

2000 Legislative Priorities

Transportation and Extradition of Prisoners

Commissioners

HB 12a (Salazar, Stewart) - Creates a 75% mandatory reimbursement to counties for the extradition and transportation of state prisoners, effective July 2001. No single county can receive more than 50% of the total reimbursement funds available statewide.

Vetoed by the Governor

Eliminate Minimum Project Size Eligible for Design Build

Commissioners, Managers

HB 21 (Kissner) - Eliminates the minimum project size eligible for the design build construction method.

Never scheduled in the House Labor Committee; died on adjournment.

Funding for Non-Secure Alternatives for Juveniles

Carry over from 1999 Resolutions Affiliate not identified

HB 425 (Pederson) - Allocates \$1 million to the Regional Juvenile Services Act, to assist counties with non-secure alternatives to incarceration for juveniles.

Tabled in the House Appropriations Committee; died on adjournment.

Remove Un-collectable Personal Property from Tax Rolls

Commissioners, Managers, Treasurers

HB 198 (Lujan) - Allows County Treasurers to correct the tax schedule so that it no longer contains un-collectable personal property taxes.

Signed by the Governor

Regional Detention Facilities Fund

Carry over from 1999 Resolutions Affiliate not identified

HB 304 (Crook) - Creates the Rural Detention Facilities Fund in the State Treasury, using balances in the Small Counties Assistance and Law Enforcement Protection Funds.

Tabled in House Appropriations Committee; died on adjournment.

Constitutional Amendment on Midterm Salaries

Clerks, Commissioners

HJR 7 (Williams) - Removed ban on midterm salary increases for elected county officials.

Died on Senate Floor on adjournment.

Joint Memorial on City Inmate Costs

Attorneys, Commissioners

SJM 5 (Sanchez) - Asks Courts, Corrections and Criminal Justice Interim Committee to study and recommend an equitable statewide system for payment of the costs of city inmates housed in county detention centers.

Passed House and Senate; does not need Governor's signature.

Housing State Agencies

Commissioners, Managers

HJM 24 (Beam) - Asks Courts, Corrections and Criminal Justice Committee to study and develop guidelines on the issue of mandating counties to house certain state agencies.

Died on Senate Floor on adjournment.

2001 Legislative Priorities

Transportation & Extradition of Prisoners

Commissioners

HB 547a (Salazar/Stewart)

Passed House 61-0; tabled in Senate Finance and died on adjournment.

Responsibility for Parole Violators

Commissioners

HB 294a (Tom Taylor & Martinez)

Passed House 59-0; died in Senate Finance on adjournment.

Inmate Pay-Off Rate

Commissioners, Detention

HB 143aaa (Beam)

Passed both houses and signed by the Governor. Pay-off rate will be federal hourly minimum wage times 8; maximum jail stay is reduced from 90 to 60 days.

Precinct Board Compensation

Clerks, Commissioners

SB 16a (Duran)

Passed both houses and signed by the Governor. Counties may pay up to \$150.00 for each Election Day.

Mail-In Ballot

Clerks

SB 355 (Romero)

Tabled in Senate Judiciary; died on adjournment.

2002 Legislative Priorities

Standardize the Document Recording Equipment Fee

Clerks, Commission

SB 234 (Duran)

Signed by the Governor.

Increase the State Marriage License Fee

Clerks, Commission

SB 172 (Duran)

Vetoed by the Governor.

Small County Commissioners Elections

Commissioners

SB 157 (Lyons)

Signed by the Governor.

Un-funded Mandates to House State Agencies

Commissioners, Managers

HJM 15 (Beam)

Passed the Senate.

Increase County Elected Officials Salaries

Commissioners

SB 41a (Campos)

Signed by the Governor.

Change Distribution of Motor Vehicle Excise Tax Revenues and Distributions to State and Local Road Fund

Commissioners, Managers

HB 439 (Sandoval)

Tabled in Taxation and Revenue Committee.

Amend the Tort Claims Act to specifically exclude criminal conduct from the term “scope of duties.”

Attorneys, Commissioners

SB 174 (Ingle)

Voted do not pass in Senate Public Affairs Subcommittee.

2003 Legislative Priorities

Increase Local Government Correction Fund

Commissioners, Detention, Sheriffs

HB 228 (Taylor, Martinez) - The language increasing fee from \$10 to \$20 was included into Committee Substitute for HB 258, 228, and 334. Will generate an additional \$1.44 million for county detention centers and allows for use of alternatives to sentencing.

Passed both houses and received concurrence.

Fund Housing of State Parole and Probation Violators

Commissioners, Detention, Sheriffs

HB 556aa & SB 480 (Martinez, Martinez) - Appropriations Committee amended House bill to remove the appropriation and the mandatory language; definitions remain.

Both bills died in the Senate Finance Committee upon adjournment.

Standardize DWI Screening Process

Commissioners, DWI Administrators

HB 189a (Miera) - The standardized screening language in this bill was amended into HB117a (Swisstack), which passed both Houses and received concurrence.

Signed by the Governor 3/26/2003.

Mandate Reimbursement to Counties for Extradition & Transportation

Commissioners, Manager

HB 308 (Salazar) - Amended in the Appropriations Committee to remove the \$1 million appropriation, and language mandating reimbursement. Amended to state that funding is “subject to appropriation by the legislature.” Approximately \$150,000 was added into House Bill 2 Junior for this purpose, however, this appropriation is susceptible to a line item veto by the Governor.

Signed by Governor 4/2/03.

Require Sales Disclosure on Residential Properties

Assessors, Commissioners

HB 299 (Lujan) - Finally passed the Senate after 9 days on the Calendar.

Signed by Governor 3/26/03.

Change Distribution Formula for Small Counties Assistance

Commissioners, Managers

HB 229a (Whitaker) - Changes the distribution formula so that small counties receive an additional \$800,000. Counties otherwise eligible can receive funding if their imposition of all 3 increments of general gross receipts tax is imposed. The Bill contains a mechanism for automatic increase of caps on valuation and population. Eleven counties currently receive Small Counties Assistance; up to six additional counties will receive funding.

Passed both houses; Signed by Governor 4/2/2003.

Constitutional Amendment to Remove Term Limits for County Elected Officials

Proposed by Executive Committee and Affiliate Chairs

SJR 22 (Cisneros)

Passed the Senate 34-5 but failed on the House Floor 23-33.

2004 Legislative Priorities

Note: Two NMAC priority issues, amending the Tort Claims Act, and changing leasing provisions for privately operated jail facilities, were determined unlikely to be ruled germane in the 30 day budget session, and were not introduced.

Extradition & Transportation of State Prisoners

Commissioners, Detention

HB 149a (Lundstrom) - Provided \$1 million appropriation to Department of Finance & Administration.

Tabled in House Appropriations Committee; died on adjournment.

County Local Option Liquor Excise Tax

Commissioners, DWI Coordinators Managers

HB 456 (Campos) & SB 377 (McSorley) - Both bills would have given all counties the option to impose up to 5% of liquor excise taxes.

Neither bill made it through their first house; both died upon adjournment.

County Detention Facility Reform Act

Commissioners Managers, Sheriffs

SB 162 (Martinez) - Defined state prisoner, mandated reimbursement to counties, and appropriated \$63.6 million to the Corrections Department. *Tabled in Senate Finance Committee;*

Died on adjournment.

Extend County Elected Officials Term Limits

Commissioners, Sheriffs

SJR 9 (Cisneros) - Would have given county elected officials a third consecutive four year term.

Passed two Senate Committees, but died on adjournment.

Expand County Gross Receipts Tax Authority

Commissioners

SB 88aaa (Cisneros) & HB 44 (Gonzales) - Authorizes a new general purpose 1/16th (0.0625%) of gross receipts tax. Counties now have 7 1/16th % (0.4375%) of general purpose gross receipts tax available to them: three 1/8ths and the new 1/16th. Each of these may be enacted independently of the others. A referendum is still required for enactment of the first or third 1/8th or the new 1/16th of the County Gross Receipts Tax or any increment of a County Correctional Facility Gross Receipts Tax, but Commissioners choose whether the referendum is either positive (direct) or negative (petition by 5% of those registered in the last general election, or by charter in Los Alamos). Petitions must be filed within 60 days of enactment of the ordinance approving the tax. The sunset provision is removed from any new enactment or reenactment of the following taxes: County Fire Protection Excise Tax that takes effect after July 1, 2004, including fire taxes already approved by the voters this year and those scheduled for a vote this Spring; County Emergency Communications and Emergency Medical Services Tax that takes effect on or after January 1, 2005; and County Correctional Facilities Gross Receipts Tax that takes effect on or after January 1, 2005. The use of the County Correctional Facility Gross Receipts Tax Act is made available to all counties. Its purpose is broadened to include operating and maintaining as well as constructing correctional facilities and transporting and extraditing prisoners. The County Fire Protection Excise Tax changes take effect on May 19th; the rest of SB88 takes effect on July 1, 2004.

Passed the Senate 23-9 and the House 38-18. Signed by the Governor. House Bill 44, introduced by Representative Bobby Gonzales and identical to SB 88, passed the House but died on the Senate floor upon adjournment.

2005 Legislative Priorities

Repeal Requirement to Report Absentee and Early Voting Results by Precinct

Commissioners

HB350 (Cordova) - Repeals the requirement that county clerks report in-person, absentee and early votes separately to the Secretary of State for every candidate and ballot question in each precinct.

Died in House Voters and Elections Committee

Ensure Funding for Housing State Juvenile and Adult Prisoners in County Detention Facilities and Define State Prisoner

Commissioners, Detention Administrators

HB710 (Taylor) & SB517 (Martinez) - Appropriates \$18,835,031 to the County Detention Facility Reform Fund for reimbursement to counties by the Corrections Department for expenses incurred by counties in transporting, housing and treating six types of state prisoners. Cited as the County Detention Facility Reform Act, the Corrections Department is required to reimburse a county for the incarceration of a state prisoner who (1) has violated parole and is charged with a parole violation; (b) while on parole, is charged with a violation of local, state, tribal, federal or international law; (c) is awaiting transportation and commitment to the department following the pronouncement of a judgment, a sentence or an order of confinement; (4) is charged with a violation of probation by the department or by a district attorney; (5) is sentenced, ordered or removed by the district court to incarceration in a county detention facility; or (6) is incarcerated on the basis of an arrest and hold order or a warrant issued by the department. The rate of reimbursement established in the bill is eight times the federal hourly minimum wage per day for each prisoner incarcerated in that county's detention facility. The department would also reimburse the county the cost of providing ancillary services to the prisoners. This includes medical, prescription drug, dental, mental health, vision, ambulatory and transportation services. Specifically, \$2,181,231 is allocated for incarceration of probation and parole violators; \$4,433,413 for incarceration of state prisoners sentenced to detention facilities; \$1,194,671 for state prisoners sentenced to prison and awaiting transport; and

\$10,025,716 for incarceration of unsentenced probation and parole violators. Repeals Sec. 33-3-3, which requires a county jail to be available for the detention of every person in the county who is charged with any crime, committed for trial, sentenced or detained for safekeeping.

HJC amendment to HB710 strikes the repeal of Sec. 33-3-3, which requires a county jail to be available for detention of anyone in the county charged with a crime, committed for trial, sentenced or detained for safekeeping. HB710 died in House Appropriations and Finance Committee. SB517 died in Senate Finance.

Seek Full Distribution of Small Counties Assistance Act Funding

Assessors, Commissioners, Managers

HB432 (Whitaker) - Yearly distributions to small (under 48,000 population) counties are increased. The amount awarded to each qualifying small county goes up by \$25,000, except that the amount to Harding County rises by \$125,000 (to \$450,000) and to Catron and DeBaca counties by \$75,000 (to \$325,000). Counties that impose a county gross receipts tax rate of 0.4375 percent or a county correctional facilities gross receipts tax may receive an additional \$15,000 and \$35,000, respectively.

Signed by the Governor.

Electronic Database Fees and Restrictions

Assessors, Clerks

HB449 (Rodella) & SB319 (Martinez) - Makes information contained in a municipal or county GIS database available to the public in a printed or typed format for a reasonable fee unless prohibited by state or federal laws. Also makes public records maintained by a county or municipality on a computer database available to the public for a reasonable fee for materials, electronic copies and personnel time required to retrieve, search or manipulate the electronic data. Authorizes the State Records Administrator to assist counties and municipalities with procedures, technical standards and retention schedules of computer databases. Counties or municipalities are authorized to share database information.

HB449 Signed by the Governor. SB319 Died on Adjournment.

Increase Distribution of Alcohol Excise Tax Revenues to County Government

Commissioners

HB879 (Campos) & SB937 (Griego) - Currently, 34.57 percent of the revenues from the Liquor Excise Tax are routed to the local DWI Grant Fund. The distribution rises to 53 percent for FY 2006 and continues to rise in 2007 and every odd-numbered year thereafter until it reaches 100 percent in 2023. \$2 million of the increase is earmarked for "school-based initiatives to increase programs in health clinics associated with substance and alcohol problems." Other parts of the revenue are to be distributed to counties with the greatest additional need and for a regional alcohol detoxification and treatment facility in De Baca County.

HTRC amendment to HB879 provides for Local DWI Grant Program funds to also be used for victim's assistance services. HB879 died in House Appropriations and Finance Committee. SB937 died in Senate Finance.

Provide Four Four-Year Terms for County Elected Officials

Approved by Executive Committee and Affiliate Chairs

SJR11 (Campos) - Proposes an amendment to Art. 10, Sec. 2 of the Constitution to allow county officers to serve four consecutive four-year terms.

Died in the Senate.

Change Date of New Mexico Primary Election

Clerks

SB108 (Duran) - Would have changed the date for primary elections from the first Tuesday in June to the first Tuesday after the first Monday in June of each even-numbered year.

Pocket vetoed by the Governor, Apr. 8, 2005

2006 Legislative Priorities

Increase Distribution of State Fire Fund to Local Governments

Commissioners, Managers

HB 497 (Rodella/Lujan) - Creates a Fire-Protection Grant Fund and Fire Protection Grant Council to approve expenditures for critical needs of county and municipal fire districts. Increases distributions to counties and municipalities by approximately 40 percent for each fire station classified by insurance rating. Revises the formula for the State Fire Marshal to determine annual distributions from the Fire Protection Fund to counties and municipalities.

Signed, with a partial veto, by the Governor. The Governor's veto removes authorization for an incremental (10% more each year for 10 years) appropriation to the Grant Fund from the money currently reverting to the General Fund, due to a technical error in the enactment date identified by DFA. It also strikes the two members of the Council that would have been appointed by the Legislature. The Governor stated that he will work with the Legislature to fix the technical problem, presumably in the 2007 Session, and begin transferring money to the Grant Fund.

Provide Funding for Compliance with Federal & State Election Mandates

Clerks

SB 295 (Lopez) - Requires all voting systems used in elections covered by the Election Code to use a paper ballot on which the voter physically or electronically marks choices. County Clerks are required to ensure that an adequate number of voting booths are provided for paper ballot systems. A voting system owned or used by a county on May 1, 2006, may continue to be used until there are sufficient federal, state or local funds available to: 1) replace the system; 2) acquire necessary software; 3) provide paper ballots for all counties to use on the new systems for both primary and general elections; and, 4) hold counties harmless for payments due on voting systems under lease-purchase agreements entered into pursuant to sections 1-9-15 through 1-9-19, NMSA, 1978. The replacement system must be acquired through competitive bids conducted by the Secretary of State, pursuant to Chapter 13, Article 1, NMSA, 1978.

Signed by the Governor.

Increase Salaries for County Elected Officials

Clerks and Sheriffs broadened to include all elected Officials

SB 376 (Rodriguez) - Increases the existing cap on salaries for county elected officials by 15 percent. County Commissioners may elect to approve all, part, or none of the increase, but must give the same increase to all elected officials. If approved, the increase would take effect on January 1, 2007. Raises can be given only to newly elected or re-elected officials because of a Constitutional prohibition on midterm increases.

Signed by the Governor; effective 01/07.

Provide Reimbursement and Definition of State Prisoners in County Detention Facilities
Detention Administrators, Managers, Commissioners

HB 264 (Swisstack) & SB 419 (Martinez) - Both bills provide a definition of a state prisoner, and create a fund, administered through the Department of Finance and Administration, through which counties could be reimbursed for the costs of housing such prisoners, and appropriate \$25 million on a recurring basis.

The House bill passed the House 60-0, without the appropriation, but died on adjournment, in Senate Judiciary. The Senate bill also died on adjournment, in Senate Finance.

Increase Term Limits for County Officials

Sheriffs broadened to include all elected Officials

SJR 5 (Campos) - Proposes to amend the New Mexico Constitution to allow any board of County Commissioners, by majority vote, to submit to voters, a referendum a proposal to change or eliminate the term limits imposed on county officeholders. Amended in Senate Judiciary to make the referendum mandatory, rather than optional.

Passed the Senate 24-2, but died on adjournment, in House Voters and Elections.

Strengthen Funding for Local DWI Programs

Commissioners, DWI Coordinators, Detention Administrators, Health Care, Managers, Sheriff's

HB 435 (Trujillo) - Increases the distribution of the Liquor Excise Tax to the Local DWI Grant Fund from 34.57 percent of the net receipts of that tax, to 60 percent. HB 477 (Campos) - Increases portion of the Liquor Excise Tax earmarked for distribution to the Local DWI Grant Fund from 34.57 percent to 55 percent. Specific mention of drug courts is deleted. Distribution to the five counties specified in the Local DWI Grant Fund statute increases by 20 percent.

Approximately \$1 million is set aside for a regional alcohol detoxification and treatment program in De Baca County. SB 525 (Griego) - The portion of the Liquor Excise Tax earmarked for distribution to the Local DWI Grant Fund rises to 60 percent from 34.57 percent. Distribution to detoxification programs in the five counties specified in the Local DWI Grant Fund statute increases by 20 percent, and a new distribution of \$1 million for a regional alcohol detoxification and treatment facility and program in De Baca County. Deletes specific authorizations for use of fund balances for installation of interlock devices for indigents.

Both House bills died on adjournment in House Taxation and Revenue. The Senate bill was amended in Senate Corporations, to restore the \$1.5 million for state drug courts, but died on adjournment, in Senate Finance.

Note: The Board also approved working toward amendments to the Workers' Compensation Act for the 2007 Session.

2007 Legislative Priorities

Fund and Define State Prisoners (felony offenders held in county facilities)

Commissioners, Detention Administrators, DWI Coordinators, Managers

HB 316 (King) - Enacts the County Detention Facility Reimbursement Act and creates a non-reverting fund in the state treasury to carry out its purposes. Counties that provide information to the New Mexico Sentencing Commission regarding costs incurred for incarcerating felony offenders in county owned or contract-operated facilities are eligible for reimbursement from the fund each fiscal year according to a formula established by the law. Five million dollars is appropriated to the Fund (in House Bill 2) for expenditure in FY 2008 and succeeding years. Distribution amount for each eligible county is calculated annually and distributed on or before January 30, by the Sentencing Commission; by taking the average number of felony offenders incarcerated in that county in the preceding three fiscal years as a percentage of the statewide total. Felony offenders are defined in the bill. The Local Government Division annually distributes \$30,000 to the Sentencing Commission for its costs, 70 percent of the remainder to eligible counties under the formula, and the final 30 percent to counties (other than Class A counties) designated by the Division as needing additional resources due to inadequate base revenues.

Signed by the Governor.

Correct Mid-term Salary Inequity for County Elected Officials

Assessors, Clerks, Treasurers

SJR 7 (Rodriguez) - Proposes to amend Article 10, Section 1 of the New Mexico Constitution to state that County Commissioners may provide a midterm salary increase for elected county officers.

Goes to voters in November, 2008.

Distribute Remaining Fire Fund Protection Fund Monies to Grant Fund

Commissioners, Fire and Emergency Managers, Assessors, Managers

HB 466 (Rodella) - Transfers an additional 6.7% from the Fire Protection Fund to the Fire Protection Grant Fund for distribution to municipalities and counties each year, beginning on June 30, 2007, reaching 100% transfer of the balance in the Fire Protection Fund by June 30, 2021.

Signed by the Governor.

Create and Fund State GIS Coordinator; add Local Government Representatives to State Information Technology Commission

Assessors, Commissioners, E-911 Directors, Fire and Emergency Managers, GIS/RA, Information Technology, Land Use, Managers, Roads, Sheriffs, Treasurers

SB 541 (Martinez) - Re-establishes NMAC & NMML membership, with voting privileges, on the Commission.

Signed by the Governor; (minutes) later repealed because Governor also signed HB 959

(Varela) which created a new Information Technology Department, with NMAC & NMML as voting members of the Department's new Information Technology Commission. Identical SB 979, Lopez, also passed, but was pocket vetoed by Governor.

Strengthen Funding for Local DWI Programs

Assessors, Commissioners, Detention Administrators, DWI Coordinators, Health Care, Managers, Sheriffs, Treasurers

HB 266 (Gonzales) - Increases the distribution to the Local DWI Grant Fund from 34.57% to 41.5% of the receipts from the State Liquor Excise Tax.

Signed by the Governor.

2008 Legislative Priorities

Note: Revision of the Volunteer Firefighters PERA Plan (held for 2009)

Amends the State Minimum Wage Act to Restore FLSA Provisions

Correction from 2007 Legislative Session – Legislature Deleted FLSA Provisions

SB 66 (Jennings) - Amends the State Minimum Wage Act to restore applicability of provisions of the Federal Fair Labor Standards Act (FLSA) that allow public employers to designate expanded work periods and longer hours for fire protection and law enforcement personnel without incurring overtime pay. The FLSA provisions were inadvertently overridden when the State Minimum Wage Act was amended by the 2007 legislature.

Signed by the Governor on January 18; effective immediately.

Retire Counties' Voting Machine Debt

Clerks, Commissioners

HB 221 (King) - The original House bill permitted the State Board of Finance and counties to renegotiate and terminate lease-purchase contracts on electronic voting machines. The bill was finally amended in a House/Senate conference committee to require the State to pay all voting systems software and hardware maintenance costs regardless of ownership. Counties were to be responsible for storage of the machines, under Secretary of State's guidelines.

Vetoed by the Governor, whose veto message state that it placed a "financial duty, without any funding, on the State of New Mexico." The message directed the Cabinet Secretary of the Department of Finance and Administration to prepare a resolution for adoption by the Board of Finance that would relieve counties from making lease purchase payments for those machines no longer in use, and committed the Governor to work with the Secretary of State and County Clerks to address their needs.

Increase and Expand Use of Clerks' Recording Fees

Clerks

HB 327 (Madalena) - Provides for multiple charges for multiple recording of names in "Grantor" documents; clarifies usage of collected recording fees for recording equipment, supplies, and necessary training and travel; and "cleans up" statutes by repealing 35 different fees charged by County Clerks, with a standardized and equitable method of conducting business.

Signed by the Governor; effective on May 14, 2008.

Recognize Medicaid Payment System for Inmate Medical Care

Commissioners, Detention

SM 48 (Martinez) - Requests the New Mexico Health Policy Commission to convene a task force to study health care provider reimbursement for services delivered to individuals in county detention facilities. The task force will hold its first meeting on March 31, and will present its recommendations to the Legislature's Interim Health and Human Services Committee by November 1, 2008.

No Governor action required.

Provide for County Collection of Reasonable Franchise Fees

Attorneys, Commissioners, Managers

SJM 38 (Smith) - Although the memorial was not heard during the session, Senator Smith has stated that he has the authority to ask that an interim committee address the issues that it raises.

2009 Legislative Priorities

All-Mail Elections

Clerks

SJM 58

Requests the appropriate legislative interim committee to study the feasibility and advisability of using either all-mail ballots or voting centers in election, to contain rising costs, ensure full participation by voters, provide professional and efficient administration of elections and maintain full compliance and access for persons with disabilities.

Passed the Senate 30-0; died on adjournment on the House floor.

Morales

Conducting Magistrate Court and District Court Preliminary Hearings via Video Conferencing

Commissioners, Detention,

Requests the Attorney General's Office create a task force to study the viability and merit of allowing audio-video technology in court proceedings. The task force, which includes a representative of municipal law enforcement appointed by the New Mexico Municipal League and of county law enforcement appointed by the Association of Counties, would report its findings and recommendations, including any recommendations for proposed legislation, to the appropriate interim legislative committee no later than November 1, 2009. The task force would consider the impact on the quality of justice and improvements in economy and efficiency that could be achieved with the use of videoconference technology; the experience of other states regarding this practice; and the types of criminal or civil proceedings in which the use of videoconference technology may be appropriate.

Passed and signed by the Officers of the House and Senate.

Cook

Revision of the Volunteer Firefighters PERA Plan

Commissioners, Fire, Managers, Treasurer

HB 353

Amends various sections of the Volunteer Firefighters Retirement Act.

Clarifies definition of member; makes changes to active and inactive member databases; reduces minimal requirements for services credit; and adds temporary survivor benefit for a minor child under 18. Allows members to post or adjust prior service credit which has been earned but not credited at any time; simplifies the documentation of qualification of each member in order to post service credit; adds a new section on retro-activity; eliminates maximum age for a volunteer non-salaried firefighter to establish first year of service credit if listed an inactive member before June 19; grants retirement benefits to non-salaried firefighter who retired before that same date.

Signed by the Governor on April 8; effective June 19.

Trujillo

Standardized Reporting from Sole Community Provider Hospitals

Health Care, Treasurer

HG 543a

Requires the Health Policy Commission to develop, implement and publish an annual standardized report, by December 1 of each year, on the Sole Community Provider (SCP) Fund, including spending and costs and report findings to the Legislative Health and Human Services Committee.

Passed the House 51-15, but died on adjournment, without a hearing, in the Senate Finance Committee.

Picraux

Local Government Road Funds
Commissioners, Managers, Road
HM 5a HJM 63

Gonzales

Language from HJM 63, stating that counties and municipalities have different and equally compelling needs to maintain and improve local roads, and amended into HM 5, which requests the Secretary of Transportation to appoint a technical committee that will continue the 2007 review (HM 35, 2007) of the state's current and future transportation needs, and identify appropriate funding strategies for a sustainable transportation system. The amendment added the New Mexico Association of Counties and the Municipal League to the technical committee.

HJM 63 was tabled in the Transportation Committee; HM 5 passed and was signed by the officers of the House.

Changing Terms for County Elected Officials
Clerks, Commissioners, Probate Judges, Sheriffs, Treasurers
SJR 2a

Campos

If approved by voters, amends Article 10, Section 2 of the New Mexico Constitution, to extend the number of terms county elected officials can serve, from two to three consecutive four-year terms. Amended in the Senate Rules Committee to revise the title of the resolution from "limiting" to "extending" terms.

Passed the Senate 32-3; died on adjournment in the House Judiciary Committee without a hearing.

2010 Legislative Priorities

Utility Right-of-Way Access Fees
CS/HB 269

Gutierrez

Provides that municipal and county franchises, and other agreements with public utilities on access to public rights of way, that were in effect as of January 1, 2010, are valid and enforceable agreements. These existing agreements provide for a payment of fees by the public utility, and may be expressed as a percentage of the public utility's revenues. Covers agreements that have continued to be honored by both the public utility and the local government, according to their terms, regardless of the expiration date of the agreements. A similar bill, SB 256, was introduced by Senator Fischmann, who carried HB 269, on final passage on the Senate floor.

Signed by the Governor on March 9; effective June 19, 2009.

Extend County Official Term Limits
SJR 5

Campos

Amends Article 10, Section 2 of the New Mexico Constitution, to allow county elected officials to serve three consecutive four-year terms instead of two.

Passed the Senate 27-14 and the House 51-10. Goes to the voters in the general election on November 2, as Constitutional Amendment 2.

Felony Arrestees in County Facilities
HJM 42

King

Directs the Administrative Office of the Courts to convene a task force and study ways to increase efficiency and reduce the burden on county detention facilities, of housing arrestees held on felony charges or for violations of parole and probation, and report to the appropriate legislative interim committee by November, 2010.

Passed three House and Senate Committees unanimously. The House Floor vote was 55-0. Died on the Senate floor, upon adjournment.