred to Senate Judiciary.**Category:** Public Lands, Natural Resources & Agriculture**Bill: SB511****Sponsors:** Neville (R2)**Title:** INDUSTRIAL REVENUE BOND ACT**Summary:** Replaces the existing Industrial Revenue Bond Act (Chapter 3, Article 32) and the County Industrial Revenue Bond Act (Chapter 4, Article 59) with a new, more comprehensive Industrial Revenue Bond Act applying to both municipalities and counties.**Subjects:** County Affairs; Municipalities/City Government; State Affairs and State Agencies; Banks, Securities and Loans; Taxation, Fees and Audits**Progress:** Introduced**Status:** 02/11/2019 – Senate Corporations and Transportation Committee**History:** 02/11/2019 – S Introduced and referred to Senate Corporations & Transportation.
02/11/2019 – S Also referred to Senate Finance.**Category:** Economic Development & IRBs**Notes:** Board Support - 2/16/2019**Bill: SB528****Sponsors:** Campos, P. (D8)**Title:** AMTRAK PASSENGER RAIL SERVICE**Summary:** Amends the Railroad Planning and Projects Act to address the continuation of Amtrak service in northern New Mexico; appropriates \$5 million (GF, nonreverting) to DOT for use in FY 2020 and subsequent years to provide support for continuation of passenger rail service.**Subjects:** Municipalities/City Government; Transportation; Appropriations**Progress:** Introduced

Status: 02/12/2019 – Senate Corporations and Transportation Committee
History: 02/12/2019 – S Introduced and referred to Senate Corporations & Transportation.
02/12/2019 – S Also referred to Senate Finance.
Category: Economic Development & IRBs

Bill: SB534

Sponsors: Campos, P. (D8)
Title: ADDING D.A.S TO STATE POLICE AND ADULT CORRECTIONAL OFFICER COVERAGE PLAN 1
Summary: Adds district attorneys to a specific PERA retirement plan--state police and adult correctional officer coverage plan 1. Coverage begins on the first day of the calendar month after a certification election held in FY 2020 declares a majority of the district attorney members are in favor of adopting the plan. Adoption is irrevocable. Appropriates \$2 million from the general fund to PERA to cover accrued liability for the D.A.s.
Subjects: Labor; County Affairs; Municipalities/City Government; Public Employees/Retirement; State Affairs and State Agencies; Appropriations; Public Finance and Budgets
Progress: Introduced
Status: 02/12/2019 – Senate Public Affairs Committee
History: 02/12/2019 – S Introduced and referred to Senate Public Affairs.
02/12/2019 – S Also referred to Senate Finance.
Category: Courts & Public Safety

Bill: SB536

Sponsors: Smith (D35)
Title: SPECIAL APPROPRIATIONS FOR STATE AGENCIES, HIGHER ED, LEGISLATURE
Summary: Appropriates \$14.675 million (GF) for six state agencies and institutions for use in FYs 2019 and 2020, as follows:
Subjects: Higher Education; State Affairs and State Agencies; Appropriations
Progress: Introduced
Status: 02/12/2019 – Senate Finance Committee
History: 02/12/2019 – S Introduced and referred to Senate Finance.
Category: Tax, Finance & Capital Outlay
Notes: House bill 2 Junior

Bill: SB548

Sponsors: Martinez, Richard (D5)
Title: SUBDIVISION EXCLUSIONS: RENEWABLE ENERGY & ELECTRIC TRANSMISSION EASEMENTS
Summary: Amends the New Mexico Subdivision Act by adding two more exclusions to the definition of a subdivision: (1) the lease or grant of an easement for the generation of renewable energy as defined in the Renewable Energy Act; or (2) the grant of an easement or right of way for electric transmission facilities.
Subjects: Land, Housing and Real Estate; County Affairs; Municipalities/City Government; Utilities; Energy Resources and Chemicals
Progress: Introduced
Status: 02/13/2019 – Senate Conservation Committee
History: 02/13/2019 – S Introduced and referred to Senate Conservation.
02/13/2019 – S Also referred to Senate Judiciary.
Category: General Government
Notes: EC Oppose - 2/21/2019

New Mexico Subdivision Act, 47-6-9, NMSA, provides that counties shall regulate subdivisions within the county's boundaries and adopt regulations, and such regulations shall provide for a process of public engagement (public input). SB 548 amends the definition of "subdivision" to include exemptions for easements for renewable energy and electric transmission facilities. By including these exemptions, this could limit public engagement in the planning processes and the ability of local governments to ensure that land management decisions appropriately reflect comprehensive planning efforts for the broader community.

Bill: SB561**Sponsors:** Sedillo Lopez (D16)**Title:** MANDATED PAROLE ELIGIBILITY FOR FELONY PLEAS IN MAGISTRATE OR METRO COURT**Summary:** Amends the Sec. 31-20-5 of the Probation and Parole Act to mandate that persons be eligible for probation who are convicted by plea in Magistrate or Metropolitan Courts at a preliminary hearing involving felony charges.**Subjects:** Criminal Code; Public Safety and Corrections**Progress:** 1st House: Referred to Committee**Status:** 02/14/2019 – Senate Judiciary Committee**History:** 02/14/2019 – S Introduced and referred to Senate Judiciary.
02/14/2019 – S Also referred to Senate Finance.**Category:** Courts & Public Safety**Bill: SB565****Sponsors:** Burt (R33)**Title:** GOVERNMENT REORGANIZATION; CREATES STATE FIRE MARSHAL'S OFFICE**Summary:** (Very similar to 2019 HB269) A government reorganization measure that removes the Fire Marshal Division from the Public Regulation Commission and transfers its functions and authority to a separate entity called the Fire Marshal's Office as an adjunct agency. Creates a quasi-policy and advisory Fire Services Council to oversee the Office and hear appeals taken from State Fire Marshal orders.**Subjects:** Insurance; Health and Medical Practice; County Affairs; Municipalities/City Government; State Affairs and State Agencies; Public Safety and Corrections**Related:** 2019:HB269**Progress:** Introduced**Status:** 02/14/2019 – Senate Rules Committee**History:** 02/14/2019 – S Introduced and referred to Senate Rules.
02/14/2019 – S Also referred to Senate Judiciary.**Category:** Fire, EMS & E911**Bill: SB566****Sponsors:** Ingle (R27)**Title:** BONDING OF GROSS RECEIPTS TAX INCREMENTS FOR TIDDS**Summary:** Tightens conditions for dedicating gross receipts tax increments for tax increment development district bonds by municipalities and counties. Authorizes the State Board of Finance to dedicate state gross receipts increments for TIDD projects.**Subjects:** County Affairs; Municipalities/City Government; Banks, Securities and Loans; Taxation, Fees and Audits**Progress:** Introduced**Status:** 02/14/2019 – Senate Corporations and Transportation Committee**History:** 02/14/2019 – S Introduced and referred to Senate Corporations & Transportation.
02/14/2019 – S Also referred to Senate Finance.**Category:** Tax, Finance & Capital Outlay**Bill: SB571****Sponsors:** Kernan (R42)**Title:** PERMANENT URGENT NEED HIGHWAY PROJECT FUND**Summary:** Creates the Urgent Need Highway Project Fund and provides a \$60 million appropriation (GF nonreverting) to the fund for use by the Department of Transportation in FY2020, and subsequent fiscal years, to improve, reconstruct or maintain a part of the state highway system that meets high-priority criteria: (1) DOT's safety network screening process has determined the highway is a high priority based on crash data and annual daily traffic volume; (2) the highway has fallen below a pavement condition rating of 45; or (3) the highway has fallen below other performance criteria identified in DOT's asset management plan.**Subjects:** Appropriations; Transportation; Banks, Securities and Loans; State Affairs and State Agencies

Progress: Introduced
Status: 02/14/2019 – Senate Corporations and Transportation Committee
History: 02/14/2019 – S Introduced and referred to Senate Corporations & Transportation.
02/14/2019 – S Also referred to Senate Finance.
Category: Transportation & Roads

Bill: SB576
Sponsors: Kernan (R42)
Title: NEW LOCATIONS FOR AREA VOCATIONAL HIGH SCHOOLS
Summary: Amends the Public School Code to provide that local school boards may establish area vocational high schools at locations other than on the campus of postsecondary educational institutions. Removes plan approval authority from the Higher Education Department and restricts it solely to the Public Education Department.
Subjects: Schools and Teachers; State Affairs and State Agencies
Progress: 1st House: Referred to Committee
Status: 02/20/2019 – Senate Finance Committee
History: 02/14/2019 – S Introduced and referred to Senate Education.
02/14/2019 – S Also referred to Senate Finance.
02/20/2019 – S Reported Do Pass by Senate Education.
Category: General Government

Bill: SB577
Sponsors: Pirtle (R32)
Title: CANNABIS REGULATION ACT
Summary: Cannabis Regulation Act (the Act) sets up a system of state stores for the sale of cannabis and lounges for it recreational use under the overall supervision of the Cannabis Control Commission.
Subjects: Health and Medical Practice; County Affairs; Municipalities/City Government; Criminal Code; Business, Manufacturing and Economic Development; State Affairs and State Agencies; Land, Housing and Real Estate; Family and Juveniles; Banks, Securities and Loans; Agriculture and Ranching; Taxation, Fees and Audits
Progress: 1st House: Reported from Committees
Status: 02/25/2019 – Senate Judiciary Committee
History: 02/14/2019 – S Introduced and referred to Senate Public Affairs.
02/14/2019 – S Also referred to Senate Judiciary.
02/14/2019 – S Also referred to Senate Finance.
02/25/2019 – S Reported without recommendation as amended by Senate Public Affairs.
Category: Health

Bill: SB581
Sponsors: Burt (R33)
Title: LOCAL ECONOMIC DEVELOPMENT FUND
Summary: Creates the nonreverting Local Economic Development Fund to be administered by the Secretary of Economic Development for the provisions of the Local Economic Development Act. Contains no appropriation.
Subjects: Business, Manufacturing and Economic Development
Progress: Introduced
Status: 02/14/2019 – Senate Corporations and Transportation Committee
History: 02/14/2019 – S Introduced and referred to Senate Corporations & Transportation.
02/14/2019 – S Also referred to Senate Finance.
Category: Economic Development & IRBs

Bill: SB584
Sponsors: Neville (R2)
Title: LOCAL OPTION FOOD TAX
Summary: (Relates to 2019 SB585) Imposes both a municipal local option gross receipts tax and a county local

option gross receipts tax on sales of food. Taxes to be administered by Taxation and Revenue Department, for which it collects a three percent administrative fee. Eliminates the food hold harmless provisions in the distributions at Sections 7-1-6.46 and 7-1-6.47. Lowers the gross receipts and compensating taxes from 5.125 to five percent. Effective July 1, 2019.

Subjects: County Affairs; Municipalities/City Government; Business, Manufacturing and Economic Development; Family and Juveniles; Taxation, Fees and Audits

Related: 2019:SB585

Progress: Introduced

Status: 02/14/2019 – Senate Corporations and Transportation Committee

History: 02/14/2019 – S Introduced and referred to Senate Corporations & Transportation.
02/14/2019 – S Also referred to Senate Finance.

Category: Tax, Finance & Capital Outlay

Bill: SB585

Sponsors: Smith (D35)

Title: GROSS RECEIPTS CREDIT FOR SALE OF FOOD; REPEAL OF HOLD HARMLESS DISTRIBUTION

Summary: Repeals the gross receipts deduction for receipts from selling food but grants a credit against most of the state gross receipts tax that would otherwise be due. Repeals the hold harmless distribution to municipalities and counties with respect to food sales.

Subjects: County Affairs; Municipalities/City Government; Business, Manufacturing and Economic Development; Family and Juveniles; Taxation, Fees and Audits

Progress: Introduced

Status: 02/14/2019 – Senate Corporations and Transportation Committee

History: 02/14/2019 – S Introduced and referred to Senate Corporations & Transportation.
02/14/2019 – S Also referred to Senate Finance.

Category: Tax, Finance & Capital Outlay

Bill: SB586

Sponsors: Munoz (D4)

Title: PORE SPACE OWNERSHIP VESTED WITH SURFACE OWNER

Summary: Relates to property; establishes a definition for "pore space" and vests ownership with the owner of the overlying surface estate; provides definition for "reservoir."

Subjects: Land, Housing and Real Estate; Energy Resources and Chemicals; Family and Juveniles; Environment and Pollution

Progress: Introduced

Status: 02/14/2019 – Senate Conservation Committee

History: 02/14/2019 – S Introduced and referred to Senate Conservation.
02/14/2019 – S Also referred to Senate Judiciary.

Category: Public Lands, Natural Resources & Agriculture

Bill: SB609

Sponsors: Sanchez, C. (D30)

Title: GAS FUEL AND MOTOR VEHICLE EXCISE TAX

Summary: (Relates to 2019 HB6, SB393, SB421, SB504 and SB506) Increases the rate of the gasoline tax by five cents, from 17 to 22 cents per gallon, and the special fuel (diesel) tax also by five cents per gallon, from 21 to 26 cents per gallon. Boosts the rate of the motor vehicle excise tax from three to four percent. Funds road projects.

Subjects: County Affairs; Municipalities/City Government; Transportation; Business, Manufacturing and Economic Development; Family and Juveniles; Appropriations; Taxation, Fees and Audits

Related: 2019:HB6; 2019:SB393; 2019:SB421; 2019:SB504; 2019:SB506

Progress: Introduced

Status: 02/14/2019 – Senate Corporations and Transportation Committee

History: 02/14/2019 – S Introduced and referred to Senate Corporations & Transportation.
02/14/2019 – S Also referred to Senate Finance.

Scheduled: 02/25/2019 – Senate Corporations and Transportation Committee, 2:00 p.m., Room 311

Category: Tax, Finance & Capital Outlay

Bill: SB627

Sponsors: Lopez (D11)

Title: DPS AGREEMENTS WITH LOCAL GOVERNMENTS FOR LAW ENFORCEMENT SERVICES

Summary: Provides the Department of Public Safety with the authority to enter into Memoranda of Understanding with other jurisdictions in New Mexico to provide law enforcement personnel.

Subjects: State Affairs and State Agencies; Public Safety and Corrections; County Affairs; Municipalities/City Government

Progress: Introduced

Status: 02/14/2019 – Senate Public Affairs Committee

History: 02/14/2019 – S Introduced and referred to Senate Public Affairs.
02/14/2019 – S Also referred to Senate Judiciary.

Category: Courts & Public Safety

Bill: SB635

Sponsors: Stewart (D17)

Title: RIGHT TO PORTAGE ACROSS PRIVATE LAND

Summary: Allows a person who is operating a watercraft in public water to walk or wade onto private property, without prior express written consent, to scout or portage to avoid hazardous human-caused or natural conditions encountered in the public water.

Subjects: Water; Land, Housing and Real Estate

Progress: Introduced

Status: 02/14/2019 – Senate Conservation Committee

History: 02/14/2019 – S Introduced and referred to Senate Conservation.
02/14/2019 – S Also referred to Senate Judiciary.

Category: Public Lands, Natural Resources & Agriculture

Bill: SJM7

Sponsors: Candelaria (D26)

Title: ADMINISTRATIVE HEARINGS AND TAX WORKING GROUP

Summary: Requests the Chief Hearing Officer of the Administrative Hearings Office to convene a working group to identify issues of concern within the hearing and tax protest process and develop solutions for fair and efficient hearings.

Subjects: Taxation, Fees and Audits; State Affairs and State Agencies; Interim Studies and Interim Committees

Progress: 1st House: Reported from Committees

Status: 02/12/2019 – Senate Judiciary Committee

History: 01/22/2019 – S Introduced and referred to Senate Rules.
01/22/2019 – S Also referred to Senate Judiciary.
02/12/2019 – S Reported Do Pass as amended by Senate Rules.

Category: Tax, Finance & Capital Outlay

Bill: SJM14

Sponsors: Martinez, Richard (D5)

Title: RULES OF CRIMINAL PROCEDURE CONCERNING BAIL

Summary: Requests that the New Mexico Supreme Court be requested to rescind certain amendments to the various Rules of Criminal Procedure that do not include the constitutional requirement to file a motion to request relief from the requirement to post bond.

Subjects: Courts and Civil Matters; Criminal Code

Progress: Introduced

Status: 02/08/2019 – Senate Rules Committee

History: 02/08/2019 – S Introduced and referred to Senate Rules.
02/08/2019 – S Also referred to Senate Judiciary.

Category: Courts & Public Safety

Bill: SJR8

Sponsors: Ivey-Soto (D15)
Title: CA: COUNTY COMMISSIONS AND PROBATE JURISDICTION
Summary: Proposes to amend Article 6, Section 23 of the Constitution to give county commissions the option to close a county probate court and transfer probate jurisdiction to a state court, upon approval of the state Supreme Court.
Subjects: Constitutional Issues and Amendments; Courts and Civil Matters
Progress: 1st House: Reported from Committees
Status: 02/22/2019 – Senate Judiciary Committee
History: 01/09/2019 – S Prefiled in the Senate.
01/21/2019 – S Introduced and referred to Senate Rules.
01/21/2019 – S Also referred to Senate Judiciary.
02/22/2019 – S Reported Do Pass by Senate Rules.
Category: Courts & Public Safety
Notes: EC Support 1/31/2019

Bill: SJR11
Sponsors: Ortiz y Pino (D12)
Title: CA: RURAL LIBRARY ENDOWMENT FUND
Summary: (Related to 2019, SB 264) Proposes amending the state Constitution to create the Rural Libraries Endowment Fund for rural libraries' operational and capital needs and delivery of specialized services.
Subjects: Constitutional Issues and Amendments; County Affairs; Municipalities/City Government
Related: 2019:SB264
Progress: Introduced
Status: 01/22/2019 – Senate Rules Committee
History: 01/22/2019 – S Introduced and referred to Senate Rules.
01/22/2019 – S Also referred to Senate Judiciary.
01/22/2019 – S Also referred to Senate Finance.
Category: General Government

Bill: SJR12
Sponsors: Moores (R21)
Title: CA: NONPARTISAN JUDICIAL ELECTIONS
Summary: (Identical to 2017 SJR10; similar to 2015 HJR11) Proposes to amends Article 6, Section 33 to provide for nonpartisan election of Supreme Court justices and all state elected judges. Provides that all sitting justices and judges having been elected to office in a partisan election shall be deemed to have fulfilled the requirements for a nonpartisan election.
Subjects: Courts and Civil Matters; Constitutional Issues and Amendments
Related: 2017:SJR10; 2015:HJR11
Progress: Introduced
Status: 01/25/2019 – Senate Rules Committee
History: 01/25/2019 – S Introduced and referred to Senate Rules.
01/25/2019 – S Also referred to Senate Judiciary.
Category: Courts & Public Safety

Bill: SJR13
Sponsors: Moores (R21)
Title: CA: VACANCIES IN MULTICOUNTY DISTRICTS
Summary: Proposes to amend Article 4, Section 4 of the New Mexico Constitution to provide that, to filling legislative vacancies in multicounty districts, the County Commissioners must nominate a resident of their county; to require the appointee to any vacancy must be of the same political party as the vacating legislator; and to correct provisions of that section that have been declared unconstitutional.
Subjects: County Affairs; Constitutional Issues and Amendments; Legislature
Progress: Introduced
Status: 01/25/2019 – Senate Rules Committee
History: 01/25/2019 – S Introduced and referred to Senate Rules.
01/25/2019 – S Also referred to Senate Judiciary.

Category: Elections

Bill: SJR14

Sponsors: Cervantes (D31)

Title: CA: REGULAR 42-DAY LEGISLATIVE SESSIONS

Summary: Proposes to amend Article 4, Section 5 of the Constitution to create 42-day regular sessions of the Legislature in both odd- and even-numbered years, with no limit in even-numbered years to budgets, appropriations, revenue bills or bills pursuant to Governor's special message; and limit veto overrides to vetoes from the same biennial Legislature.

Subjects: Constitutional Issues and Amendments; Legislature

Progress: Introduced

Status: 01/25/2019 – Senate Rules Committee

History: 01/25/2019 – S Introduced and referred to Senate Rules.

01/25/2019 – S Also referred to Senate Judiciary.

01/25/2019 – S Also referred to Senate Finance.

Category: General Government

Bill: SJR15

Sponsors: Cervantes (D31)

Title: APPELLATE JUDGES SERVE ONE YEAR PRIOR TO ELECTION

Summary: (For the Courts, Corrections and Justice Committee) Proposes to amend Article 6, Section 35 of the New Mexico Constitution to provide that an appointed appellate judge serve at least one year before a general election for the office to which the judge was appointed.

Subjects: Courts and Civil Matters; Constitutional Issues and Amendments

Progress: Introduced

Status: 01/25/2019 – Senate Rules Committee

History: 01/25/2019 – S Introduced and referred to Senate Rules.

01/25/2019 – S Also referred to Senate Judiciary.

Category: Courts & Public Safety

Bill: SM18

Sponsors: Campos, P. (D8)

Title: AMTRAK SOUTHWEST CHIEF TRAIN

Summary: Recognizes the ongoing need for the Southwest Chief train service in New Mexico, acknowledges the threat to its operation, and calls on the New Mexico congressional delegation and the Governor to support the continued viability of the Southwest Chief.

Subjects: Transportation; State Affairs and State Agencies; County Affairs; Municipalities/City Government

Progress: 1st House: Passed

Status: 02/12/2019 – Signed by Officers of Senate

History: 01/23/2019 – S Introduced and placed on President's Table.

02/08/2019 – S Removed from President's table.

02/08/2019 – S Placed on Senate Calendar.

02/08/2019 – S Opened for floor debate.

02/08/2019 – S Passed 43-0.

02/12/2019 – S Enrolled and engrossed.

02/12/2019 – S Signed by Officers of Senate.

Category: General Government

Bill: SM26

Sponsors: Stefanics (D39)

Title: FEASIBILITY STUDY FOR WILD HORSE STATE PARK

Summary: Requests the State Parks Division of the Energy, Minerals and Natural Resources Department to study the potential locations and feasibility of acquiring land for a Wild Horse State Park.

Subjects: State Affairs and State Agencies; Natural Resources (Parks and Wildlife)

Progress: 1st House: Reported from Committees

Status: 02/25/2019 – Senate Conservation Committee
History: 01/25/2019 – S Introduced and referred to Senate Rules.
01/25/2019 – S Also referred to Senate Conservation.
02/25/2019 – S Reported Do Pass as amended by Senate Rules.
Scheduled: 02/25/2019 – Senate Rules Committee, 8:30 a.m, Room 321
Category: Public Lands, Natural Resources & Agriculture

Bill: SM47
Sponsors: Candelaria (D26)
Title: PRISON CONVERSION TASK FORCE
Summary: Requests the Behavioral Health Services Division to convene a prison conversion task force to study the feasibility of converting correctional facilities into drug and alcohol treatment facilities and their possible use as an alternate sentencing option
Subjects: Health and Medical Practice; Courts and Civil Matters; Criminal Code; State Affairs and State Agencies; Human Services; Public Safety and Corrections; Interim Studies and Interim Committees
Progress: Introduced
Status: 02/04/2019 – Senate Rules Committee
History: 02/04/2019 – S Introduced and referred to Senate Rules.
02/04/2019 – S Also referred to Senate Judiciary.
Category: Courts & Public Safety

Bill: SM50
Sponsors: Neville (R2)
Title: "COUNTY DAY"
Summary: Declares February 15, 2019 as "County Day" in the Senate to recognize the great people and places of each of New Mexico's 33 counties.
Subjects: County Affairs
Progress: 1st House: Passed
Status: 02/18/2019 – Signed by Officers of Senate
History: 02/05/2019 – S Introduced and placed on President's Table.
02/15/2019 – S Removed from President's table.
02/15/2019 – S Placed on Senate Calendar.
02/15/2019 – S Opened for floor debate.
02/15/2019 – S Passed 43-0.
02/18/2019 – S Enrolled and engrossed.
02/18/2019 – S Signed by Officers of Senate.
Category: General Government

Bill: SM58
Sponsors: Baca (R29)
Title: "VALENCIA COUNTY DAY"
Summary: (Duplicate of 2019 HM31) Declares February 15, 2019 as "Valencia County Day" in the Senate to recognize its history and many contributions to the state.
Subjects: County Affairs; Municipalities/City Government
Related: 2019:HM31
Progress: 1st House: Passed
Status: 02/18/2019 – Signed by Officers of Senate
History: 02/07/2019 – S Introduced and placed on President's Table.
02/15/2019 – S Removed from President's table.
02/15/2019 – S Placed on Senate Calendar.
02/15/2019 – S Opened for floor debate.
02/15/2019 – S Passed 43-0.
02/18/2019 – S Enrolled and engrossed.
02/18/2019 – S Signed by Officers of Senate.
Category: General Government

SFC CLERK RECORDED 03/28/2019

Status of BCC-supported legislation recommended by HPPC:

- HB 308 Dental Therapy: Patricia testified in support this week, and the bill got a unanimous Do Pass from State Government, Elections and Indian Affairs Committee. A representative from NM Dental Association said they were “okay” with the bill, so this may well get through.
- HB 416 Medicaid Buy-in: Got a Do Pass from HHS Committee and is now in House Appropriations and Finance Committee.
- HB 295 Health Security Act: Got a Do Pass from HHS Committee and is scheduled to be heard by House State Government, Elections and Indian Affairs Committee on 2/24.
- HB 328 NM Grown Produce for School Meals: Got a Do Pass from House Agriculture and Water Committee and is now in House Appropriation and Finance.

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Santa Fe Food Policy Council

Food Tax Opposition Statement

The Santa Fe Food Policy Council opposes a food tax due to the disproportionate burden it would place on food insecure residents of our state.

New Mexico is consistently among the states with the highest rates of food insecurity as 327,930 New Mexicans, representing 15.8% of the state's population, lack consistent access to enough food for an active, healthy life, as compared to 12.9% of the national population. A key part of building a stronger future for the state of New Mexico is healthy, food-secure children. New Mexico has the highest rate of food insecure children in the nation. Currently, 125,200 or 26% of children in our state experience food insecurity, compared to 17.5% of children in the United States overall. (Source: Feeding America, Map the Meal Gap 2016.)

A tax on food would have the most adverse effect on low income families. Research by the Bureau of Labor Statistics indicates that as a portion of household income, low-income families spend far more on food than middle- and high-income households. Specifically households in the lowest income bracket (mean annual income \$11,933) spend 22% of their income on food, while households in the middle income bracket (mean annual income \$49,339) spend 8% of their annual income on food, and households in the highest income bracket (mean annual income \$149,504) spend 4% of their income on food.

Low income households that receive Supplemental Nutrition Assistance Program (SNAP) benefits will still be subject to the food tax despite the fact that that SNAP benefits are tax exempt. For a variety of reasons, some low income households receive no SNAP benefits. Since, on average, SNAP only covers 63% of food-at-home spending, households that do receive SNAP still make a substantial supplement to food spending from other sources. (Source: a March 2018 report by the USDA on the Food Assistance Landscape.)

We do not dispute the need for New Mexico to raise revenue from diverse and reliable sources. However, there are other ways to increase the state's coffers without putting an additional burden on a large number of our most vulnerable citizens.

For any questions, clarification, comments and feedback: Pam Roy, SFFPC Coordinator, 505.660.8403, pam@farmtotablenm.org, www.santafefoodpolicy.org

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SFC CLERK RECORDED 03/28/2019

HOUSE MEMORIAL 63

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

Joseph L. Sanchez

A MEMORIAL

REQUESTING THAT ANY TAXATION TASK FORCE CONVENED IN 2019 BY THE GOVERNOR OR THE LEGISLATURE BE REQUESTED TO RESEARCH AND DEVELOP LEGISLATIVE RECOMMENDATIONS AND ALTERNATIVES THAT CAN PROMOTE MORE EQUITABLE REGIONAL TAX DISTRIBUTIONS FROM LOS ALAMOS NATIONAL LABORATORY OR SIMILAR FEDERAL RESEARCH FACILITIES IN NEW MEXICO.

WHEREAS, New Mexico has been at the forefront of scientific endeavors for over seventy years and has achieved recognition as the home of one of the finest multi-program scientific research laboratories in the world; and

WHEREAS, these research laboratories have made an enormous contribution to the safety and national security of the United States; and

WHEREAS, New Mexico's national laboratories continue to

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1 spur innovation and industrial applications that benefit the
2 nation and private industry; and

3 WHEREAS, these federal institutions recruit and employ a
4 significant portion of their workforce from New Mexico's higher
5 education institutions; and

6 WHEREAS, in 2018, Los Alamos national laboratory
7 celebrated its seventy-fifth anniversary; and

8 WHEREAS, Los Alamos national laboratory annually purchases
9 more than four hundred twenty million dollars (\$420,000,000) in
10 goods and services from suppliers in the state, or over forty-
11 five percent of the total purchases of goods and services
12 purchased by Los Alamos national laboratory; and

13 WHEREAS, Los Alamos national laboratory contracts awarded
14 to New Mexico small businesses totaled two hundred sixty-nine
15 million dollars (\$269,000,000) in 2018; and

16 WHEREAS, Los Alamos national laboratory employs more than
17 eleven thousand employees, mostly from northern New Mexico; and

18 WHEREAS, Los Alamos national laboratory is crucial to New
19 Mexico's economic health, paying over one billion dollars
20 (\$1,000,000,000) in salaries, which has a direct impact on the
21 state's economy each year; and

22 WHEREAS, Los Alamos national laboratory's operations and
23 construction have resulted in over eighty million dollars
24 (\$80,000,000) in gross receipts tax revenues annually for the
25 state since 2006 and have also resulted in three billion one

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1 hundred million dollars (\$3,100,000,000) in annual total impact
2 on economic output across New Mexico from 2015 to 2017; and

3 WHEREAS, Los Alamos national laboratory was founded in
4 secrecy at a remote location during World War II, and northern
5 New Mexico communities and residents built and have maintained
6 the facilities since its inception and are an indispensable
7 component of the current workforce; and

8 WHEREAS, the majority of Los Alamos national laboratory
9 employees live outside of Los Alamos county, with approximately
10 fifty-five percent of laboratory employees residing in the
11 surrounding counties, and the operations of the laboratory
12 impact all of northern New Mexico; and

13 WHEREAS, there are current legislative efforts to tax Los
14 Alamos national laboratory, regardless of whether the
15 laboratory were to become a nonprofit entity; and

16 WHEREAS, the local revenue distribution from the Los
17 Alamos national laboratory gross receipts tax currently paid to
18 the state greatly benefits Los Alamos county and does not
19 benefit the rest of northern New Mexico; and

20 WHEREAS, the communities outside Los Alamos county
21 contribute greatly to the success of Los Alamos national
22 laboratory; and

23 WHEREAS, the importance of equitable regional tax
24 distribution on communities and workforces outside Los Alamos
25 county must continue to be examined;

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1 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
2 REPRESENTATIVES OF THE STATE OF NEW MEXICO that any taxation
3 task force convened in 2019 by the governor or the legislature
4 be requested to research and develop legislative
5 recommendations and alternatives that can promote more
6 equitable regional tax distributions from Los Alamos national
7 laboratory or similar federal research facilities in New
8 Mexico; and

9 BE IT FURTHER RESOLVED the legislative finance committee
10 and the revenue stabilization and tax policy committee study
11 the issue in the event no taxation task force is commissioned
12 during 2019; and

13 BE IT FURTHER RESOLVED that copies of this memorial be
14 transmitted to the members of the New Mexico congressional
15 delegation, the secretary of the United States department of
16 energy, the director of Los Alamos national laboratory, the
17 director of Sandia national laboratories, the governor and the
18 co-chairs of the New Mexico legislative council.

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HOUSE BILL 210

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

Patricia Roybal Caballero and Elizabeth "Liz" Stefanics
and Andrea Romero

AN ACT

RELATING TO UTILITIES; ENACTING THE COMMUNITY SOLAR ACT;
CREATING REQUIREMENTS FOR THE ESTABLISHMENT AND INTERCONNECTION
OF COMMUNITY SOLAR FACILITIES; PROVIDING RULEMAKING AUTHORITY
TO THE PUBLIC REGULATION COMMISSION.

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

SECTION 1. [NEW MATERIAL] SHORT TITLE.--This act may be
cited as the "Community Solar Act".

SECTION 2. [NEW MATERIAL] DEFINITIONS.--As used in the
Community Solar Act:

A. "affiliated interest" means a person who
directly or indirectly, through one or more intermediaries,
controls or is controlled by or is under common control with a
public utility as defined in Section 62-3-3 NMSA 1978;

B. "affordable housing provider" means a

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1 governmental housing agency, regional housing authority, tribal
2 housing agency, or a corporation, limited liability company,
3 partnership, joint venture, syndicate, association or nonprofit
4 organization that satisfies the requirements of a qualifying
5 grantee as provided in the Affordable Housing Act;

6 C. "commission" means the public regulation
7 commission;

8 D. "community solar bill credit" means the credit
9 per kilowatt-hour to a subscriber on the qualifying utility's
10 monthly billing cycle as required by the Community Solar Act;

11 E. "community solar credit rate" means the
12 dollar-per-kilowatt-hour rate determined by the commission that
13 is used to calculate a subscriber's community solar bill
14 credit;

15 F. "community solar energy" means the number of
16 kilowatt-hours produced by a community solar facility allocated
17 to a subscriber determined by multiplying the ratio of the
18 subscriber's kilowatt subscription to the total community solar
19 facility's kilowatt capacity by the monthly metered
20 kilowatt-hour production output of the community solar
21 facility;

22 G. "community solar facility" means a solar
23 electric generation facility that is interconnected with the
24 distribution system of a qualified utility in the service
25 territory of customers of the qualified utility that subscribe

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1 for a portion of the capacity of the community solar facility;

2 H. "community solar program" or "program" means a
3 rate schedule of a qualifying utility approved by the
4 commission that provides its customers with the voluntary
5 option of accessing solar energy produced by a community solar
6 facility through a subscription process in accordance with the
7 Community Solar Act and may include co-location of a community
8 solar facility and energy storage;

9 I. "distribution cost component" means the amount
10 of a qualifying utility's total cost of service that a
11 qualified utility is allowed by the commission to recover in
12 its total aggregate retail rate, identified and approved by the
13 commission in the qualifying utility's most recent general rate
14 case as being reasonably related to the qualifying utility's
15 power distribution function converted to a kilowatt-hour rate
16 and does not include any distribution function-related costs a
17 qualifying utility is allowed to recover from any charge to its
18 customers described in its rate schedules as a monthly minimum
19 charge, such as a customer or service availability charge;

20 J. "energy storage" means technology that allows
21 the capture of energy produced at one time for use at a later
22 time;

23 K. "fuel and power cost adjustment" means an
24 adjustment in a qualifying utility's rate schedule approved by
25 the commission that contains the parameters under which the

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1 qualifying utility's fuel and purchased power cost adjustment
2 factor is determined and applied to a utility's established
3 class of customers;

4 L. "low-income customer" means a residential
5 customer of a qualifying utility with an annual household
6 income at or below two hundred percent of the federal poverty
7 level as published by the United States department of health
8 and human services;

9 M. "low-income service organization" means an
10 organization or nonprofit entity that certifies to a qualifying
11 utility that it provides services, assistance or housing to
12 low-income customers;

13 N. "qualifying utility" means an investor-owned
14 electric public utility certified by the commission to provide
15 retail electric service in New Mexico pursuant to the Public
16 Utility Act but does not include a rural electric distribution
17 cooperative;

18 O. "subscriber" means a retail customer of a
19 qualifying utility, low-income service organization or
20 affordable housing provider that contracts with a subscriber
21 organization for one or more subscriptions to the capacity of a
22 community solar facility and has identified one or more
23 physical retail service locations in the service territory of
24 the qualifying utility to which the subscription is attributed
25 that is in the same county as, or a county adjacent to, the

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1 community solar facility;

2 P. "subscriber organization" means an entity,
3 including a municipality, county, Indian nation, tribe or
4 pueblo, a for-profit or nonprofit entity or organization
5 authorized to transact business in New Mexico or within the
6 jurisdiction of an Indian nation, tribe or pueblo located in
7 New Mexico, a low-income service organization or an affordable
8 housing provider, or a partnership of entities, that owns or
9 operates a community solar facility;

10 Q. "subscription" means a written contract between
11 a subscriber and a subscriber organization that allocates to a
12 subscriber a proportional interest in the nameplate capacity of
13 a community solar facility that, at the election of a
14 subscriber organization, may include the renewable energy
15 certificates, as defined in Section 62-16-3 NMSA 1978,
16 attributable to the electricity generated by a community solar
17 facility and states the per-kilowatt subscription rate to be
18 paid by the subscriber for the capacity;

19 R. "system integration" means services that are
20 reasonably required or a reasonable consequence of
21 interconnecting a community solar facility to the distribution
22 system of a qualifying utility to manage the variability and
23 uncertainty of the production of energy from a community solar
24 facility in order to maintain electric system reliability;

25 S. "total aggregate retail rate" means the total

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1 amount of a qualifying utility's demand, energy and other
2 charges converted to a kilowatt-hour rate that includes fuel
3 and power cost adjustments and other charges set forth in a
4 qualifying utility's effective rate schedule applicable to a
5 customer, but does not include charges described on a
6 qualifying utility's rate schedule as minimum monthly charges,
7 such as customer or service availability charges, or other
8 charges, including energy efficiency program charges, that the
9 commission determines cannot be avoided by a subscriber to a
10 community solar facility; and

11 T. "unsubscribed output" means electricity,
12 measured in kilowatt hours, generated by a community solar
13 facility that is not allocated to a subscriber.

14 SECTION 3. [NEW MATERIAL] COMMUNITY SOLAR FACILITY--
15 REQUIREMENTS.--

16 A. A community solar facility shall:

- 17 (1) have a nameplate rating of ten megawatts
18 alternating current or less;
19 (2) be located in the service territory in New
20 Mexico of a qualifying utility; and
21 (3) be connected to the electric distribution
22 system of a qualifying utility.

23 B. Except for a community solar facility located on
24 the lands of Indian nations, tribes or pueblos exclusively
25 serving subscribers on those lands:

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1 (1) a community solar facility shall have at
2 least ten subscribers;

3 (2) no single subscriber shall be allocated or
4 acquire more than a sixty percent interest in the capacity of a
5 community solar facility;

6 (3) no more than sixty percent of the capacity
7 of a community solar facility may be allocated to subscriptions
8 larger than twenty-five kilowatts;

9 (4) a community solar facility shall not be
10 co-located with another community solar facility on a single
11 parcel or contiguous parcels of land if the nameplate rating of
12 ten megawatts is exceeded in the aggregate; and

13 (5) subscriber organizations under common
14 control shall not develop, own or operate more than one
15 community solar facility on contiguous parcels of land.

16 C. Energy storage may be co-located with a
17 community solar facility.

18 SECTION 4. [NEW MATERIAL] OWNERSHIP OF COMMUNITY SOLAR
19 FACILITIES--SUBSCRIBER ORGANIZATIONS.--

20 A. A community solar facility may be:

21 (1) owned by a subscriber organization whose
22 purpose is to beneficially own and operate a community solar
23 facility;

24 (2) built, owned and operated by a third party
25 under contract with a subscriber organization;

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1 (3) owned by an unregulated affiliated
2 interest of a qualifying utility; provided that the qualifying
3 utility demonstrates to the commission that it has made
4 available to any other unregulated entity or organization that
5 requests it, the same customer-related information and
6 information about its distribution system provided to its
7 affiliated interest in connection with its affiliated
8 interest's development of the solar facility; or

9 (4) owned and operated by a qualifying utility
10 if the qualifying utility demonstrates to the commission that:

11 (a) unregulated owners and operators of
12 community solar facilities participating in the utility's
13 community solar program have not reasonably provided low-income
14 customers, low-income service organizations, affordable housing
15 providers or other customers in its service territory with
16 opportunities to obtain the benefits of a community solar
17 facility;

18 (b) the cost of the solar facility and
19 subscriptions will not be subsidized by customers that do not
20 subscribe; and

21 (c) it is in the public interest to
22 allow the qualifying utility to own the community solar
23 facility.

24 B. Subscriber organizations may enter into leases,
25 sale-and-leaseback transactions, operating agreements and other

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1 ownership arrangements with third parties relative to community
2 solar facilities.

3 C. A subscriber organization is encouraged to and
4 may set aside and offer a portion of the capacity of a
5 community solar facility to low-income customers at a discount
6 off of the per kilowatt subscription rate offered to other
7 subscribers for an unlimited or limited time period; provided
8 that the subscriber organization shall disclose to all
9 subscribers the amount of that discount and, if applicable, the
10 method by which it intends to recover the cost of that discount
11 from subscribers that are not low-income customers.

12 SECTION 5. [NEW MATERIAL] SUBSCRIBERS--SUBSCRIPTIONS.--

13 A. Each subscription shall be sized to:

14 (1) represent at least one kilowatt of the
15 community solar facility's generating capacity; and

16 (2) supply no more than one hundred twenty
17 percent of the average annual consumption of electricity by
18 each subscriber at the premises to which the subscription is
19 attributed, with a deduction for the amount of any existing
20 solar facilities located at the premises.

21 B. A qualifying utility may bill a subscriber for
22 the subscription price on the utility's monthly bill pursuant
23 to an agreement between the qualifying utility and the
24 subscriber organization. If the qualifying utility collects
25 the subscription price from the subscriber, the qualifying

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1 utility shall remit the subscription price collected to the
2 subscriber organization within a reasonable period of time
3 after its receipt.

4 C. A subscriber may change from time to time the
5 retail service location to which electricity generated by a
6 community solar facility is attributed so long as the retail
7 service location is within the geographical limits allowed for
8 a subscriber.

9 D. Subject to reasonable terms or conditions in an
10 individual customer's subscription, subscriptions to a
11 community solar facility may be transferred or assigned to a
12 subscriber organization or to any person or entity that
13 qualifies as a subscriber pursuant to the Community Solar Act.

14 SECTION 6. [NEW MATERIAL] NOT SUBJECT TO COMMISSION
15 REGULATION.--

16 A. The owners or operators of and the subscribers
17 to a community solar facility shall not be considered public
18 utilities subject to regulation by the commission under the
19 Public Utility Act solely as a result of their ownership
20 interest or operation of or subscription to a community solar
21 facility.

22 B. Rates paid for subscriptions shall not be
23 subject to regulation by the commission.

24 SECTION 7. [NEW MATERIAL] ACQUISITION OF OUTPUT FROM
25 COMMUNITY SOLAR FACILITIES--BILL CREDIT--UNSUBSCRIBED OUTPUT--

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1 COST RECOVERY--RENEWABLE ENERGY CERTIFICATES.--

2 A. A qualifying utility shall acquire the entire
3 output of a community solar facility connected to its
4 distribution system in accordance with the Community Solar Act.

5 B. A qualifying utility's acquisition of the output
6 of a community solar facility shall take the form of a
7 community solar bill credit on the qualifying utility's monthly
8 bill to a subscriber for electric service at the premises
9 identified in the subscriber's subscription. A community solar
10 bill credit shall be determined by:

11 (1) deducting the qualifying utility's
12 distribution cost component from its total aggregate retail
13 rate;

14 (2) giving due consideration to any additional
15 reasonably determinable benefits to the qualifying utility
16 attributable to the customer's subscription, including:

17 (a) the value of any renewable energy
18 certificates produced by the community solar facility if
19 transferred to the qualifying utility;

20 (b) any reduction of the qualifying
21 utility's need to make additional capital investments in
22 centralized utility-scale electric generation resources to
23 satisfy its planning reserve margin or other service
24 requirements;

25 (c) any reduction of the qualifying

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1 utility's energy or capacity costs;

2 (d) any reduction of the qualifying
3 utility's system line losses of energy for its customers
4 generally; or

5 (e) any benefits of system integration
6 or other benefits to the qualifying utility from energy storage
7 that is co-located with a community solar facility;

8 (3) converting the combined amount determined
9 in Paragraphs (1) and (2) of this subsection to a kilowatt-hour
10 community solar credit rate; and

11 (4) multiplying the community solar credit
12 rate by the kilowatt-hours of community solar energy produced
13 by the community solar facility.

14 C. To the extent a subscriber's community solar
15 bill credit exceeds the amount of the utility's bill to the
16 subscriber in any billing period, the subscriber's community
17 solar bill credit shall be carried forward and applied against
18 future bills by the qualifying utility to the subscriber.

19 D. A subscriber organization shall provide a
20 qualifying utility with:

21 (1) real-time production data to facilitate
22 acceptance and integration of the electricity output of a
23 community solar facility into the qualifying utility's
24 distribution system and to facilitate the provision of
25 community solar bill credits to subscribers;

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1 (2) on a monthly basis and within reasonable
2 periods, the percentage of shares that should be used to
3 determine the community solar bill credit to each subscriber;
4 and

5 (3) the per kilowatt subscription rate and
6 contractual term of each subscriber's subscription for purposes
7 of billing a subscriber for the subscription price, if agreed
8 to by the qualifying utility and subscriber organization.

9 E. A qualifying utility shall:

10 (1) purchase any unsubscribed output of a
11 community solar facility connected to its distribution system
12 pursuant to a community solar program rate schedule approved by
13 the commission in accordance with the Community Solar Act at
14 the qualifying utility's applicable avoided cost of energy rate
15 as approved by the commission; and

16 (2) pay a subscriber organization the
17 reasonable value of any unsubscribed capacity of a community
18 solar facility if it is reasonably determined, in accordance
19 with the commission's rules addressing purchases from
20 facilities, that the capacity purchase enables the qualifying
21 utility to avoid procurement of new capacity.

22 F. A qualifying utility may recover from a
23 subscriber organization:

24 (1) the reasonable costs of necessary
25 interconnection facilities, including additions or upgrades of

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1 the qualifying utility's distribution system necessary to
2 physically and electrically interconnect the community solar
3 facility to the utility's distribution system; and

4 (2) the reasonably determined cost of system
5 integration, giving due consideration to any energy storage
6 co-located with a community solar facility.

7 G. The amount of electricity and renewable energy
8 certificates generated by each community solar facility shall
9 be determined by a production meter installed by the qualifying
10 utility or the owner of the community solar facility and paid
11 for by the owner of the community solar facility. All
12 renewable energy certificates associated with the energy
13 produced by a community solar facility are the property of the
14 subscriber organization and, at the subscriber organization's
15 discretion, may be accumulated, sold, retired or transferred to
16 subscribers or to a qualifying utility.

17 SECTION 8. [NEW MATERIAL] QUALIFYING UTILITY--COMMUNITY
18 SOLAR PROGRAM--RATE SCHEDULES--COMMISSION APPROVAL--
19 INTERCONNECTION APPLICATION.--

20 A. A qualifying utility shall file by February 1,
21 2020 an application with the commission for approval of a plan
22 and rate schedule to administer a community solar program in
23 accordance with the Community Solar Act and applicable
24 commission rules for implementation within a reasonable time
25 period after commission approval of the plan and rate schedule.

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1 B. The commission shall approve or modify a
2 qualifying utility's proposed community solar program plan and
3 rate schedule after notice and hearing within one hundred
4 eighty days from the date on which the qualifying utility's
5 application is filed with the commission; provided that the
6 commission may approve a qualifying utility's proposed
7 community solar plan and rate schedule without a hearing if,
8 within thirty days of the date on which a qualifying utility
9 provides notice to the public of its application as ordered by
10 the commission, no protest of the proposed plan and rate
11 schedule is filed that demonstrates to the commission's
12 reasonable satisfaction that a hearing is necessary.

13 C. A qualifying utility's community solar program
14 plan and rate schedule shall:

15 (1) include an implementation schedule and
16 provide interconnection applications and community solar bill
17 credits within ninety days of the commission's approval of the
18 plan;

19 (2) identify all applicable terms, conditions,
20 rules, fees and charges of the program in accordance with the
21 Community Solar Act; provided that a qualifying utility shall
22 not recover fees and charges from a subscriber that are
23 recovered by the utility from the subscriber through any other
24 charges and may recover the reasonable costs of administering a
25 community solar program;

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1 (3) explain the manner in which the qualifying
2 utility may bill subscribers for the price of subscriptions on
3 its monthly utility bills, pursuant to an agreement with a
4 subscriber organization, and remit those amounts collected to
5 the appropriate subscriber organization within a reasonable
6 time period after their receipt;

7 (4) identify the means by which the program
8 will be promoted to potential subscribers;

9 (5) allow all customer classes to participate
10 in the community solar program and rate schedule and shall not
11 require a customer to be removed from the customer's otherwise
12 applicable customer class in order to subscribe to a community
13 solar facility;

14 (6) not limit the number of nor cumulative
15 generating capacity of community solar facilities in a
16 qualifying utility's service territory; and

17 (7) reasonably allow for the creation,
18 financing and accessibility of community solar facilities in a
19 way that encourages robust consumer participation.

20 D. A qualifying utility shall approve
21 interconnection of a community solar facility to the qualifying
22 utility's distribution system within a reasonable time period,
23 but no longer than six months after the utility's receipt of a
24 complete application for interconnection and on a first-come,
25 first-served order per feeder and per substation based on the

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1 utility's date- and time-stamp of the application; provided
2 that a complete application submitted by a subscriber
3 organization that is a low-income service organization or an
4 affordable housing provider that offers capacity reservations,
5 subscription discounts or other special opportunities for
6 subscriptions by low-income customers or individuals qualifying
7 for assistance pursuant to the Affordable Housing Act shall be
8 given priority in a utility's interconnection queue. A
9 qualifying utility shall maintain a publicly available
10 community solar facility project queue on its website.

11 SECTION 9. [NEW MATERIAL] COMMISSION--DUTIES--
12 RULEMAKING--REPORT TO LEGISLATURE.--

13 A. By no later than November 1, 2019, the
14 commission shall adopt rules to carry out the provisions of the
15 Community Solar Act.

16 B. The commission shall develop rules that:

17 (1) establish reasonable and uniform customer
18 disclosure forms, in the English and Spanish languages and,
19 when appropriate, Native American or indigenous languages, that
20 identify the minimum information that must be provided by
21 subscriber organizations to potential subscribers to ensure
22 fair disclosure of the future costs and benefits of
23 subscriptions and subscribers' rights and obligations
24 pertaining to subscriptions;

25 (2) provide subscription requirements for

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1 subscriber organizations and customer protections;

2 (3) establish reasonable uniform, non-
3 discriminatory application forms, requirements, standards, fees
4 and processes for approval by a qualifying utility of the
5 interconnection of community solar facilities to a qualifying
6 utility's distribution system;

7 (4) ensure that a qualifying utility recovers
8 from subscribers the reasonably determined distribution cost
9 component of its commission-approved total cost of service;

10 (5) establish how a qualifying utility shall
11 reasonably determine in its community solar program plan the
12 value of the reasonably determinable benefits to it
13 attributable to a customer's subscription pursuant to
14 Subsection B of Section 7 of the Community Solar Act;

15 (6) provide a procedure by which persons
16 interested in the development of community solar facilities are
17 notified by a subscriber organization of its application for
18 interconnection of a community solar facility within thirty
19 days after the subscriber organization submits a completed
20 application for interconnection to a qualifying utility;

21 (7) ensure that all community solar program
22 conditions, terms and provisions are consistent with the
23 Community Solar Act and the public interest; and

24 (8) establish a reasonable process, commencing
25 no later than two years after the commission's adoption of

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1 rules pursuant to this section, for the commission to review,
2 on at least a biennial basis, the status of the development of
3 community solar facilities in accordance with the Community
4 Solar Act and for interested persons to submit comments to the
5 commission concerning the effectiveness of its rules to
6 accomplish the objectives of the Community Solar Act, including
7 the status of participation by low-income customers, low-income
8 service organizations and affordable housing providers in each
9 qualifying utility's community solar program.

10 C. The commission shall encourage accessibility to
11 community solar programs by low-income customers, low-income
12 service organizations and affordable housing providers through
13 reasonable mechanisms, as provided by rule, including, to the
14 extent not otherwise prohibited by law:

15 (1) setting mandatory reservations of capacity
16 for low-income subscribers and establishing:

17 (a) a statewide capacity target of low-
18 income subscriptions for the first two years after enactment of
19 the Community Solar Act, based on the number of low-income
20 customers in each utility's service area; and

21 (b) two years after enactment of the
22 Community Solar Act: 1) an annual statewide target of at least
23 twenty-five percent low-income subscriptions based on the
24 aggregate capacity of all community solar facilities in the
25 state over the previous two years; and 2) individualized

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1 low-income subscription targets for each qualifying utility in
2 order to reach the annual statewide target;

3 (2) allowing funds available for low-income
4 energy-assistance programs to be used to enable the
5 participation of low-income residential customers in programs
6 authorized by the Community Solar Act; and

7 (3) allowing priority in a qualifying
8 utility's queue for interconnection of community solar
9 facilities by low-income service organizations and affordable
10 housing providers that offer reservations of capacity,
11 discounted subscription rates or other special opportunities
12 for low-income customers and persons who qualify for assistance
13 pursuant to the Affordable Housing Act.

14 D. By no later than November 1, 2023, the
15 commission shall provide a report to the appropriate interim
16 legislative committee that deals with energy issues that
17 addresses the status of the development of community solar
18 facilities in accordance with the Community Solar Act, the
19 effectiveness of its rules to accomplish the objectives of the
20 Community Solar Act, including the status of participation by
21 low-income customers, low-income service organizations and
22 affordable housing providers in each qualifying utility's
23 community solar program and any recommended changes.

24 SECTION 10. [NEW MATERIAL] UTILITY LOADS AND RESOURCES
25 TABLES--INTEGRATED RESOURCE PLANS.--

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1 A. A qualifying utility shall include and address
2 the effects of the development of community solar facilities
3 pursuant to the Community Solar Act in its loads and resources
4 tables, integrated resource planning processes and integrated
5 resource plans.

6 B. A qualifying utility shall notify the commission
7 and participants in the commission's public advisory process,
8 in accordance with the commission's applicable integrated
9 resource plan rules, of any development of community solar
10 facilities pursuant to the Community Solar Act that would have
11 the effect of changing the results of the utility's most recent
12 integrated resource plan filed with the commission.

13 SECTION 11. [NEW MATERIAL] RURAL ELECTRIC DISTRIBUTION
14 COOPERATIVES.--At its election, a rural electric distribution
15 cooperative may allow the construction, connection and
16 operation of community solar facilities within its service
17 territory.

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COALITION FOR
COMMUNITY
SOLAR
ACCESS



new energy economy
Addressing the Climate Challenge
With Bold Solutions



VOTE SOLAR

HB 210 and SB281: The Community Solar Act (Patricia Roybal Caballero, Elizabeth "Liz" Stefanics)

Solar energy is a great way to expand clean, renewable energy and lower electric bills, but adding solar panels to roofs isn't an option for everyone in New Mexico. The Community Solar Act (HB 210) aims to change that by broadening access to solar for renters, low- and moderate-income residents, municipalities, counties, indigenous communities, and other customers throughout New Mexico. Similar to existing models in Colorado and Minnesota, community solar provides people the choice to subscribe to a local community solar project. These projects will support New Mexico's solar industry and related businesses, a sector that already has more than 2,500 solar jobs and pays its workers far above the living wage, and will grow New Mexico's economy.

This bill is a community led and market driven project that has the support of the Coalition of Sustainable Communities New Mexico (Albuquerque, Las Cruces, and Santa Fe), as well as a variety of other constituents and environmental stakeholders interested in community solar legislation.

Key points of the bill include:

- Allowing Pueblos, First Nations and Tribes or their entities, municipalities, counties, for-profit and non-profit entities to construct, own and operate, or contract with other parties to construct, own and operate Community Solar Facilities at a single location connected to an Investor Owned Electric Public Utility's Distribution System within or adjacent to the county where a "subscriber" resides, without being regulated as a "public utility" under the Public Utility Act;
- Provide subscribers to a community solar facility a "bill credit" on their monthly electricity bills that reflects their portion of solar production;
- Ensure that each utility is able to recover reasonable costs associated with its use of its distribution system, as well as costs for system integration and program administration;
- Include provisions for consumer protections;
- Allow a maximum of 10MW and per community solar facility and co-location with energy storage. Practical issues of costs, land availability, and community demand will generally determine the ultimate size of a project;
- Require that the PRC adopt regulations that set targets for participation in Community Solar Facilities by "low-income customers" and individuals qualifying for assistance under the N.M. Affordable Housing Act. This will include practices such as setting statewide targets for reservations of capacity and discounted subscription rates for those customers and "low-income service organizations," and allow the use of funds available for low-income energy assistance programs to enable the participation of low-income residential customers in programs authorized by this bill.

If passed, New Mexico will join 19 states and the District of Columbia with community solar programs.

SFC
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RECORD
03/28/2019

SENATE BILL 228

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

Mimi Stewart and Georgene Louis and Joanne J. Ferrary

AN ACT

RELATING TO WILDLIFE; ENACTING THE WILDLIFE CORRIDORS ACT;
IDENTIFYING AND PROTECTING WILDLIFE CORRIDORS; REQUIRING A
WILDLIFE CORRIDORS ACTION PLAN TO BE CREATED THAT PROVIDES
COMPREHENSIVE GUIDANCE TO STATE AGENCIES FOR IDENTIFYING,
PRIORITIZING AND MAINTAINING IMPORTANT AREAS FOR WILDLIFE
MOVEMENT; PROVIDING POWERS AND DUTIES; DIRECTING THE
DEVELOPMENT OF A LIST OF PRIORITY PROJECTS BASED ON THE ACTION
PLAN; MAKING AN APPROPRIATION.

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

SECTION 1. [NEW MATERIAL] SHORT TITLE.--This act may be
cited as the "Wildlife Corridors Act".

SECTION 2. [NEW MATERIAL] PURPOSE OF ACT.--The purpose of
the Wildlife Corridors Act is to:

A. declare that it is the duty of the state, as a

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SFC CLERK RECORDED 03/28/2019

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1 trustee of New Mexico's wildlife and natural resources, to
2 identify, designate and mitigate obstacles to habitat
3 corridors, including existing and future highway networks;
4 B. provide direction for the department of
5 transportation to proactively implement projects designed to
6 enhance public safety and mitigate barriers to wildlife
7 movement across state roads and highways by reducing the threat
8 of wildlife-vehicle collisions at high-use wildlife crossing
9 areas;
10 C. provide direction to the department of game and
11 fish to proactively plan and provide for the needs of wildlife
12 such as large mammals in the face of changing conditions caused
13 by drought, development and other natural and human-made
14 wildlife stressors;
15 D. require the preparation of a wildlife corridors
16 action plan by the department of game and fish, in cooperation
17 with the department of transportation, that will, in one
18 unified document, detail the opportunities, research and
19 actions needed in New Mexico to identify and maintain seasonal
20 dispersals, daily movements and migrations of wildlife
21 throughout the state; and
22 E. identify priority wildlife corridors projects by
23 specifying locations, projects and actions needed to preserve
24 long-term habitat corridors for wildlife.

25 SECTION 3. [NEW MATERIAL] DEFINITIONS.--As used in the

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1 Wildlife Corridors Act:

2 A. "human-caused barrier" means a road, culvert,
3 commercial or residential development or other human-made
4 structure that has the potential to affect the natural movement
5 of wildlife across the landscape;

6 B. "large mammal" includes mule deer, elk,
7 pronghorn antelope, bighorn sheep, black bear and mountain
8 lions;

9 C. "species of concern" means a wildlife species
10 identified by the department of game and fish as being
11 adversely affected by habitat fragmentation exacerbated by
12 human-caused barriers and the high potential of wildlife-
13 vehicle collisions; and

14 D. "wildlife corridors" means those areas used
15 routinely by wildlife to travel through their habitat and
16 includes corridors used by migrating wildlife.

17 SECTION 4. [NEW MATERIAL] WILDLIFE CORRIDORS ACTION
18 PLAN--CREATION--DEPARTMENT COORDINATION.--

19 A. The department of game and fish, in coordination
20 with the department of transportation, shall create a state
21 "wildlife corridors action plan".

22 B. The wildlife corridors action plan shall
23 contain:

24 (1) identification of existing highway
25 crossings that pose a risk to successful wildlife migration or

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1 that pose a risk to the traveling public because large mammals
2 use the crossing;

3 (2) identification of other human-caused
4 barriers, especially road segments that negatively affect
5 wildlife habitat and movement;

6 (3) information about the habitat and movement
7 needs of species of concern with particular attention to large
8 mammals or other species that pose a risk to the traveling
9 public;

10 (4) projections of anticipated effects that
11 drought and other stressors will have on wildlife habitat,
12 dispersal and movement;

13 (5) information about the habitat quality
14 needed to support and maintain viable populations of wildlife;

15 (6) information about how increased movement
16 of species could benefit overused and highly impacted habitat
17 areas;

18 (7) maps that identify locations of:

19 (a) existing populations of species of
20 greatest concern;

21 (b) existing wildlife crossings; and

22 (c) areas requiring additional
23 monitoring or research;

24 (8) protocols for post-completion monitoring
25 of wildlife corridors projects in order to assess their

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1 effectiveness in establishing, maintaining and promoting
2 wildlife movements;

3 (9) economic benefits anticipated from
4 preserving wildlife movement patterns, including the potential
5 impact of reduced wildlife-vehicle collisions;

6 (10) opportunities to collaborate with and
7 enter into joint powers agreements as provided in the Joint
8 Powers Agreements Act as necessary with New Mexico Indian
9 nations, tribes or pueblos; relevant agencies or Indian
10 nations, tribes or pueblos in neighboring states; and relevant
11 federal agencies to protect wildlife corridors that cross state
12 or tribal lines;

13 (11) the wildlife corridors project list; and

14 (12) additional information that the
15 department of game and fish and the department of
16 transportation deem necessary and appropriate to carry out the
17 intent and purposes of the Wildlife Corridors Act.

18 C. The department of game and fish and the
19 department of transportation shall:

20 (1) consult with and actively seek the
21 involvement of tribal governments and tribal members in the
22 development of the wildlife corridors action plan;

23 (2) solicit advice and recommendations from
24 environmental groups, hunters and guides and other interested
25 persons during development of the wildlife corridors action

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1 plan; and

2 (3) rely on the best available science and
3 data to be shared with key state, tribal and federal land
4 management agencies to ensure cross-jurisdictional and multi-
5 state collaboration and to facilitate further collaborative
6 work with such agencies in gathering existing and future
7 science-related data to continue to improve wildlife habitat
8 and mitigate wildlife-human interactions.

9 D. The wildlife corridors action plan shall be:

10 (1) open for public comment before being
11 finalized; provided that, once finalized, the department of
12 game and fish and the department of transportation shall
13 publish the action plan on their websites and shall submit the
14 action plan to the governor and the legislature on or before
15 January 15, 2020; and

16 (2) updated at least every ten years and may
17 be amended prior to a full update depending on changes in
18 conditions affecting wildlife and wildlife-human interactions.

19 SECTION 5. [NEW MATERIAL] PRIORITIZED WILDLIFE CORRIDORS
20 PROJECT LIST--PUBLICATION.--

21 A. As part of the wildlife corridors action plan,
22 the department of game and fish and the department of
23 transportation shall publish a prioritized "wildlife corridors
24 project list" of projects to be undertaken to protect wildlife,
25 lessen habitat fragmentation, allow wildlife safer free range

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1 and decrease risks to the traveling public. The list shall be
2 updated as projects are finished or conditions change, shifting
3 priorities or making one or more projects infeasible.

4 B. The wildlife corridors project list shall
5 identify those projects that seek to protect wildlife corridors
6 and movement needs of large mammals that pose a risk to the
7 traveling public.

8 C. The department of game and fish and the
9 department of transportation shall prioritize projects within
10 the wildlife corridors project list by assessing the following
11 criteria, listed in order of importance:

12 (1) the potential to reduce wildlife-vehicle
13 collision and enhance safety to the traveling public;

14 (2) the relative current population size of
15 select large mammal species and species of concern or the value
16 of proposed infrastructure that will improve wildlife
17 corridors;

18 (3) the feasibility and constructability of
19 wildlife corridors infrastructure;

20 (4) the potential costs and economics of
21 wildlife corridors infrastructure, including benefits or other
22 effects on local communities;

23 (5) local community support for proposed
24 wildlife corridors infrastructure;

25 (6) the value of the project to native large

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1 mammals and other native species; and

2 (7) surrounding land-use and ownership,
3 especially tribal lands, and an evaluation of the need for
4 conservation easements or other real estate instrument
5 necessary to maintain the viability of a proposed wildlife
6 corridor.

7 D. On an annual basis following the issuance of the
8 first wildlife corridors project list, the department of game
9 and fish and the department of transportation shall issue a
10 report to the governor and the legislature stating the progress
11 toward completing the enumerated projects as of the current
12 fiscal year. The report shall represent progress toward
13 completion of a project as a percentage, with a corresponding
14 explanation for the represented number and plans for future
15 progress.

16 SECTION 6. APPROPRIATION.--Five hundred thousand dollars
17 (\$500,000) is appropriated from the general fund to the
18 department of game and fish for expenditure in fiscal years
19 2020 and 2021 to develop the wildlife corridors action plan
20 with the department of transportation, including a list of
21 priority projects necessary to protect wildlife and enhance
22 public safety by reducing the threat of wildlife-vehicle
23 collisions. Any unexpended or unencumbered balance remaining
24 at the end of fiscal year 2021 shall revert to the general
25 fund.

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Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current FIRs (in HTML & Adobe PDF formats) are available on the NM Legislative Website (www.nmlegis.gov). Adobe PDF versions include all attachments, whereas HTML versions may not. Previously issued FIRs and attachments may be obtained from the LFC in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

SPONSOR Stewart/Louis/Ferrary ORIGINAL DATE 1/30/19 LAST UPDATED HB
SHORT TITLE Wildlife Corridors Act SB 228
ANALYST Hawker

APPROPRIATION (dollars in thousands)

Appropriation					Recurring or Nonrecurring	Fund Affected
FY19	FY20	FY21	FY22	FY23		
	\$500.0				Nonrecurring	General Fund

Parenthesis () indicate expenditure decreases

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Game and Fish (DGF)
New Mexico Department of Transportation (NMDOT)
Energy, Minerals, Natural Resources Department (ENMRD)
Indian Affairs Department (IAD)
State Land Office (SLO)

SUMMARY

Synopsis of Bill

Senate Bill 228 enacts the Wildlife Corridors Act, directing the departments of game and fish and transportation to prepare a wildlife corridors action plan. The plan will specify what is needed to identify and maintain seasonal dispersals, daily movements, and landscape scale migrations of wildlife through the state. Also, the departments are to specify locations where actions are needed to preserve wildlife movements and protect human health and safety. SB 228 makes an appropriation.

FISCAL IMPLICATIONS

The appropriation of \$500.0 thousand contained in this bill is a nonrecurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY21 shall revert to the general fund.

SFC CLERK RECORDED 03/28/2019

NMDOT states coordination with DGF will require significant time by up to three NMDOT employees. NMDOT estimates .75 FTE NMDOT employee will be required in the first year for collecting and collating data, attending meetings, participating in site visits and .25 FTE will be required each year for participating and managing the “wildlife corridor” list.

As the appropriation is made to DGF, NMDOT asks if the appropriation can be used to cover its staff costs or if the State Road fund is to be used.

SIGNIFICANT ISSUES

SB 228 requires DGF and NMDOT to jointly publish a prioritized “wildlife corridors project list”, using seven ranked criteria. The purpose of the project list is to protect wildlife and decrease risks to the traveling public. The action plan will be open for public comment. DGF and NMDOT are required annually thereafter to jointly issue a report to the Governor and the Legislature stating the progress towards completing the identified projects on the action plan. The “wildlife corridors action plan” is to be updated at least every ten years.

NMDOT is required to “proactively implement projects”. SB 228 does not specifically address funding sources for the projects.

NMDOT has extensive experience with wildlife crossings that can be incorporated into the project. Long-term research has been conducted to identify highway/wildlife conflict areas. Wildlife crossings have been designed and implemented as part of previous transportation improvement projects.

IAD observes New Mexico Indian nations, tribes, and pueblos are place-based people with direct connection to their surrounding environment, natural resources, plants, and wildlife. Customs, language, and traditions are very much tied to the land and natural resources. Changes to wildlife migration corridors due to human-caused barriers will impact tribal cultural resources with negative effects on customs, language, and traditions. SB 228 includes opportunities to collaborate with Indian nations, tribes, and pueblos for cross tribal boundaries on wildlife corridors and habitat enhancement. This collaboration supports the protection of culture, language, and traditions of Native cultures.

IAD points out the State-Tribal Collaboration Act, Sections 11-18-1 through 11-18-5 NMSA 1978, provides a framework for collaboration with the Indian nations, tribes and pueblos in the development and implementation of policies, agreements and programs.

SLO notes the information provided in the “wildlife corridors action plan” and the “wildlife corridors project list” will provide information on collaborative opportunities for greater long-term stewardship of State Trust Lands in the use of project funds and/or remediation/restoration funds.

ADMINISTRATIVE IMPLICATIONS

EMNRD notes if “wildlife corridors” were established within or near state parks, coordination would be required between EMNRD, NMDOT and DGF.

SLO Field Operations Division staff time would be needed to track, provide, comment on, and consider the findings of the “wildlife corridors action plan” and the “wildlife corridors project list”.

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SENATE BILL 367
54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019
INTRODUCED BY
Jacob R. Candelaria

AN ACT
RELATING TO ANIMALS; IMPOSING AN ADDITIONAL FEE ON PET FOOD FOR
DOGS AND CATS TO FUND THE DOG AND CAT SPAY AND NEUTER
ASSISTANCE PROGRAM AND THE ANIMAL SHELTERING ACT; ESTABLISHING
A HOUSEHOLD INCOME LEVEL FOR ASSISTANCE; REQUIRING REPORTING.

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

SECTION 1. Section 61-14-7.1 NMSA 1978 (being Laws 2017,
Chapter 44, Section 3) is amended to read:

"61-14-7.1. ANIMAL SHELTERING COMMITTEE--DUTIES.--The
sheltering committee shall:

A. develop a voluntary statewide dog and cat spay
and neuter program in conjunction with animal shelters and
euthanasia agencies;

B. develop criteria for individuals, ~~nonprofit~~
~~organizations~~ groups, animal shelters and euthanasia agencies

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SFC CLERK RECORDED 03/28/2019

1 to receive assistance for dog and cat [~~sterilization~~] spaying
2 and neutering from the animal care and facility fund; provided
3 that assistance to individuals and groups shall only be given
4 to individuals who have, or to groups that shall only provide
5 assistance to service recipients who have, a household income
6 that does not exceed two hundred percent of the current federal
7 poverty level guidelines published by the United States
8 department of health and human services; and

9 C. recommend to the board the disbursements of
10 money from the animal care and facility fund to qualifying
11 individuals, [~~nonprofit organizations~~] groups, animal shelters
12 and euthanasia agencies."

13 SECTION 2. Section 77-1B-4 NMSA 1978 (being Laws 2007,
14 Chapter 60, Section 4, as amended) is amended to read:

15 "77-1B-4. ANIMAL CARE AND FACILITY FUND CREATED--
16 ADMINISTRATION.--

17 A. The "animal care and facility fund" is created
18 in the state treasury. All fees collected pursuant to the
19 Animal Sheltering Act shall be deposited in the fund.

20 B. The animal care and facility fund shall consist
21 of money collected by the board pursuant to the Animal
22 Sheltering Act; income from investment of the fund; and money
23 appropriated to the fund or accruing to it through fees or
24 administrative penalties, cooperative research agreements,
25 income, gifts, grants, donations, bequests, sales of

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1 promotional items, handbooks or educational materials or any
2 other source. Money in the fund shall not be transferred to
3 another fund or encumbered or expended except for expenditures
4 authorized pursuant to the Animal Sheltering Act.

5 C. Money in the fund is appropriated by the
6 legislature to the board to be used to help animal shelters and
7 communities defray the cost of implementing the board's
8 initiatives conducted pursuant to the Animal Sheltering Act.
9 The fund shall be administered by the board to carry out the
10 purposes of the Animal Sheltering Act.

11 D. The "statewide spay and neuter subaccount" is
12 established in the animal care and facility fund. Money in the
13 subaccount shall only be used to carry out the board's dog and
14 cat ~~[sterilization]~~ spay and neuter assistance program and for
15 the reasonable costs of administering the Animal Sheltering
16 Act, which reasonable costs shall not exceed five percent of
17 the total fees distributed to the subaccount pursuant to the
18 provisions of Section 5 of this 2019 act. Money collected
19 pursuant to Section 7-2-30.9 NMSA 1978, ~~[and]~~ Section
20 66-3-424.3 NMSA 1978 and Section 5 of this 2019 act shall be
21 deposited in the subaccount.

22 E. A disbursement from the fund shall be made only
23 upon a warrant drawn by the secretary of finance and
24 administration pursuant to a voucher signed by the executive
25 director of the board or the director's designee with the

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1 approval of the majority of the board with consideration of the
2 recommendation of a majority of the animal sheltering
3 committee.

4 F. Unexpended and unencumbered balances in the fund
5 at the end of a fiscal year shall not revert to the general
6 fund."

7 SECTION 3. Section 77-1B-5 NMSA 1978 (being Laws 2007,
8 Chapter 60, Section 5, as amended) is amended to read:

9 "77-1B-5. BOARD POWERS AND DUTIES.--The board shall:

10 A. adopt infrastructure and operating standards and
11 may enforce those standards with consideration of the
12 recommendations by the animal sheltering committee;

13 B. provide for inspections of animal shelters and
14 euthanasia agencies;

15 C. provide for oversight, including oversight of
16 licensing requirements, regulations and discipline, of
17 veterinarians employed by local government animal shelters;

18 D. adopt methods and procedures acceptable for
19 conducting emergency field euthanasia;

20 E. adopt, promulgate and revise rules necessary to
21 carry out the provisions of the Animal Sheltering Act;

22 F. have authority to issue licenses and
23 certificates pursuant to the Animal Sheltering Act;

24 G. establish the types of licenses and certificates
25 that may be issued pursuant to the Animal Sheltering Act and

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1 establish criteria for issuing the licenses and certificates;

2 H. prescribe standards and approve curricula for
3 educational programs that will be used to train and prepare
4 persons for licensure or certification pursuant to the Animal
5 Sheltering Act;

6 I. implement continuing education requirements for
7 licensees and certificate holders pursuant to the Animal
8 Sheltering Act;

9 J. conduct administrative hearings upon charges
10 relating to violations of provisions of the Animal Sheltering
11 Act or rules adopted pursuant to that act in accordance with
12 the Uniform Licensing Act;

13 K. provide for all examinations and for issuance
14 and renewal of licenses and certificates;

15 L. establish fees not to exceed one hundred fifty
16 dollars (\$150) for licenses and certificates pursuant to the
17 Animal Sheltering Act;

18 M. establish committees as the board deems
19 necessary to effect the provisions of the Animal Sheltering
20 Act;

21 N. apply for injunctive relief to enforce the
22 provisions of the Animal Sheltering Act;

23 O. conduct national criminal background checks on
24 applicants seeking licensure or certification under the Animal
25 Sheltering Act;

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1 P. keep a record of all proceedings;

2 Q. make an annual report to the legislature,
3 including information on the total number of dogs and cats
4 spayed and neutered and the average costs per surgery paid for
5 from the statewide spay and neuter subaccount of the animal
6 care and facility fund. The New Mexico department of
7 agriculture shall provide for inclusion in the annual report
8 the number of pet foods registered pursuant to Section
9 76-19A-10 NMSA 1978 for the current and previous year listed by
10 registrant;

11 R. provide for the inspection of animal shelters
12 and euthanasia agencies;

13 S. develop mechanisms to address complaints of
14 misconduct at animal shelters and euthanasia agencies and
15 noncompliance with the provisions of the Animal Sheltering Act
16 or rules adopted pursuant to that act;

17 T. develop mechanisms to address complaints of
18 licensee and certificate holder misconduct and noncompliance;

19 U. adopt standards for maintaining records
20 concerning health care and disposition of animals; and

21 V. refer to the published [~~national~~] association of
22 shelter veterinarians standards in determining its regulations
23 for animal shelters and euthanasia agencies."

24 SECTION 4. Section 76-19A-1 NMSA 1978 (being Laws 2013,
25 Chapter 23, Section 1) is amended to read:

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1 "76-19A-1. SHORT TITLE.--~~[This act]~~ Chapter 76, Article
2 19A NMSA 1978 may be cited as the "New Mexico Commercial Feed
3 Act".

4 SECTION 5. A new section of the New Mexico Commercial
5 Feed Act is enacted to read:

6 "[NEW MATERIAL] SPAY AND NEUTER PROGRAM FEE.--

7 A. Except as provided in Subsection B of this
8 section, in addition to the commercial feed registration fee
9 required pursuant to Section 76-19A-10 NMSA 1978, the
10 department shall collect an annual fee on each pet food
11 registered with the department as follows:

12 (1) beginning January 1, 2020, fifty dollars
13 (\$50.00);

14 (2) beginning January 1, 2021, seventy-five
15 dollars (\$75.00); and

16 (3) on and after January 1, 2022, one hundred
17 dollars (\$100).

18 B. The provisions of Subsection A of this section
19 do not apply in cases of:

20 (1) prescription diet pet food prescribed by a
21 veterinarian; or

22 (2) pet food manufactured by a person who
23 demonstrates to the board, in a manner prescribed by the board,
24 that the person's tax-year annual gross revenue from the
25 distribution of pet food is no more than three million dollars

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1 (\$3,000,000).

2 C. The fee collected pursuant to Subsection A of
3 this section shall be distributed as follows:

4 (1) ninety-six percent of the fee shall be
5 deposited with the state treasurer and credited to the
6 statewide spay and neuter subaccount of the animal care and
7 facility fund; and

8 (2) four percent of the fee shall be
9 distributed to the department to administer the New Mexico
10 Commercial Feed Act."

11 SECTION 6. DELAYED REPEAL.--Section 5 of this act is
12 repealed effective July 1, 2025.

13 SECTION 7. EFFECTIVE DATE.--The effective date of the
14 provisions of this act is July 1, 2019.

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Legislative Initiative	MFA Lead/ Backup	Bill Number	Bill Sponsor(s) Contact Information	Bill Intro (Date)	Committee Assignments/ Actions/Dates/Times	FIR submitted	FIR published	Comments
Low-Income Home Emergency Repairs - \$2m		HB75	Roberto "Bobby" J. Gonzales/ Eliseo Lee Alcon	12/17/2018	HPREF, [2] HSEIC/HAFC-HSEIC [4] DP-HAFC	1/18/2019		HSEIC 1/30 - Do pass
Home Rehab for Certain Veterans - \$2m		HB82	Eliseo Lee Alcon/Roberto "Bobby" J. Gonzales/Harry Garcia	12/17/2018	HPREF, [2] HLVMC/HAFC- HLVMC [3] DP- HAFC	1/19/2019	1/22/2019	HLVMC 1/24 - Do pass
Regional Housing Authority Changes		HB505	Roberto "Bobby" J. Gonzales/ Eliseo Lee Alcon/Joseph L. Sanchez	2/6/2019	[5] HCPAC/HLLC- HCPAC [7] DP-HLLC	1/11/2019		HCPAC 2/16 - Do pass
Affordable Housing Act Oversight Duties - \$250k		SB15	Stuart Ingle	12/17/2018	SPREF, [1] SPAC/SFC-SPAC [3] DP-SFC	1/21/2019	1/22/2019	SPAC 1/22 - Do pass
Pre-Purchase Homebuyer Education - \$500k		SB36	Michael Padilla	12/17/2018	SPREF, [1] SCORC/SFC-SCORC Hearing SCORC 1/25/19 2 p.m., Rm. 311	1/18/2019	1/22/2019	SCORC 1/25 - Tabled
Regional Housing Authority Oversight - \$300k		SB40	Mary Kay Papen	12/17/2018	SPREF, [1] SPAC/SFC-SPAC [3] DP-SFC	1/18/2019	1/22/2019	SPAC 1/22 - Do pass
Low-Income Energy Conservation Program - \$2m		SB45	Richard C. Martinez	12/17/2018	SPREF, [1] SCONC/SFC-SCONC [4] DP-SFC	1/18/2019	1/21/2019	SCONC 1/29 - Do pass
Home Rehab for Certain Veterans - \$2m		SB46	Richard C. Martinez	12/17/2018	SPREF, [1] SPAC/SFC-SPAC [3] DP-SFC	1/18/2019	1/19/2019	SPAC 1/22 - Do pass
New Mexico Housing Trust Fund - \$10m		SB212	Nancy Rodriguez	1/10/2019	SPREF, [1] SPAC/SFC-SPAC [7] DP-SFC			SPAC 2/5 - Do Pass

MFA Funds for Youth Homelessness - \$413k	SB402	Carlos R. Cisneros	1/29/2019	[4] SPAC/SFC-SPAC [11] DP-SFC	Hearing SFC, 2/25/19 1:30 or 1/2 hr. after session, Rm. 322	2/5/2018	SPAC 2/14/19 - Do pass SFC 2/25 - ??
Occupancy Tax for Affordable Housing	SB7	Peter Wirth	12/17/2018	SPREF, [1] SPAC/SCORC/SFC-SPAC [8] DNP-CS-DP-SCORC	Hearing SCORC 2/25/19 2 p.m., Rm. 311	1/18/2019 1/22/2019	SPAC 2/7 - Do not pass-Committee substitute-Do pass SCORC 2/25 - ??
Efficient Use of Energy Act Amendments	SB136	Gerald Ortiz y Pino	12/20/2018	SPREF, [1] SCORC/SCORC-SCORC [5] DP/a-SCORC	[12]DP [14] H/a- Passed/S (25-14) [8] HENRC-HSEIC-HENRC	1/30/2019	SCONC 1/31 - Do pass as amended 2/22/19 - Passed/S (25-14)
Rural Wraparound Services Act	SB250	Mary Kay Papen	1/11/2019	SPREF, [1] SPAC/SFC-SPAC	Hearing SPAC 2/12/19 1:30 p.m. or 1/2 hr. after session, Rm. 309	2/11/2019	SPAC 2/12 - ??
General Appropriation Act of 2019	SB254	John Arthur Smith	1/21/2019	[1] SFC-SFC			
Capital Outlay Expenditures	SB280	Carlos R. Cisneros/Jim R. Trujillo	1/21/2019	[1] SFC-SFC			
Capital Outlay Reform Act	SB455	Pete Campos	2/4/2019	[5] SRC/SFC-SRC			
Foreclosure as Judicial Procedure	SB559	Antoinette Sedillo Lopez, Gail Chasey	2/14/2019	[11] SCORC/SIC-SCORC			
General Appropriation Act of 2019	HB2	Patricia A. Lundstrom	1/16/2019	[2] HAFC-HAFC [7] DNP-CS/DP	[8] Passed the House (46-23)		HAFC 2/18/19 - Do not pass-Committee substitute/Do pass Passed the House (46-23)
Tax Changes	HB6	Jim R. Trujillo/Sheryl Williams Stapleton/ Javier Martinez/Susan K. Herrera/Antonio "Moe" Maestas	1/17/2019	[2] HTRC-HTRC Hearing, HTRC 2/25/19, 8:30 a.m., Rm. 317		1/22/2019	HTRC 2/25 - ??
General Appropriation Act of 2019	HB333	Roberto "Bobby" Gonzales	1/24/2019	[3] HAFC-HAFC			

Zoning for Housing for Disabled	HB483		Gregg Schmedes	2/5/2019	[5] HLLC/HJC-HLLC			HLLC 2/14/19 - Do pass as amended	
					[7] DP/a				
Gallup Homeless Services	HB535		Patricia A. Lundstrom/D. Wonda Johnson	2/11/2019	[6] HHHC/H AFC-HHHC	Hearing HHHC 2/22/19 8 a.m. Rm. 315		HHHC 2/22 - ??	2/13/2019
					[6] HENRC/H AFC-HENRC				
Low-Income Home Energy Assistance Fund	HB555		Miguel P. Garcia	2/13/2019	[7] HLLC/H AFC-HLLC				
					HLLC hearing 2/26/19 9 AM Rm 309		2/15/2019		
ABQ Affordable Housing Study	HB657		Melanie A. Stansbury, Christine Truhillo, Abbas Akhil, Karen C. Bash, Dayan Hochman-Vigil	2/14/2019				HLLC 2/26/19 - ??	

THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY
RESOLUTION NO. 2019 - _____

A RESOLUTION OPPOSING NEW MEXICO HOUSE OF REPRESENTATIVES BILL 290 AND ANY COMMITTEE SUBSTITUTES INTRODUCED DURING THE 54TH LEGISLATURE – FIRST SESSION 2019, WHICH WOULD CREATE A PILOT PROGRAM PROVIDING OPIOID AGONIST TREATMENT TO INMATES IN CERTAIN COUNTIES

WHEREAS, the New Mexico House of Representatives Health and Human Services Committee Substitute for House Bill 290 (HB290) was introduced to establish a two-year pilot program (Pilot) to test the effectiveness of providing opioid agonist therapy to inmates who, at the time of incarceration, were using buprenorphine or methadone under the care of a health care provider; and

WHEREAS, HB290 mandates that the Pilot be conducted in adult corrections facilities and local jails in Rio Arriba, Santa Fe and San Juan counties; and

WHEREAS, Santa Fe County (County) was not consulted on the Pilot; and

WHEREAS, the County currently operates the Matrix Model in a Correctional Setting Evidenced-Based Program (Program), which is a specific modified therapeutic community for men and women that involves a comprehensive cognitive behavioral treatment curriculum for offenders with substance use disorders; and

WHEREAS, the Program started in May of 2018, has had 21 males graduate since inception, and is scheduled to be expanded to include females; and

WHEREAS, having a separate State-mandated Pilot that is contrary to the current evidence-based Program will create confusion and hardship for Santa Fe County.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Santa Fe County, hereby:

1. Directs the County Manager to submit copies of this Resolution opposing HB290 or any committee substitute bill to the New Mexico Legislature.
2. Directs the County Manager or person delegated by her to stand in opposition of HB290 or any committee substitute bill presented during the 54th Legislature – First Session, 2019.

PASSED, APPROVED, AND ADOPTED this 26th of February, 2019.

**BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY**

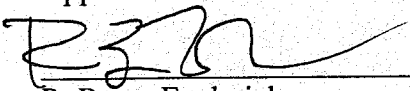
By: _____
Anna T. Hamilton, Chair

ATTEST:

Geraldine Salazar
Santa Fe County Clerk

Date: _____

Approved as to form:



R. Bruce Frederick
Santa Fe County Attorney

HOUSE HEALTH AND HUMAN SERVICES COMMITTEE SUBSTITUTE FOR
HOUSE BILL 290

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

AN ACT

RELATING TO CORRECTIONS; REQUIRING THE BEHAVIORAL HEALTH
SERVICES DIVISION OF THE HUMAN SERVICES DEPARTMENT TO CONDUCT A
PILOT PROGRAM PROVIDING OPIOID AGONIST TREATMENT TO INMATES IN
CERTAIN COUNTIES WHO WERE RECEIVING OPIOID AGONIST TREATMENT
UPON INCARCERATION; MAKING AN APPROPRIATION.

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

SECTION 1. [NEW MATERIAL] OPIOID AGONIST TREATMENT--
BUPRENORPHINE--METHADONE--REPORTING.--

A. The behavioral health services division of the
human services department shall conduct a two-year pilot
program to test the effectiveness of providing opioid agonist
therapy to inmates who, at the time of incarceration, were
using buprenorphine or methadone under the care of a health
care provider.

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[bracketed material] = delete

SFC CLERK RECORDED 03/28/2019

1 B. The pilot program shall be conducted in adult
2 correctional facilities and local jails in Rio Arriba, Santa Fe
3 and San Juan counties.

4 C. The opioid agonist treatment shall be provided
5 to the inmate in an amount and manner that is consistent with
6 patient preference and medical best practices for avoiding
7 withdrawal and the ongoing treatment of opioid dependence.

8 D. The behavioral health services division shall
9 contract for the provision of opioid agonist treatment from a
10 health care provider with demonstrated competence in the
11 provision of opioid agonist treatment.

12 E. The behavioral health services division shall
13 measure the effectiveness of the pilot program in assisting
14 inmates and former inmates in achieving:

- 15 (1) graduation from opioid treatment programs;
- 16 (2) preventing opioid withdrawal; and
- 17 (3) preventing opioid overdose.

18 F. By November 1, 2019 and November 1, 2020, the
19 director of the behavioral health services division shall
20 report the outcome measures required pursuant to Subsection E
21 of this section to the governor and the legislative health and
22 human services committee.

23 G. As used in this section, "health care provider"
24 means an individual or entity that is authorized under state
25 law to dispense or administer opioid agonist treatment.

.213929.1

1 SECTION 2. APPROPRIATION.--Three million dollars
2 (\$3,000,000) is appropriated from the general fund to the human
3 services department for expenditure in fiscal years 2020 and
4 2021 to fund the behavioral health services division's pilot
5 program providing opioid agonist treatment to inmates pursuant
6 to Section 1 of this act. Any unexpended or unencumbered
7 balance remaining at the end of fiscal year 2021 shall revert
8 to the general fund.

9 - 3 -

SFC CLERK RECORDED 03/28/2019

underscored material = new
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Defense Nuclear Facility Safety Board Public Hearing on DOE ORDER 140.1

Albuquerque, New Mexico February 21, 2019

PUBLIC COMMENTS of ANNA HANSEN, Santa Fe County Commissioner, District 2

Good evening, Mr. Chair and members of the Board. My name is Anna Hansen and I am an elected member of the Santa Fe County Board of County Commissioners. I am here today on behalf of my constituents in District 2 of Santa Fe County, all of whom live in proximity to Los Alamos National Labs, a great many of whom receive their water from the County water utility via the Buckman Direct Diversion downstream from LANL, and a significant number of whom work at or near LANL. I want to express my very serious concerns about the potential effects of DOE Order 140.1 on the Defense Nuclear Facility Safety Board's ability to perform its critical statutory duty.

In order to fulfill its mission, the DNFSB must have access to a range of information regarding the design, construction, and operation of defense nuclear facilities such as the LANL. My general concern is that Order 140.1 would improperly impede the DNFSB's ability to obtain the information it needs from DOE staff and DOE contractors in order to fulfill its statutory mandate. In particular, I am concerned that Order 140.1 could result in DOE or DOE contractors improperly restricting access to and information about defense nuclear facilities to the DNFSB.

I note that the enabling statute for the DNFSB at 42 U.S.C. Section 2286c(a), mandates that the Secretary of the Department of Energy "shall fully cooperate with the Board and provide the Board with ready access to such facilities, personnel, and information as the Board considers necessary to carry out its responsibilities under this subchapter." It stands to reason that this statutory requirement is there to ensure that the Board, its staff, and inspectors get the information and access they deem necessary to fulfill the DNFSB's mission. However, the following provisions of Order 140.1 appear to be in conflict with this statutory requirement for cooperation.

First, the Order at Paragraph 4b(2)(b) authorizes DOE "Departmental Elements" acting at the direction of the Secretary or the Secretary's designee, to deny access to information "where the person requesting the information does not need such access in connection with his/her duties." This provision appears to grant the Secretary or the Secretary's designee blanket power to unilaterally determine what information the DNFSB needs to know to perform its independent advisory function.

Second, the Order at Paragraph 4b(2)(1) appears to improperly limit DNFSB access to only "completed documents" in two key areas. One is where the documents contain DOE decisions on the safe design and operations of defense nuclear facilities, with examples given of safety basis documents, safety evaluation reports, and design, construction, and operation Standards. The other is where the documents "represent[] any event or practice at a defense nuclear

SFC CLERK RECORDED 03/28/2019

facility which the DNFSB considers may adversely affect public health or safety", with the example provided of "approved results of fact-finding review and investigations". The obvious concern here is that DOE could deny Board access to critical decisional and investigative documents indefinitely on the grounds that they are not yet completed or approved. This language could enable or even encourage stonewalling by DOE staff.

Third, the Order at Paragraph 4b(3) and (4) could prevent DOE contractors from responding to otherwise proper requests for information or access by the DNFSB without formal authorization from a designated DOE representative. Simply stated, these provisions amount to a "gag rule" and are contrary to the spirit if not the letter of 42 U.S.C. Section 2286c(a). DNFSB inspectors should have unfettered and unfiltered access to DOE contractors and their employees at defense nuclear facilities.

Fourth, I also note that the Order at Paragraph 7h provides a restrictive definition of "public health and safety" that appears to conflict with the provisions of the DNFSB's enabling act. In the Order, "public health and safety" is limited to the "health and safety of individuals located beyond the site boundaries of DOE sites with DOE Defense Nuclear Facilities." The Board's enabling act in no way restricts the Board's mission to advising the Secretary on protecting the public health and safety of individuals living and working outside a defense nuclear facility. 42 U.S.C. Section 2286a(a) in fact expressly states that the Board's mission is to inform and advise the Secretary "in providing adequate protection of public and safety *at* such defense nuclear facilities", and not just **outside** the facilities. I recognize and applaud the Board's track record in documenting and making recommendations on health and safety issues that have arisen within the site boundaries at LANL, and oppose any attempt by DOE to limit the Board's ability to serve that vital function.

At this point, I would also like to acknowledge and thank the Department for allowing me the opportunity to meet with Mr. LaPointe and Mr. Do of DOE yesterday and personally convey the concerns I expressed to you tonight. I was told that our concerns would be taken into consideration, and that a review of the Rule would take place at some point after it had been in effect for a year or so.

In conclusion, I would like to thank you for conducting a hearing on this critical topic today, and urge you to oppose any efforts by DOE or this Administration to any way restrict your access to any and all information you determine is needed to properly advise the Secretary on providing for the public health and safety at defense nuclear facilities.

United States Senate

WASHINGTON, DC 20510

September 14, 2018

The Honorable Bruce Hamilton, Acting Chair
And Board Members
Defense Nuclear Facilities Safety Board
625 Indiana Ave, NW, Suite 700
Washington, D.C. 20004

Dear Acting Chairman Hamilton and Board Members:

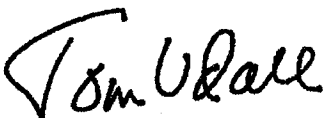
We write to urge the board to schedule a public hearing in New Mexico on the Department of Energy's (DOE) new Order 140.1, "Interface with the Defense Nuclear Facilities Safety Board." The new order severely limits the Defense Nuclear Facilities Safety Board's (DNFSB) statutory oversight responsibility to ensure the safety of local communities and workers at DOE's defense nuclear facilities. As the home of two nuclear security laboratories, Los Alamos and Sandia, and the Waste Isolation Pilot Plant (WIPP), we believe the board should hear directly from New Mexicans at a public hearing on the potential health and safety impact of DOE's order.

The DNFSB was established 30 years ago to provide independent oversight of health and safety at DOE's nuclear facilities. Because the nation's defense nuclear facilities are largely unregulated by any other state or federal agency, DOE must not impair the board's ability to provide independent analysis, advice, and recommendations to the secretary. The work of the board helps DOE fulfil its mission and provides the public assurance that our nuclear facilities are designed, constructed, and operated safely.

The protection of public health and safety at our state's two national laboratories and WIPP continues to be our top priority. We believe a public hearing in New Mexico would help the board gather the information it needs to fully and openly assess the impact of the changes DOE's order imposes on the board's oversight responsibility. Also attached is a letter from State Senator Jeff Steinborn, chair of the New Mexico State Legislature's Radioactive and Hazardous Material Committee, in support of a public hearing in New Mexico.

We respectfully ask that you give our request your full and careful consideration.

Sincerely,



TOM UDALL
United States Senator



MARTIN HEINRICH
United States Senator

SFC CLERK RECORDED 03/28/2019



New Mexico State Senate

State Capitol
Santa Fe

September 6, 2018

SENATOR JEFF STEINBORN
D-Dofia Ana-36

P.O. Box 562
Las Cruces, NM 88004

Cell: (575) 635-5615
E-mail: jeff.steinborn@nmlegis.gov

COMMITTEES:

VICE CHAIR:
• Rules

MEMBER:
• Public Affairs

INTERIM COMMITTEES:

CHAIR:
• Radioactive & Hazardous
Materials Committee

Bruce Hamilton, Acting Chair
Defense Nuclear Facilities Safety Board
625 Indiana Ave. NW, Suite 700
Washington, DC 20004


Dear Acting Chair Hamilton:

I have been advised that the Defense Nuclear Facilities Safety Board has authorized holding hearings outside of Washington, DC, to provide stakeholders and the public information concerning U.S. Department of Energy (DOE) Order 140.1, "Interface with the Defense Nuclear Facilities Safety Board", and to gather public input. I respectfully request that the board hold a meeting in Santa Fe or Los Alamos, New Mexico, to provide local stakeholders the opportunity to participate in person in this important process.

Northern New Mexico is home to Los Alamos National Laboratory (LANL), which is of preeminent importance to the nation's nuclear weapons program. Since its inception, the Defense Nuclear Facilities Safety Board has played a critical role in ensuring the safety of LANL operations and issuing recommendations to adequately protect the public health and safety. Because the State of New Mexico in general, and the communities surrounding LANL in particular, have a distinct interest in understanding and providing input on the objectives of DOE Order 140.1, a public meeting in New Mexico would ensure greater participation of affected communities.

I thank you for your consideration of this request.

Sincerely,


JEFF STEINBORN

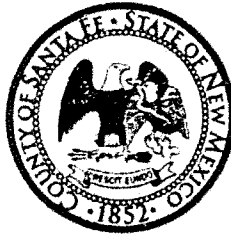
JS:ar

cc: Senator Tom Udall
Senator Martin T. Heinrich
Congressman Ben R. Luján
Congresswoman Michelle Lujan Grisham
Congressman Steve Pearce

Henry P. Roybal
Commissioner, District 1

Anna Hansen
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Anna T. Hamilton
Commissioner, District 4

Ed Moreno
Commissioner, District 5

Katherine Miller
County Manager

September 25, 2018

The Honorable Rick Perry
Secretary
U.S. Department of Energy
1000 Independence Avenue
Washington, DC 20585

RE: Call for Suspension of Order 140.1

Dear Secretary Perry:

On behalf of the Santa Fe County Board of County Commissioners of Santa Fe County, I write to express our strong support for, and agreement with, Senators Udall and Heinrich's September 5, 2018 letter to you regarding the Department of Energy's (DOE) new Order 140.1. We join in Senator Udall and Heinrich's call to suspend the implementation of Order 140.1 to allow the Defense Nuclear Facilities Safety Board (DNFSB), Congress, affected state and local governments, and the public sufficient time to review and comment on Order 140.1.

Given that Santa Fe County borders Los Alamos National Laboratory (LANL) to Santa Fe County, to the east and southeast and the fact that many county residents work at or near LANL, the ability of DNFSB to perform its statutory duty to ensure the safety of communities and workers at nuclear security labs and the Waste Isolation Pilot Plant (WIPP) is of paramount importance to Santa Fe County and its residents. We echo Senators Udall and Heinrich's strong support for the mission of the DNFSB, and share their concerns about DNFSB staff's difficulties in accessing information regarding recent safety issues at LANL. We unreservedly stand with our Senators in opposition to any action by DOE that would weaken or restrict the DNFSB's statutory authority to help protect our residents.

We join our Senators in urging you to suspend Order 140.1, and to receive and give due consideration to comments and suggestions from members of the DNFSB and Congress, as well as to concerns expressed by the public at public hearings at DOE facilities located across the country. We support the public's request that DOE hold three hearings in New Mexico—near WIPP, Sandia National Laboratories, and Los Alamos National Laboratory. Thereafter, we request that you reissue a revised order that does not in any way impinge upon the DNFSB's statutory authority to perform its critical mission of helping ensure

SFC CLERK RECORDED 03/28/2019

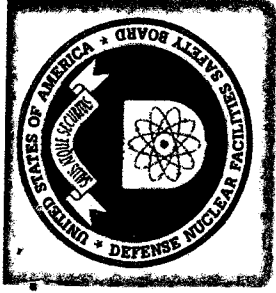
the health and safety of Santa Fe County residents and all New Mexicans who live near or work at federal nuclear facilities in our state.

Sincerely,

A handwritten signature in black ink, reading "Anna Hansen". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Anna Hansen, Chair
Board of County Commissioners for Santa Fe County

cc: Senator Tom Udall
Senator Martin Heinrich
Defense Nuclear Facilities Safety Board



Public Hearing on the Department of Energy's
Order 140.1, *Interface with the Defense Nuclear Facilities*
Safety Board

February 21, 2019

Session 1 – 5:30 – 7:00 pm

*DNFSB interface and access to information, facilities,
and personnel.*

Session 2 – 7:15 pm – 9:00 pm

Public Comments and Wrap-up

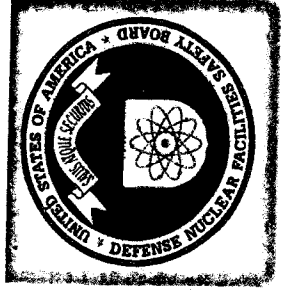


Exhibit 1 – Board Concerns with Order 140.1

- The Order provides a new definition of “public health and safety” that only includes individuals located beyond site boundaries, thereby excluding onsite individuals and workers from the Board’s oversight;
- The Order provides exemptions allowing DOE to deny access to Hazard Category 3 nuclear facilities or other facilities that DOE determines do not have the potential to adversely affect offsite public health and safety;
- The Order lacks a clear provision to provide the Board with ready access to such information, facilities, and personnel as the Board considers necessary to carry out its responsibilities; and
- The Order contains an allowance for DOE to deny Board requests related to deliberative documents, pre-decisional documents, or deliberative meetings.

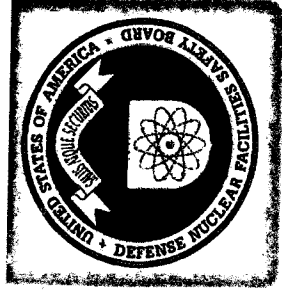
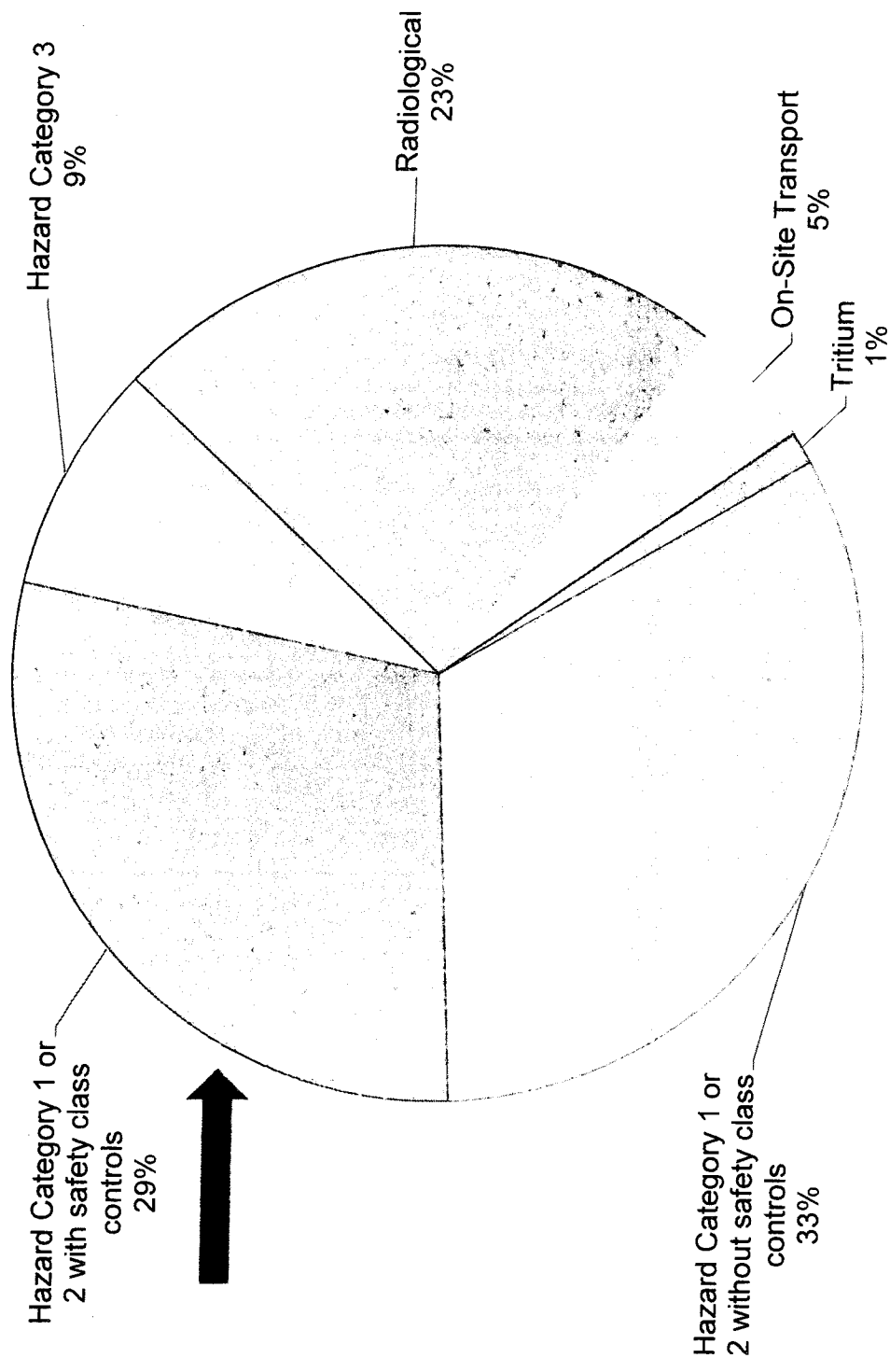


Exhibit 2—Staff Analysis of Candidate DOE Defense Nuclear Facilities



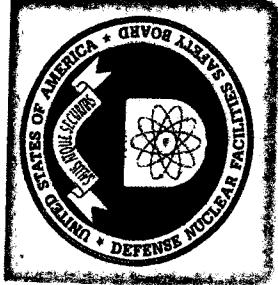
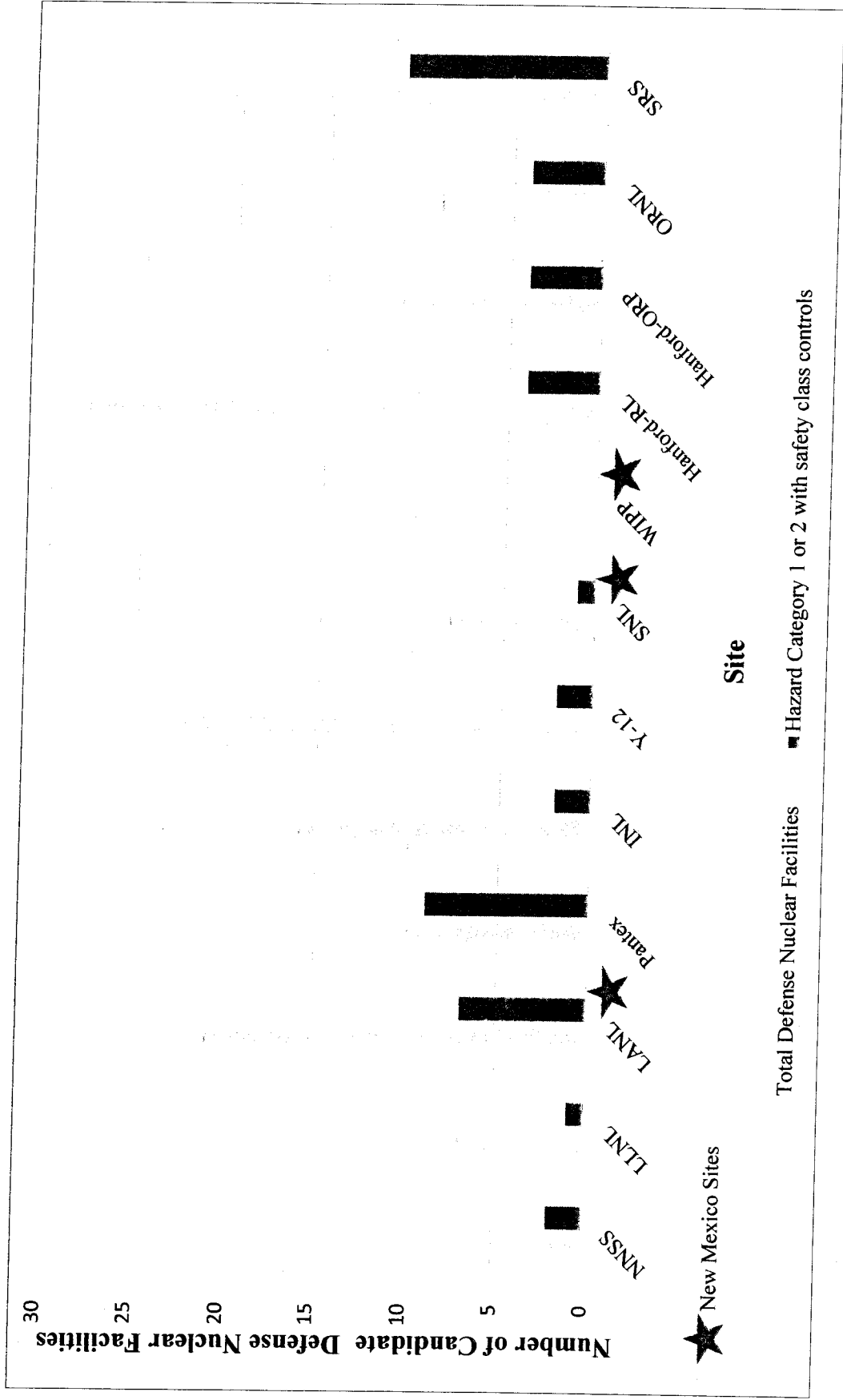
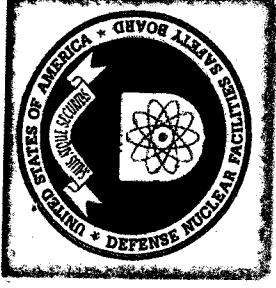


Exhibit 3—Staff Analysis of Potential Impacts of Facilities at each DOE Site





Questions Regarding Field Office Implementation

1. Is the new Interface Order currently applicable to your field office employees?
2. Have you developed supplemental guidance for your field office employees, such as a procedure or training documents, that describes how the Order will be implemented at your site?
3. Has the Order been added to your site's contract?
 - If not, when do you expect to do so?
 - Has your contractor developed any updated implementing procedures?

THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY
RESOLUTION NO. 2019 - _____

A RESOLUTION DELEGATING AUTHORITY TO THE COUNTY MANAGER TO NEGOTIATE A PURCHASE AGREEMENT FOR ACQUISITION OF 8.902 ACRES OF LAND, MORE OR LESS, LOCATED AT 3233 RODEO ROAD, SANTA FE, NEW MEXICO, FOR POTENTIAL DEVELOPMENT OF AN AFFORDABLE HOUSING PROJECT

WHEREAS, there is a severe shortage of affordable housing within Santa Fe County; and

WHEREAS, several recent studies on housing affordability and availability indicate that there is a need for at least 2,000 to 5,000 new units for rental housing in the Santa Fe metro area; and

WHEREAS, according to the latest quality of life survey only 11% of the population of Santa Fe believes there is enough quality affordable housing; and

WHEREAS, County staff have identified an 8.902-acre parcel of land ("Subject Land") for sale at 3233 Rodeo Road, immediately north of the Santa Fe County Fair Grounds; and

WHEREAS, the Subject Land would be an excellent site for an affordable housing project.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Board of County Commissioners ("Board") of Santa Fe County ("County"), as follows:

1. The County Manager is authorized to negotiate a purchase agreement with the owner of the Subject Land. The agreement shall include such due diligence as the County Manager deems appropriate.
2. The purchase price shall be no more than the appraised fair market value of the Subject Land.
3. If the County Manager and the owner of the Subject Land come to an agreement on the terms of a purchase agreement, the County Manager shall present the agreement to the Board for consideration.

PASSED, APPROVED, AND ADOPTED this 26th of February, 2019.

**BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY**

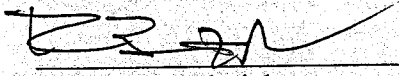
By: _____
Anna T. Hamilton, Chair

ATTEST:

Geraldine Salazar
Santa Fe County Clerk

Date: _____

Approved as to form:



R. Bruce Frederick
Santa Fe County Attorney

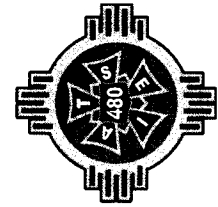
**AMENDMENT NO. 5
TO THE EMPLOYMENT AGREEMENT
BETWEEN KATHERINE B. MILLER AND THE
BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY**

This Amendment No. 5 ("Amendment") to the Employment Agreement, as amended, ("Agreement") by and between Katherine B. Miller and the Board of County Commissioners of Santa Fe County ("Board"), shall be effective as of the date the Amendment is signed by the Board ("Effective Date"). The Agreement is amended as follows:

1. Article II, COMPENSATION, Section A, of the Agreement shall be amended in its entirety so that Article II, Section A of the Agreement is deleted and replaced with the following:
 - A. The Board shall pay the County Manager an annual base salary of \$195,000.00, effective with the first full pay period following the Effective Date. The County Manager's base salary shall be increased to \$198,750.00 effective as of August 31, 2019. The County Manager shall also receive pay increases commensurate with any cost of living pay increases afforded to all County employees who are not members of collective bargaining units, in any fiscal year such increases are made. Annually (but not later than the anniversary date of this Amendment), the Board shall evaluate the County Manager's job performance and, upon a finding of satisfactory performance, may, in its absolute discretion, increase the County Manager's base salary.
2. Article V, TERM, Section B, of the Agreement shall be amended to extend the term of the Agreement so that Article V, Section B of the Agreement is deleted and replaced with the following:
 - B. Unless renewed or extended, this Agreement shall terminate on December 31, 2022.
3. All other provisions of the Agreement shall remain in force and effect.

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SIGNATURE PAGE FOLLOWS]***

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IATSE LOCAL 480 – WHO WE ARE

IATSE Local 480 is the New Mexico Local of the International Alliance of Theatrical Stage Employees. Local 480 was chartered in 1988 and is a labor union representing professional film technicians working on television and film productions, and covers a variety of crafts. Members of Local 480 are skilled, talented and experienced filmmakers who have devoted their careers to the art of the craft and increasing the prominence of New Mexico in various film and television projects. Local 480, through mentorship and training, increased its membership by a factor of 8 since 2001.

We believe the sky is the limit!

LIZ PECOS

President of IATSE Local 480

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DOUG ACTON

Business Agent of IATSE Local 480

505-690-4403

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LITTLE V. WEST

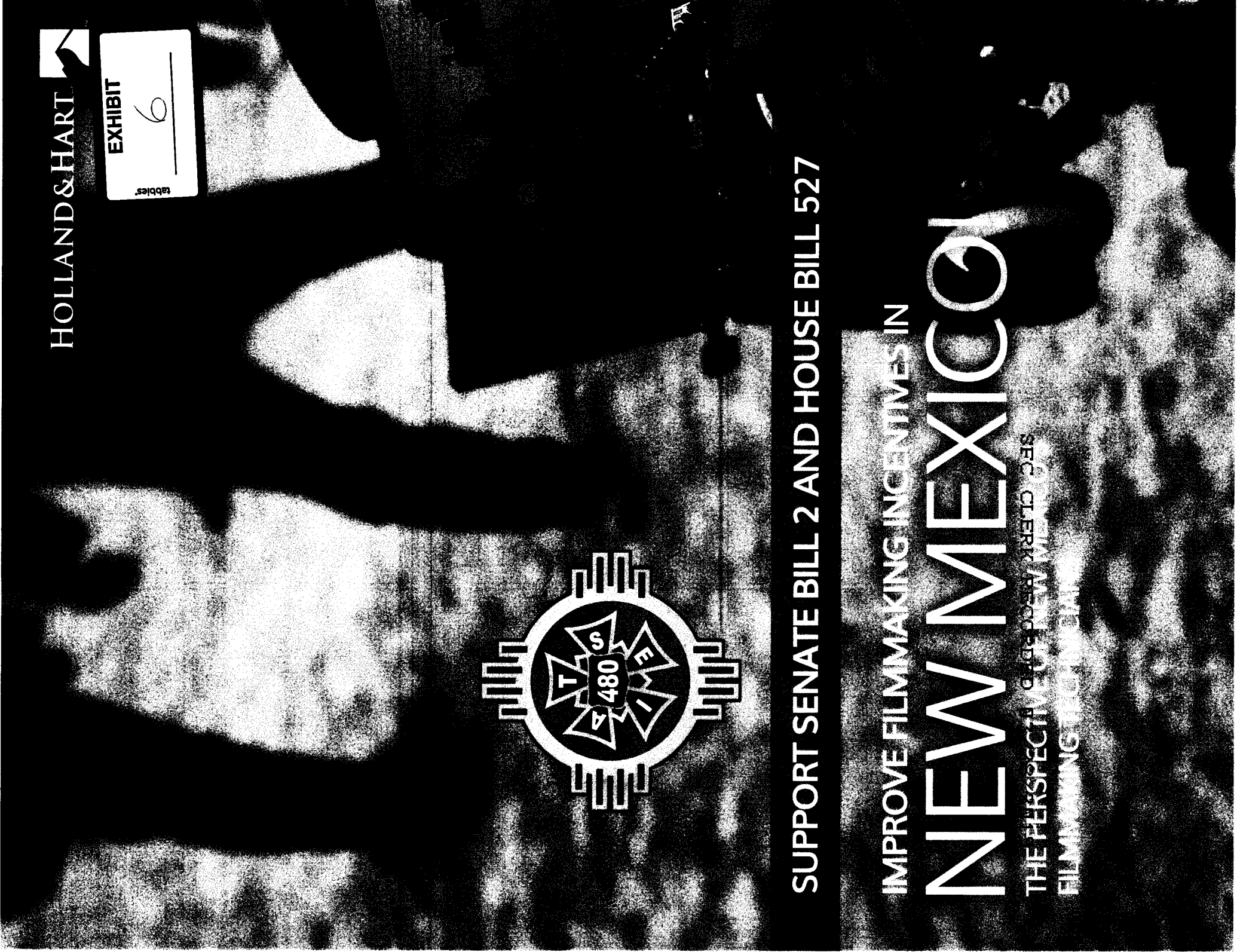
Lobbyist for IATSE Local 480

505.988.4421

LVWest@hollandhart.com

Sources:

1. *The Economic and Fiscal Impact of the Removal of the Annual Film Credit Cap*. Ali Arshad, Ph. D., pgs. 1-2 (Executive Summary) (February 15, 2019).
2. The per capita income in New Mexico in 2017 was \$25,311. Source: <https://www.deptofnumbers.com/income/new-mexico/>
3. The unemployment rate in New Mexico consistently ranks in the bottom 5 out of 50. Source: <http://www.ncsl.org/research/labor-and-employment/state-unemployment-update.aspx>
4. The annual direct spend numbers are taken from the annual session reports of the legislative finance committee as well as the updated report issued by the Film Office.
5. This map was created by the New Mexico Film Office.
6. Source: <https://www.ajc.com/blog/radiotv/rk/another-record-breaking-year-for-georgia-film-and-455-productions-billion-direct-spending/WsXHKRljoebL2l09KAwqO/>
7. Source: <https://www.bizjournals.com/atlanta/news/2017/07/10/georgias-film-industry-generates-9-5-billion.html>
8. See Economic and Fiscal Impacts of the New Mexico Film Production Tax Credit, Ernst & Young (January 2009), pgs 9-10, available at <https://nmfilm.com/wp-content/uploads/2018/10/nmfilmCreditImpactAnalysis.pdf>
9. *The Economic and Fiscal Impact of the Removal of the Annual Film Credit Cap*, Ali Arshad, Ph. D., pg. 23 (Figure 4) (February 15, 2019).
10. MNP Phase III Study (2016), Pg. 3, available at <http://nmfilm.com/incentives/#1537208717231-a122527c-28a2>

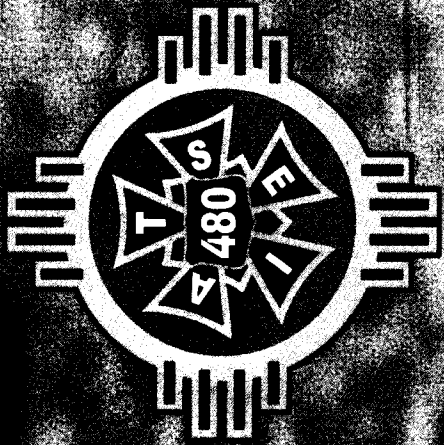


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EXHIBIT

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SUPPORT SENATE BILL 2 AND HOUSE BILL 527

IMPROVE FILMMAKING INCENTIVES IN

NEW MEXICO

THE PERSPECTIVE OF NEW MEXICO
FILMMAKING TECHNICIANS

IATSE Local 480 is a union of New Mexico film technicians. This is why we care:

DECREASE IN FILMMAKING IN NEW MEXICO.

Direct spending by the film industry in New Mexico in FY 2018 has decreased by more than half since FY 2017. See LFC 2020 Budget Recommendations, Vol. I, pg. 110 (“After three years of surpassing the target, direct spending by the film industry missed the target for FY18, reaching \$234 million, a significant decrease from \$505 million in FY17. The number of worker days also decreased to 259,000 for FY18 from 448,000 in FY17.”).

DECREASED EMPLOYMENT OPPORTUNITIES.

The membership of Local 480 has suffered because of the greatly diminished film production occurring in New Mexico, while filmmaking has significantly increased in other states with more attractive incentive programs, such as Georgia, California, New York and Louisiana. The surge in filmmaking in those states has encouraged New Mexicans to leave their homes for increased employment opportunities, which has resulted in a stronger workforce elsewhere. With fewer productions occurring in New Mexico, the livelihoods of New Mexican film technicians, consisting of over 1,400 Local 480 members, have experienced economic hardship. With reduced work, filmmakers are less able to financially provide for their families (including reduced industry provided health care for themselves and families, housing, and education). And importantly, not only does decreased film production negatively affect the membership of Local 480, but also other New Mexicans who support film in earning their living, including principal actors, background actors, hotels, restaurants, lumber yards, hardware stores, fabric stores and dry goods, makeup and hairstyling support, and much more.

ECONOMIC DIVERSIFICATION.

At a time when legislators are understandably growing wary of the state’s dependence on volatile oil and gas prices, Local 480 believes the film industry can and should be developed as a pillar of the New Mexico economy. Increased film production has a significant impact in the economic development of many other local businesses and additional employment opportunities and high paying careers for New Mexicans.

NEW MEXICO NEEDS TO REMOVE THE CAP AND PROMPTLY PAY ITS ACCUMULATED DEBT

In 2013, even though film was booming in New Mexico, former Governor Martinez’s administration led the effort to impose an annual limitation on payments to \$50 million (aka “the cap”). Nothing good has come from this. New Mexico will owe approximately \$325 million dollars in earned but unpaid rebates through the end of FY 2019. This means that, without a change in law, filmmakers would wait years to be paid earned rebates. The delays in repayment undermine the value of the rebates and discourage future productions from choosing New Mexico over other states that don’t have caps.

The cap is bad policy, both in the sense that it limits the economic incentive and in that it creates an accumulating backlog of payments. SB 2 will eliminate these problems, and return the incentive program to where it was before former Governor Martinez tried to “fix” a program that wasn’t broken.

THE BENEFITS TO NEW MEXICO FAR OUTWEIGH THE COST

Supporting SB 2 is a No-Brainer! Dr. Ali Arshad, Economics Professor at New Mexico Highlands University, forecasts that if New Mexico eliminates the cap, that will stimulate the New Mexico economy such that for every \$100 of cost to the New Mexico general fund, the industry will produce \$1,713 in additional economic output in the New Mexico economy, **a whopping 1700% return on investment!** Professor Arshad also estimates that within the next three years, *more than 8,000 jobs* will be created from such spending, resulting in nearly **\$550 million** dollars in additional earnings for New Mexicans.¹ **These new earnings provide an average annual salary of \$68,000 (2.7 x the per capita income in New Mexico) for every new job created.**²

Because New Mexico consistently ranks in the bottom 5 out of 50 states in unemployment rate, the opportunity to create good paying jobs is too good to pass up!³

THE FILM INDUSTRY BENEFITS NEW MEXICO

Show business is good for New Mexico and good for New Mexicans. The production of more shows in New Mexico puts more hardworking New Mexicans to work, not only by keeping skilled and talented New Mexican filmmakers busy, but also by stimulating the economy and generating taxation revenues to state and local governments.

ENCOURAGING INVESTMENT IN NEW MEXICO.

Removing the cap will encourage productions to come to New Mexico, because they will provide confidence and certainty of receiving timely payments on earned rebates. More productions equals more direct spending, leading to more profits and jobs for New Mexican businesses and workers. Georgia, for example, does not have a cap on its otherwise similar 30% rebates program and attracted **\$2.7 Billion** dollars in direct spending last year.⁶

CREATION OF QUALITY CAREERS IN FILM.

Film industry hourly wages range between a minimum of \$25 per hour up to more than \$100 per hour. This is up to 10 times more than the existing (or proposed) New Mexico minimum wage. Film jobs also include health insurance, pension benefits, and other fringe benefits and reimbursement.

CREATION OF JOBS OUTSIDE OF THE FILM INDUSTRY.

Film production benefits employment in the economic supply chain that includes hotels, restaurants, rental cars, hardware stores, fabric stores for costumes, prop and costume rental houses, grip, electric and special effects equipment, rental houses, and other goods and services. Georgia, for example, logged **\$9.5 Billion** in economic impact from film spending in 2017.⁷

FILM TOURISM IN NEW MEXICO.

New Mexico Tourism greatly benefits from filmmaking in New Mexico locations. There are tours, museums, souvenir shops, and even candy stores dedicated to our New Mexico film and TV productions. In fact, in just five years (between 2007 and 2011), Ernst and Young estimated in a 2008 study that tourists spent \$644 million dollars attributable to tourism induced by recent films made in New Mexico.⁸ The study also found that

film induced tourism created 2,839 jobs in New Mexico, with total combined earnings of \$69.7 million in personal income. And the more recent 2016 MNP Phase III Study estimated film induced tourism spending by tourists in New Mexico to be in the low range of \$300 million and high range of over \$700 million, in 2014 alone.¹⁰

NEW MEXICO SHOULD SEIZE THE OPPORTUNITY NOW TO INCENTIVIZE ECONOMIC DEVELOPMENT IN THE FILM INDUSTRY

Although the unemployment rate has generally improved over the last several years, New Mexico remains near the bottom of a state-by-state ranking in unemployment rates. New Mexico can and should invest in economic development in the film industry, which already has an existing infrastructure to support expanding employment in the film business. Local 480 stands ready to assist with creating opportunities in the film industry by continuing to mentor and train, hone skills, and expand the expertise of new and existing members to meet the increased demand for jobs to serve the booming film industry created by film incentives.

FILM MAKING BENEFITS THE ENTIRE STATE OF NEW MEXICO

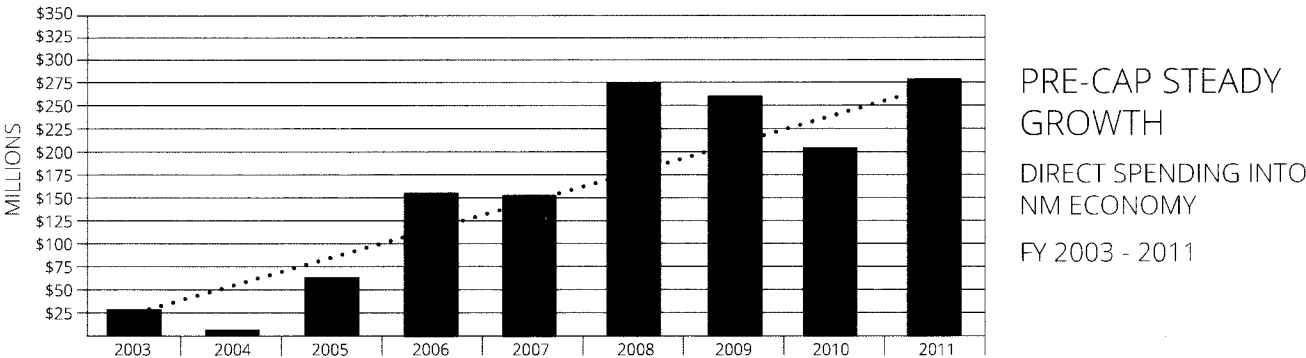
Films are made across the state, from Deming to Raton, Gallup to Clovis, Shiprock to Las Vegas, Lordsburg to Las Cruces, and Madrid to Tohajiilee, bringing millions of dollars in money invested in these local economies. In recent news, filmmakers have shown an interest in further expanding production facilities in locations in New Mexico, including Farmington and Las Cruces, and further expanding production in Albuquerque and Santa Fe. The entire state’s economy stands to benefit from increased filmmaking in New Mexico!

CONCLUSION

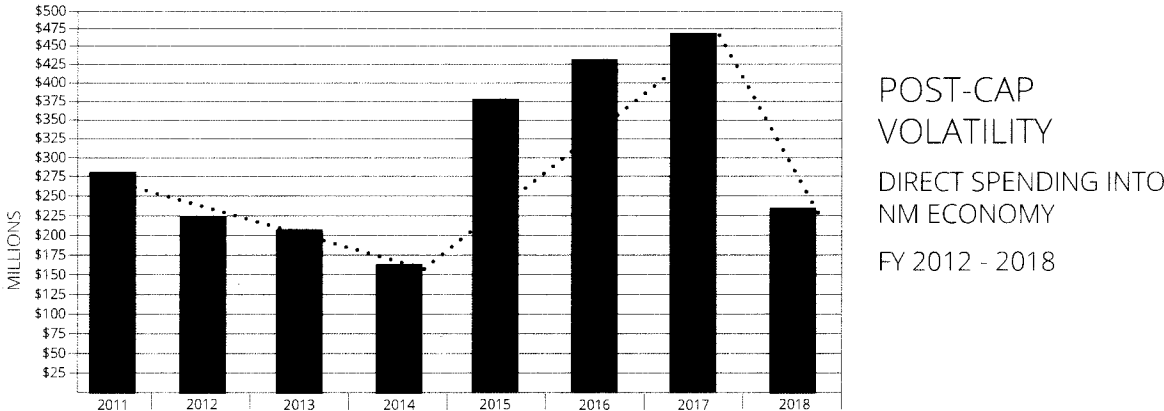
Local 480 agrees with Governor Lujan Grisham’s statement on the New Mexico Film Incentive in her inaugural address that we should “take off the shackles and let it rip – and in the process we will put New Mexicans to work.”

A LOOK AT NEW MEXICO FILMMAKING PAST AND POTENTIAL

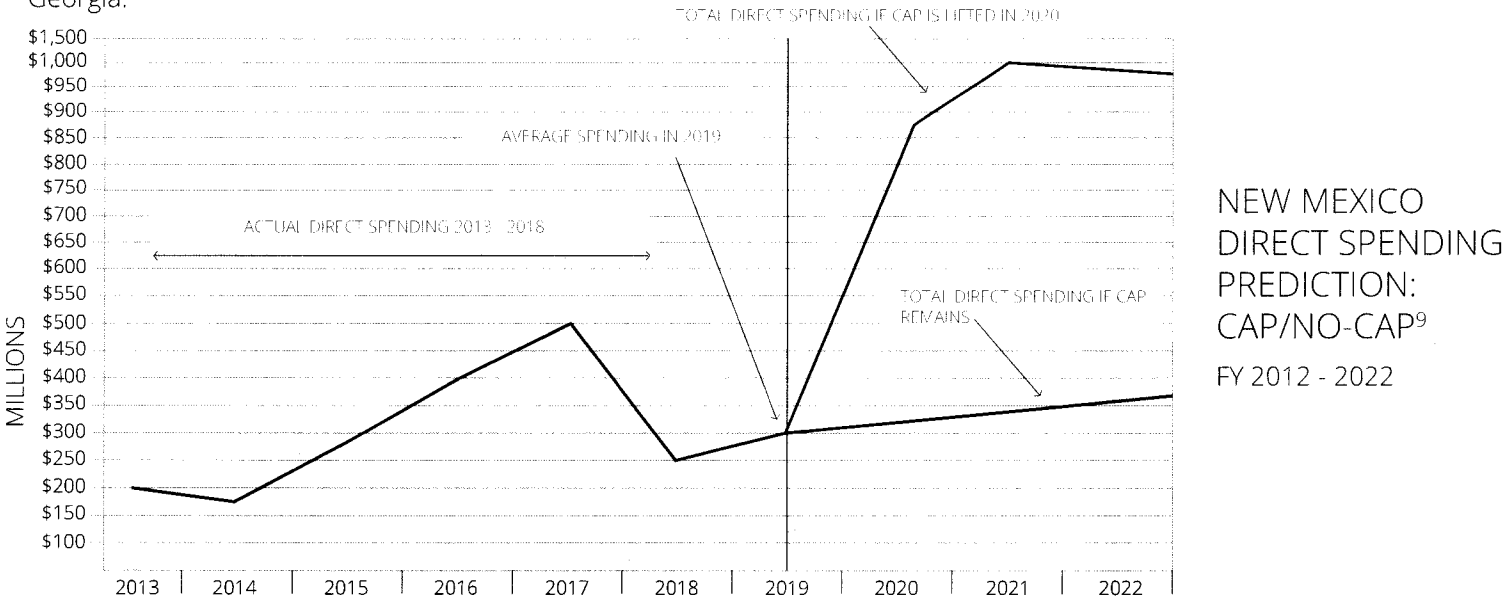
New Mexico adopted a film incentive program in 2002. New Mexico has since attracted more than 205 major film productions, including the world renowned Breaking Bad and Longmire television series. Since the film incentive was first put in place in New Mexico in 2002, the incentive has encouraged film productions to invest over \$3.44 Billion dollars into the New Mexico economy. This has created economy opportunity for New Mexican film-workers, in the form of quality careers with high paying jobs and good benefits. In in the initial years of the incentive (2004-2006), when there was no cap in place, the incentive multiplied the direct spend into the New Mexico economy by 13 times the spending invested in 2004. And within 4 years (between 2004-2008), film spending in New Mexico's economy multiplied by 23 times the spending level in 2004.



However, in 2011, former Governor Susanna Martinez spearheaded a \$50 million cap on payouts of the film incentive program. After the cap was put in place, the film industry in New Mexico took a steady turn for the worse over the next several years, dropping from the pre-cap direct spend high mark in 2011 of \$276.6 million to only \$162.1 million in 2014. Subsequently, the film showed signs of recovery; however, film spending was slashed by half between 2017 and 2018.

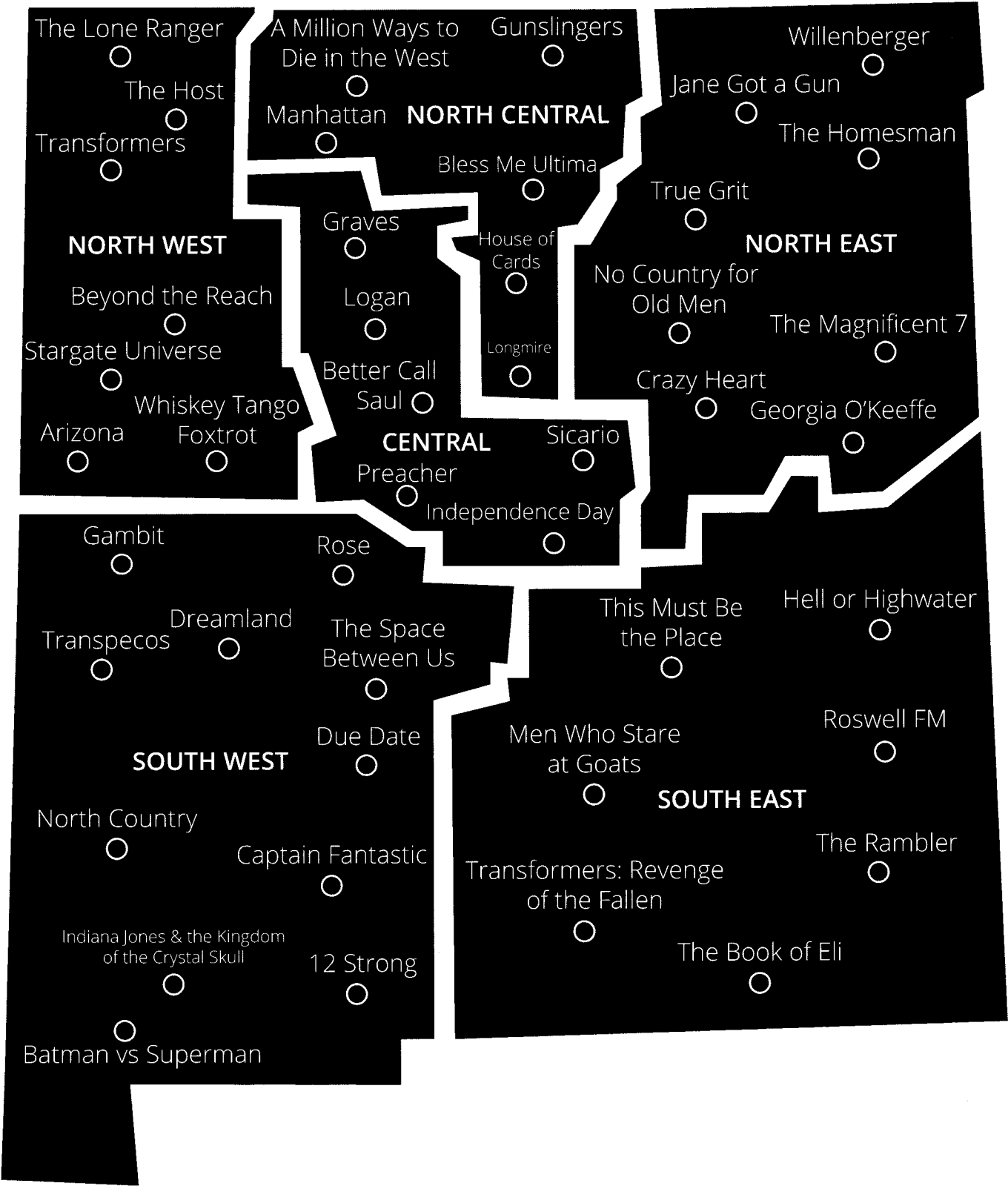


As the following chart shows, New Mexico **stands at the crossroads** when it decides whether or not to support SB 2. If we remove the cap, New Mexico will attract in the range of **1 Billion dollars** in annual film spending to the NM economy through 2022, along with additional jobs and earnings for New Mexican employees and profits for local businesses. On the other hand, if we do not remove the cap, the state's film industry will continue to struggle, causing New Mexico's existing film talent to take their skills and experience with them to other states who are willing to incentivize film business, such as Georgia.



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NEW MEXICO MADE FAMOUS



JANUARY 2002 - DECEMBER 2018 ⁵