

HIGHLIGHTS

OF THE

FORTY-SEVENTH LEGISLATURE
FIRST SESSION, 2005

*New Mexico Legislative Council Service
May 2005*

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Introduction

What do you want to be a sailor for?

There are greater storms in politics than you will ever find at sea.

-David Lloyd George, British Statesman

Despite David Lloyd George's warning, legislators enjoyed relatively smooth sailing during the first session of the forty-seventh legislature. An increasingly cordial relationship with the governor, new leadership in the senate and a healthy revenue surplus helped the ship of state sail ahead in calm waters.

Major initiatives were considered and eventually approved. Additional tax cuts were enacted, financed in part by a one-year delay in the implementation of the 2003 income tax cuts. A pre-kindergarten program was approved, a higher education department was created and ignition interlock devices were mandated for all DWI offenders. The financially troubled educational retirement system was shored up, regulations for all-terrain vehicles were approved, election laws were reformed and the banking of umbilical cord blood for research was approved.

New Mexico became the first state in the nation to pay the premiums for additional life insurance for members of the New Mexico national guard.

The legislature also named the hot air balloon the official state aircraft while, coincidentally, imposing a new tax on helium and appropriating \$5 million to buy what was once a controversial new state airplane.

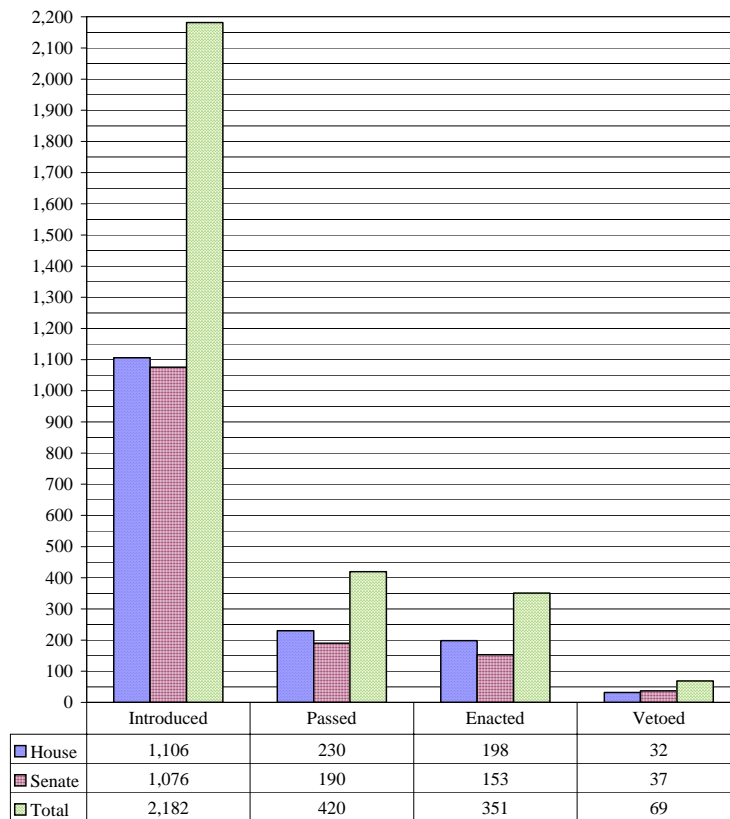
Once again, New Mexico was blessed with an encouraging revenue forecast. While other states wrestled with budget deficits and reducing expenditures, New Mexico legislators were greeted with \$284 million in additional revenue when they arrived in Santa Fe. Thanks to record oil and gas prices, budget writers were able to contemplate where to spend and were spared the unpleasant decisions of where to cut. Overall, general fund spending grew from \$4.4 billion to \$4.7 billion, a 6.5 percent increase. Spending on medicaid and public education, two major general fund consumers, increased 16 percent and 6.7 percent, respectively.

With a new president pro tempore, who was elected without the drama of past senate elections, and a new majority floor leader, the upper chamber debated the issues of the session with a renewed commitment to civility and decorum.

Many other proposals were debated at length, but failed to pass. Those included replacing the death penalty with life imprisonment, requiring parental notification prior to terminating the pregnancy of a minor, banning cockfighting, prohibiting same-sex marriage, legalizing domestic partnerships, regulating so-called "payday" loans and allowing marijuana to be used for medical purposes.

The *Highlights* is an annual publication of the legislative council service summarizing much, but not all, of the legislative action during each legislative session. The omission of certain bills or issues should not be interpreted as an indication that those bills are not important; each bill introduced and each bill that passes is important to someone. Many bills included in the *Highlights* defy single-topic categorization, so the staff has made every effort to organize and cross-reference the contents. A complete listing of bills that passed is included in the *Concordance* located in *Appendix G*.

Bill Action Summary Regular Session 2005



AGING AND LONG-TERM SERVICES

Prescription drugs and nursing home care were the primary focus this year for legislative efforts to help seniors cope with reductions in benefits and revenues.

Senate Bill 689 (Chapter 160) establishes a voluntary prescription drug discount card program for residents of New Mexico who are under 65 years of age and have no other prescription drug coverage. The program will be managed by the human services department in collaboration with the department of health and the aging and long-term services department.

Health facilities, including nursing homes, may be sanctioned up to \$5,000 for violations of state laws and rules under amendments made to the Public Health Act in **Senate Bill 445 (Chapter 53)**. In addition, license fees for health facilities will increase from \$3.00 to \$12.00 per bed; other facility fees, from \$100 to \$300 per year.

Related Bills

House Bill 318 (Chapter 243) - services for persons with brain injuries - see *Health and Public Assistance House Taxation and Revenue Committee Substitute for House Bills 410, 582, 844 and 1086 (Chapter 104)* - income tax exemption for seniors - see *Taxation*

House Bill 498 (Chapter 334) - state procurement from persons with disabilities - see *State Government House Taxation and Revenue Committee Substitute for House Bill 1102 (Chapter 267)* - income tax credit for seniors - see *Taxation*

Senate Bill 181 (Chapter 273) - educational retirement program contributions - see *Education*

Senate Bill 296 (Chapter 86) - expansion of retiree health care authority eligibility - see *Public Officers and Employees*

ANIMALS AND LIVESTOCK

Following several years of consideration and failure to pass, yet another effort to ban cockfighting in New Mexico was made and this one too failed to pass the legislature in 2005. Other measures relative to cruelty to animals and animal safety did pass, including a requirement that antifreeze manufacturers include a bittering agent in their product and a provision to regulate horse rescue organizations. One of the most heavily debated animal bills, however, was aimed at keeping the public safe from dangerous dogs.

Owners of dangerous and potentially dangerous dogs must now comply with registration and handling requirements for their dogs and can be held criminally responsible for their dogs' menacing, aggressive and harmful behavior. **Senate Bill 432 (Chapter 61)** enacts the Dangerous Dog Act, which allows an animal control authority to seize a dangerous or potentially dangerous dog and take the owner to court. The court may impose registration and handling requirements for the dog, and the owner will be subject to criminal penalties for noncompliance. If the dog seriously injures or kills a person or domestic animal, the owner may be subject to felony charges.

Public concern over the accidental poisoning of children and pets from ingestion of antifreeze was addressed by the passage of **Senate Bill 497 (Chapter 62)**. The sweet taste of antifreeze is blamed for prompting many children and pets to drink the poisonous substance. The bill attempts to rectify the problem by requiring the addition of denatonium benzoate as a bittering agent to discourage ingestion. The legislation provides misdemeanor penalties for violation of that requirement.

Licensing and inspection of horse rescue and retirement facilities is required by the provisions of **House Business and Industry Committee Substitute for House Bill 1043 (Chapter 236)**, which also requires that the New Mexico livestock board develop standards for and conduct inspections of such facilities.

The special levy assessed on livestock in a county protected under the county predator control program is increased in **House Bill 1021 (Chapter 233)** to a maximum of \$1.00 per head. Previously, the maximum levy allowed per head was \$.25.

Related Bill

House Bill 306 (Chapter 208) - New Mexico livestock board sunset removed - see *State Government*

APPROPRIATIONS AND FINANCE

Fiscal year 2004 ended with total recurring general fund revenue collections of just over \$4.3 billion, with continued strength in oil and gas prices driving collections. This performance resulted in a consensus fiscal year 2005 forecast update, issued in February 2005, that calls for nearly \$4.7 billion in recurring general fund collections for the fiscal year ending June 30, 2005. This represents an 8.9 percent growth rate. This same forecast predicts relatively flat collections for fiscal year 2006 with only a .6 percent growth rate.

However, the fiscal year 2005 forecast is based on oil selling for \$40.00 per barrel, and the fiscal year 2006 forecast is based on \$35.00 per barrel. Along with this conservative estimate for the price of oil, the forecast envisions moderate economic growth, low inflation and continued growth in employment. All things considered, the consensus forecast may be low and an upward revision could be forthcoming.

The 2005 legislative session resulted in a host of changes to the outlook for general fund, other state funds and local revenue collections (see Tables 4, 5 and 6 in *Appendix B*). Taken together, the changes result in a slight overall decline (\$1.2 million). However, the general fund is expected to gain approximately \$10.6 million compared to the February 2005 consensus forecast. Most of the change is a result of slowing the phase-in of the 2003 income tax rate reductions. From a forecast point of view, this is a revenue-positive event even though New Mexicans will still have a lower tax burden in 2006 than in the current tax year.

Appropriations

The legislature set records this year for the amount of money it appropriated for state

government budgets, special operational projects and capital outlay, spending over \$5.14 billion. In addition to the General Appropriation Act of 2005, enacted in **House Appropriations and Finance Committee Substitute for House Bills 2, 3, 4, 5, 6 and 48 (Chapter 33, p.v.)** (HB 2), there was **Senate Finance Committee Substitute for Senate Bill 190 (Chapter 34, p.v.)** (SB 190), commonly known as "HB 2 Junior", and the annual capital outlay bill, House Taxation and Revenue Committee Substitute for House Bill 885 (discussed in the *Capital Outlay* section below).

The legislature approved a spending plan for the next fiscal year in HB 2 that totals about \$4.7 billion. Highlights of the budget include:

- ◇ a 16 percent increase in medicaid spending out of the general fund over the previous year's budget, approximately \$80 million;
- ◇ a 17 percent increase in public education, \$132 million, including \$52 million to honor the legislature's commitment to funding the three-tiered career ladder for teachers; and
- ◇ a five percent increase for colleges and universities, \$33 million.

In SB 190, the legislature approved a supplemental spending plan of more than \$37 million for various projects.

The governor pocket-vetoed House Bill 404, which would have instituted a biennial budget pilot project under which various state agencies would be subject to certain statutory budget requirements on a biennial basis rather than an annual basis.

Finance

Changes in investment policies took center stage this year, as bills endorsed by the state permanent fund task force and the legislative finance committee (LFC) made their way through the legislature.

During the 2004 interim, the state permanent fund task force examined the methods by which the state's permanent funds are administered by state investment agencies, and two of the bills endorsed by the task force were enacted into law. **House Bill 388 (Chapter 239)** eliminates the requirement that an institution providing custodial services must be a third party and thus allows the state's custodial bank to perform securities lending services. The bill also permits state investment agencies to use out-of-state banks for custodial functions. **Senate Bill 61 (Chapter 318)** exempts state investment agencies, including the educational retirement board, public employees retirement association and state investment council, from the requirements of the Procurement Code with respect to obtaining investment advisory services, investment management services and investment-related services.

House Bill 389 (Chapter 240) replaces statutory investment limitations with the standards provided in the Uniform Prudent Investor Act. State funds affected by the change are the land grant permanent funds, severance tax permanent fund, retirement funds and other funds of the state

investment council. Investing agencies are required to report quarterly to the LFC and the department of finance and administration on investment performance and to report annually on changes in written investment policies.

On bonding issues, **Senate Bill 670 (Chapter 158)** allows the sale of local government general obligation bonds to the state and also allows local governments to issue short-term and variable rate demand general obligation bonds. **Senate Finance Committee Substitute for Senate Bill 52 (Chapter 58)** authorizes \$2.5 million in cigarette tax revenue bonds for capital projects determined under the provisions of the Behavioral Health Capital Funding Act.

House Bill 380 (Chapter 238) gives local governments the authority to invest in federal home loan banks.

Senate Corporations and Transportation Committee Substitute for Senate Bill 141 would have allowed the state investment council to invest the severance tax permanent fund in fine art and fine musical instrument private equity funds; however, the bill was vetoed by the governor.

New Mexico Finance Authority

House Appropriations and Finance Committee Substitute for House Bill 979 (Chapter 262) adds new material to the enabling law for the New Mexico finance authority (NMFA), creating the local transportation infrastructure fund and providing the process for the NMFA to make grants and issue bonds for local transportation projects selected by metropolitan and regional planning organizations and the secretary of transportation.

House Bill 518 (Chapter 156), which amends the Statewide Economic Development Finance Act, is the enabling legislation for the economic development exception to the antidonation clause in Article 9, Section 14 of the constitution of New Mexico. The law authorizes the NMFA to make, participate in and guarantee loans for economic development projects and to issue economic development revolving fund bonds and project revenue bonds. With the 2005 amendments, the law has two tracks for providing economic development assistance to businesses in New Mexico. One track implements the antidonation clause exception and allows the issuance of bonds or other assistance to provide land, buildings or infrastructure for facilities to support new or expanding eligible entities for which financing assistance is provided pursuant to the economic development assistance provisions of the act; this track funds "state projects" as defined in the act. The other track is for "standard projects", which means land, buildings, improvements, machinery and equipment, operating capital and other personal property for which financing assistance is provided for adequate consideration, taking into account anticipated quantifiable benefits of the standard project. The Statewide Economic Development Finance Act provides additional and alternative methods of financing authorized projects and is supplemental and additional to powers conferred in other laws.

The NMFA is authorized to make loans from the public project revolving fund for 214 specified public projects throughout the state by **House Bill 95 (Chapter 36)**. Two million dollars

from the public project revolving fund is appropriated to the drinking water state revolving loan fund by **House Bill 123 (Chapter 70)**, which will allow the release of several million dollars in federal matching funds pursuant to the federal Safe Drinking Water Act. **House Bill 304 (Chapter 180)** changes the name of the water and wastewater planning fund to the "local government planning fund" and expands the purposes for which grants are available to include development of water conservation plans, economic development plans and long-term master plans. Water and wastewater project grant fund authorizations are contained in **Senate Bill 54 (Chapter 76)**, and **House Bill 271 (Chapter 287)** authorizes loans or grants from the water project fund for 25 projects around the state.

Capital Outlay

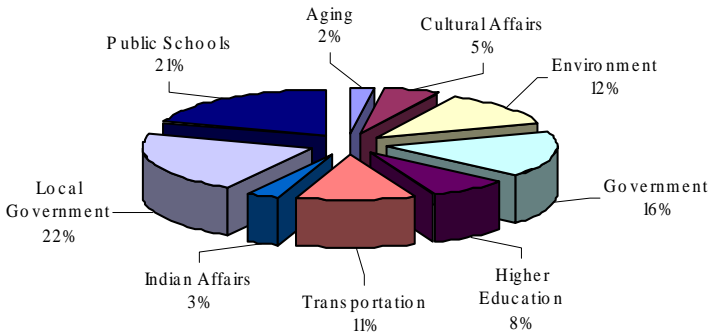
This year the state had even higher revenues from oil and gas than last year, which increased the severance tax bonding capacity once again and directly affected the funding for capital projects. During the 60-day session in 2003, the estimated severance tax bonding capacity was \$88 million; this year that capacity estimate rose to \$139 million. In addition, the estimated nonrecurring general fund capacity was approximately \$149 million.

The legislature continued to make requests for far more capital projects than could be funded with available funding. This year legislators introduced a total of 6,539 projects, for a total of \$3.6 billion. In 2003, the projects introduced totaled 4,349 at nearly \$1.4 billion.

This year's major capital outlay bill – **House Taxation and Revenue Committee Substitute for House Bill 885 (Chapter 347)** – includes appropriations from the severance tax bonding fund, the general fund and other state funds. Projects funded in the bill range from improvements at the local level to water and wastewater systems, cultural and recreational facilities, roads, schools, fair facilities, tribal projects and senior centers. Statewide projects funded in the bill include improvements at correctional, health, film, park and wildlife facilities; clean energy projects; dam renovations; converting the state's microwave radio system to digital; armory projects; telehealth initiatives; and water infrastructure projects. The bill was signed into law, with the governor vetoing only a small number of projects compared to last year.

Over \$472 million in state and local capital improvements funding is provided in the bill. Of this total amount, nearly \$238 million comes out of the general fund, \$140 million out of the severance tax bonding fund and \$10 million out of other state funds. In addition, \$85 million was appropriated in short-term severance tax bonds for public school deficiencies, the state laboratory facility for the department of health, the university of New Mexico centennial engineering building and O'Donnell hall renovations at New Mexico state university. Other state funds that were tapped for capital improvements include the employment security department fund, the game protection fund, the miners' trust fund, the public employees retirement association income fund, the state lands maintenance fund and the state road fund.

**2005 CAPITAL OUTLAY PROJECTS
HTRC/HB885 (Laws 2005, Chapter 347)**



Detailed listings of all funded capital outlay projects are available through the legislative council service.

Another bill concerning capital outlay projects, **Senate Bill 289 (Chapter 320)**, authorizes \$15 million in additional revenue bonds to be issued pursuant to the State Building Bonding Act and provides that the proceeds of the bonds, as well as the proceeds from previously authorized bonds, be used for a parking facility at the capitol complex in Santa Fe and a new state laboratory facility in

Albuquerque. The bill also authorizes \$39 million in cigarette tax revenue bonds for the state laboratory facility and three other department of health facilities. Authorizations in this bill, combined with previous appropriations and \$17 million in severance tax bonds authorized in House Bill 885, provide enough funding to complete the state laboratory facility.

Senate Finance Committee Substitute for Senate Bill 935 (Chapter 319) amends the existing authorization for cigarette tax revenue bonds for the university of New Mexico hospital and cancer research and treatment center to provide for 20-year, rather than 15-year, bonds. The bill also authorizes an additional \$15 million in revenue bonds for the hospital and cancer center.

Related Bills

House Bill 32 (Chapter 176) - Energy Efficiency and Renewable Bonding Act - see *Environment and Natural Resources*

House Energy and Natural Resources Committee Substitute for House Bill 78 (Chapter 177) - habitat management stamp - see *Environment and Natural Resources*

House Bill 122 (Chapter 101) - film production tax credits and investments - see *Taxation*

House Bill 201 (Chapter 20) - motor vehicle administrative fees - see *Motor Vehicles and Transportation*

House Bill 432 (Chapter 183) - small counties assistance fund distributions - see *Local Government*

BUSINESS, FINANCIAL INSTITUTIONS AND INSURANCE

There were a great number of bills introduced within this classification, and a significant number were passed and signed. These bills cover a wide diversity of topics, and some are discussed in other sections of the *Highlights*, as indicated by the cross references at the end of this section. Many of the bills are "housekeeping" in nature, updating and revising existing laws. One such bill revises the Uniform Commercial Code, including a revamped article concerning warehouses and commercial goods in transit; another rewrites the statute regarding the funding of real estate transactions. Areas subject to new statutory provisions include day laborers, the regulation of small business, recycling and illegal dumping and the use of credit information for insurance underwriting. The Business Development Corporation Act was repealed in favor of the Economic Development Corporation Act.

Malpractice insurance for health care practitioners was the topic of several bills and may be the subject of a task force study during the interim.

The Uniform Commercial Code was revised by **House Bill 834 (Chapter 144)** with the most extensive changes made in Article 7 concerning warehouse receipts, bills of lading and other documents of title to goods in transit. These revisions address technological advances in electronic communications and the use of computers and electronic documents of title, the backbone of the business of transporting goods in commerce. Revisions to Article 1 are technical, nonsubstantive changes intended to reflect changing business practices and development of the law in the area of commercial transactions and to clarify provisions within that article that have been found to be ambiguous. The amendments to Article 9 are technical and nonsubstantive as well, making corrections to the 2001 revision of that article.

In 2003, the legislature enacted Section 48-7-10.1 NMSA 1978 to address the problem of delays in funding real estate transactions upon closing. The law imposed obligations on closing agents and title companies rather than on lenders, however, and provided no penalties. **Senate Bill 652 (Chapter 191)** repeals that section of law and enacts new sections of the Mortgage Loan Company and Loan Broker Act that require a lender to deliver funds to the closing agent at the same time the transaction documentation is delivered for review and execution, and to authorize the release of those funds within two business days of receiving the executed transaction documents unless specific objections to the documentation are made. Lenders face suspension or revocation of a state registration or license for noncompliance with these requirements. The bill also prohibits closing agents from requiring or permitting the execution of closing documents unless the required funding has been received from the lender.

In order to help protect the viability of the small business sector of the state's economy, the Small Business Regulatory Relief Act enacted in **House Bill 869 (Chapter 244)** creates the small business regulatory advisory commission to review all proposed government agency rules that may adversely affect small businesses. The act defines a small business as one having 50 or fewer full-time employees. Agencies are required to consider alternative rules with less adverse impacts and must by 2010 and periodically thereafter review all rules to ensure the minimization of adverse effects on small businesses.

The business development corporation and related fund were established in 1983 to promote business development in New Mexico. **House Bill 1053 (Chapter 184)** repeals the Business Development Corporation Act as the corporation's functions were essentially taken over by the economic development partnership created by the Economic Development Corporation Act passed in 2003.

Senate Corporations and Transportation Committee Substitute for Senate Bill 657 (Chapter 94) provides a definition of "independent contractor" for use in the construction industries

and makes it a misdemeanor to treat or report an employee as an independent contractor unless all the terms of the definition are met. The labor department is empowered to administer and enforce the definition, while the construction industries commission may use a violation to impose sanctions against a licensee. An exception to the definition is provided for torts.

The Unfair Practices Act was initially enacted in 1967. The act permits a person to bring a lawsuit to recover damages resulting from practices prohibited by the act. **Senate Judiciary Committee Substitute for Senate Bill 118 (Chapter 187)** amends the act to require that such disputes be submitted to early mediation if requested by a party within 30 days following service of the summons and complaint on all parties.

Wineries may now ship up to 200 cases of wine to locations within the state by common carrier due to changes made to the provisions of the winegrower's license in **House Bill 425 (Chapter 216)**. The bill also allows sales of wine by the glass at off-premises wine tasting locations, as well as tasting and sales in unbroken packages, which are already allowed.

Senate Finance Committee Substitute for Senate Bill 57 (Chapter 77) eliminates the statutory limits on fees that can be charged by auctioneers.

Consumers and consumer advocate groups have objected to the use of credit report information by insurance companies to determine whether to insure applicants and to determine premiums. The Personal Insurance Credit Information Act enacted in **Senate Bill 560 (Chapter 275)** regulates the use of credit information in the underwriting, rating or renewal of personal insurance such as automobile, homeowners' and umbrella insurance.

Regulation of the so-called "payday loan" industry was a controversial topic in the session and the subject of five bills that failed to pass: House Judiciary Committee Substitute for House Bill 65, House Bill 372 and Senate Bills 200, 674 and 787. One approach was to limit the total finance charges that could be charged on a payday loan while another approach focused on capping the interest rates on the loans. As was the case in the 2003 session, advocates were unable to reach a mutually agreeable compromise, so the industry continues to be virtually unregulated in the state.

Related Bills

House Bill 9 (Chapter 3) - unemployment compensation - see *Employment and Labor*

House Bill 10 (Chapter 2) - national guard life insurance reimbursement - see *Military and Veterans' Affairs*

House Judiciary Committee Substitute for House Bill 183 (Chapter 204) - Genetic Privacy Act - see *Human and Civil Rights*

House Bill 289 (Chapter 42) - health insurance for part-time employees - see *Health and Public Assistance*

House Bill 306 (Chapter 208) - construction industries commission and manufactured housing committee sunsets removed - see *State Government*

House Judiciary Committee Substitute for House Bill 363 (Chapter 127) - use of social security numbers - see *Human and Civil Rights*

House Bill 394 (Chapter 21) - health insurance alliance expansion - see *Health and Public Assistance*

House Taxation and Revenue Committee Substitute for House Bills 410, 582, 844 and 1086 (Chapter 104) - tax credits and deductions for businesses - see *Taxation*
 House Bill 523 (Chapter 305) - small employer insurance program - see *Health and Public Assistance*
 House Judiciary Committee Substitute for House Bill 672 (Chapter 257) - Day Laborer Act - see *Employment and Labor*
 House Judiciary Committee Substitute for House Bill 1104 (Chapter 148) - state procurement of continuous insurance policies - see *State Government*
 Senate Floor Substitute for Senate Bill 142 (Chapter 171) - Recycling and Illegal Dumping Act - see *Environment and Natural Resources*
 Senate Bill 271 (Chapter 301) - small employer insurance program - see *Health and Public Assistance*
 Senate Finance Committee Substitute for Senate Corporations and Transportation Committee Substitute for Senate Bill 416 (Chapter 337) - film production tax credit - see *Taxation*
 Senate Corporations and Transportation Committee Substitute for Senate Bill 441 (Chapter 324) - auto recycler licensure - see *Motor Vehicles and Transportation*

CHILDREN, YOUTH AND FAMILIES

Ensuring the health, well-being and safety of children, youth and families was a priority for the forty-seventh legislature, as members considered bills ranging from physical safety to medical testing, and from child support to culturally appropriate adoption placements. In addition, the legislature passed an extensive revision to the primary body of law concerning children, the Children's Code.

In the summer of 2004, the children, youth and families department (CYFD) created the Children's Code revision task force to review the code and offer revisions. Committees from the task force held public hearings around the state, received input and recommendations and deliberated on proposed changes to the code. The revisions were incorporated in **Senate Bill 233 (Chapter 189)**. Changes include extensive revisions to the Family Services Act, previously the Families in Need of Services Act; the right to an attorney and the right for the attorney to attend hearings for a child who is 14 years of age or older; the requirement that a guardian ad litem must convey a child's declared position to the court; revisions addressing the rights of Indian children and tribes; procedural changes in hearings under the Abuse and Neglect Act, for termination of parental rights and for permanent guardianship; and revisions to the Adoption Act and to the release of information and records.

The Safe Haven Act, passed in 2001 to encourage mothers to leave unwanted newborns at hospitals, was amended this session in **Senate Bill 225 (Chapter 26)** to place more emphasis on procedures for Native American newborns who will become wards of the state. Hospitals are now required to provide CYFD with all available information regarding the infant and the parents and, if the infant is a member of a Native American tribe, the department will notify the tribe. The bill allows a parent of an infant left at a hospital to participate in legal proceedings regarding the child.

In order to allow CYFD to provide more services to children on a temporary and voluntary basis, **Senate Bill 242 (Chapter 82)** extends the maximum amount of time for temporary voluntary

placement of children outside the home from 90 days to 180 days, with an additional 180 days if ordered by a court. The extended time will provide for longer periods of support services without the need to file neglect petitions and involve the courts.

The legislature took a long-term approach to child development issues by creating and funding the next generation council in **Senate Bill 614 (Chapter 65)**. The council will include 10 members who are not state employees and who are knowledgeable in the area of positive child and youth development programs.

It is the responsibility of the child support enforcement division of the human services department to report to licensing authorities when a noncustodial parent is delinquent in paying child support so that professional and other licenses of the noncustodial parent can be suspended until the person pays the child support owed. Previously, the Parental Responsibility Act allowed the division to report only those cases *brought* by the department. **Senate Bill 191 (Chapter 51)** amends that act to authorize the division to report people whose child support cases are *enforced* by the department, increasing the number of delinquent noncustodial parents who might lose licenses if they do not pay the child support they owe.

Senate Bill 838 (Chapter 166) amends the New Mexico Uniform Interstate Family Support Act to include model provisions of the federal Uniform Interstate Family Support Act adopted in 2001.

Senate Bill 91 (Chapter 271) requires fingerprinting and national criminal background checks of CYFD employees whose work includes direct contact with clients.

Legislators continued to grapple with the monumental issues of defining and regulating family relationships in an era of change, but failed to fundamentally alter the legal bounds of domestic relationships. The principle that marriage is the union of one man and one woman was put forward in House Bill 445 and Senate Bill 597, and Senate Joint Resolution 18 proposed to codify this definition of marriage in the state's constitution. Civil recognition of domestic partnerships of either gender was introduced as Senate Bill 576; related measures authorized insurance companies to offer benefits for domestic partners in House Bill 86 and amended the Retiree Health Care Act to include domestic partners in Senate Bill 340. A bill defining paternity and maternity rights after assisted reproduction was introduced as Senate Bill 1057. All failed.

Related Bills

House Bill 180 (Chapter 45) - immunization registry - see *Health and Public Assistance*

House Judiciary Committee Substitute for House Bill 337 (Chapter 170) - Pre-Kindergarten Act - see *Education*

House Bill 440 (Chapter 281) - domestic abuse documentation by medical personnel - see *Criminal Law and Public Safety*

Senate Judiciary Committee Substitute for Senate Bill 166 (Chapter 59) - child abuse resulting in death - see *Criminal Law and Public Safety*

Senate Public Affairs Committee Substitute for Senate Bill 214 (Chapter 188) - culturally competent placements for Native American children - see *Indian and Intergovernmental Affairs*
 Senate Bill 310 (Chapter 87) - kids in parks program tax refund donations - see *Taxation*
 Senate Bill 415 (Chapter 295) - child solicitation by computer - see *Criminal Law and Public Safety*
 Senate Bill 435 (Chapter 64) - children's cabinet - see *State Government*
 Senate Judiciary Committee Substitute for Senate Bill 447 (Chapter 30) - domestic violence special commissioners - see *Criminal Law and Public Safety*
 Senate Bill 497 (Chapter 62) - antifreeze bittering agent - see *Animals and Livestock*
 Senate Bill 586 (Chapter 298) - booster seats for children - see *Motor Vehicles and Transportation*
 Senate Bill 605 (Chapter 43) - Umbilical Cord Blood Banking Act - see *Health and Public Assistance*

CONSTITUTIONAL AMENDMENTS

Two constitutional amendments were approved during this session by the legislature for voter consideration, both focusing on property ownership and both to appear on the ballot in the general election in November 2006.

There was a renewed effort to repeal an ineffective constitutional provision that prohibits ownership of real property by persons ineligible for citizenship. Similar to Constitutional Amendment 4, defeated by the electorate in the November 2004 general election, **Senate Joint Resolution 10 (CA 1)** also proposes to repeal Article 2, Section 22, which prohibits a person who is ineligible for citizenship, or a corporation, co-partnership or association owned by such a person, from acquiring any interest in real property in New Mexico unless otherwise provided by law.

House Joint Resolution 9 (CA 2) proposes an amendment that would allow the state or school districts, including charter schools, to enter into lease agreements for real property with an option to purchase for a price that is reduced according to the lease payments made, as long as the state or school district has no legal obligation to continue the lease from year to year. The provision would change the effect of a 1989 court decision that ruled that such agreements, even though they created a moral obligation rather than a legal obligation, were nonetheless debts that had to be submitted to the voters for approval.

COURTS AND SETTLEMENTS

The legislature took action this year to relieve some of the increasing burden on the state's judicial system by adding judges in several districts and by distributing the responsibility for jury duty across a larger pool of the state's residents. It also passed measures addressing the needs of crime victims, giving them a voice in court proceedings and making it easier for them to obtain restitution, as well as the needs of injured parties participating in structured settlement agreements.

House Bill 901 (Chapter 284) creates additional judgeships in the second, ninth and eleventh judicial districts; two additional judgeships in the Bernalillo county metropolitan court; and

additional magistrates in San Juan, Sandoval and Santa Fe counties. A six-member judicial compensation commission is created in **Senate Bill 263 (Chapter 85)** to recommend salaries for state judges and justices.

Senate Judiciary Committee Substitute for Senate Bills 240 and 461 (Chapter 107) expands the pool of New Mexicans from which juries are selected; in addition to registered voters and holders of driver's licenses, personal income tax filers may now be called for jury duty. The bill allows for postponements and rescheduling of jury duty, excusals for extreme physical or financial hardship and considerations of necessity for business and commercial enterprises. Employers are prohibited from requiring workers to use vacation or sick leave for jury duty, and convicted felons are no longer disqualified from serving on juries.

Crime victims now have an opportunity to make a statement at any court proceeding related to the criminal offense. **House Bill 692 (Chapter 283)** requires a district attorney to notify the victim of all scheduled court proceedings and if the victim has not been notified, a court may reschedule the proceeding or reserve ruling until the victim has been given an opportunity to make a statement. Victims can also collect court-ordered restitution without having to file a separate civil suit under **House Bill 555 (Chapter 282)**.

In the context of claims for personal injuries under tort law or workers' compensation, the involved parties may reach a "structured" settlement for the payment of money to the injured party over a period of time. Sometimes the person receiving payments under the settlement agreement seeks to exchange the right to receive future payments in return for the payment of one lump sum. **House Bill 495 (Chapter 135)** enacts the Structured Settlement Protection Act to protect the injured party from being taken advantage of when making such an exchange. The act requires disclosure to the injured party of detailed information regarding the specifics of the proposed exchange. The act also makes such an exchange ineffective unless a court has found that the exchange is in the best interests of the injured party and that party's dependents, the injured party has been advised to seek independent professional advice regarding the exchange and has either done so or knowingly waived the advice in writing, and the exchange is not contrary to any statute or order of a court or other governmental authority.

Related Bills

House Bill 255 (Chapter 327) - imitation legal documents - see *Criminal Law and Public Safety*

House Bill 254 (Chapter 309) - human rights appeals - see *Human and Civil Rights*

Senate Bill 174 (Chapter 311) - human rights appeals - see *Human and Civil Rights*

CRIMINAL LAW AND PUBLIC SAFETY

The legislature addressed and passed a variety of bills relating to the criminal justice system, with bills ranging from law enforcement procedures to date rape drugs to domestic violence. New

crimes were created and penalties increased on others. Several bills dealing with the crime of identity theft were introduced and one passed. The issue of whether ignition interlock devices can help solve the problem of driving under the influence of intoxicating liquor or drugs (DWI) was debated and two bills, requiring ignition interlock for all offenders, passed. Sex offender registration and notification laws were expanded as were concealed handgun laws. A bill to repeal the death penalty and replace it with life imprisonment without the possibility of parole gained momentum this session and went further than in any other year. The bill passed the house but died in a senate committee, its last stop before the senate floor.

Ignition interlock devices are now mandated for specific periods of time on vehicles driven by a person convicted of DWI. Two similar bills, **House Judiciary Committee Substitute for House Bills 282, 494 and 506 (Chapter 241)** and **Senate Judiciary Committee Substitute for Senate Bills 109, 187 and 603 (Chapter 269)**, require a DWI offender to obtain an ignition interlock license and have an ignition interlock device installed on all vehicles driven by the offender. For a first DWI conviction, the ignition interlock is required for one year; a second conviction requires interlock devices to be used for two years and a third offense for three years. Fourth and subsequent convictions result in lifetime license revocation and required use of the interlock device, with an opportunity every five years to request a court to have the device removed and the person's license restored. Attending a driver rehabilitation program will no longer prevent a one-year license revocation after conviction for first offenders and the option of a limited license is no longer available. In addition, the senate bill increases the administrative license revocation periods from 90 days to six months for first offenders and from six months to one year for offenders under 21 years of age; requires community service; and amends procedural matters relating to DWI arrests and the interlock device fund. The definition of "interlock device" is expanded in **Senate Bill 516 (Chapter 268)** to include emerging technologies.

Sex offender registration and notification laws are expanded in **House Judiciary Committee Substitute for House Bill 165 (Chapter 279)**. Youthful offenders under the age of 18 will now be subject to registration requirements, and three additional sex crimes have been added to the 10-year registration requirement. A DNA sample is now required upon registration and some sex offenders, previously required to register annually for 20 years, are now required to register every 90 days for life. A sex offender must now disclose his status to his employer or supervisor, to the registrar of an institution of higher education and to the principal of a school if the offender is employed, provides a service or is enrolled as a student. Increased penalties are imposed for offenders who fail to comply with registration requirements.

Concealed handgun carry laws are expanded in **House Judiciary Committee Substitute for House Bill 641 (Chapter 242)** to include lowering the age limit for obtaining a concealed handgun license from 25 to 21 years. Licenses and renewals will now be issued for four years instead of two,

with a refresher firearms training course required two years after issuance. Smaller caliber handguns may be carried under the same license as long as only one concealed handgun is carried at any given time. A lost or stolen license must be reported to a law enforcement agency. The department of public safety will establish rules for the reciprocity and recognition of concealed handgun licenses issued by other states.

It is now a felony under state law to possess or to distribute to a person without the person's knowledge and consent certain drugs commonly known as "date rape" drugs: gamma hydroxybutyric acid (GHB) and flunitrazepam (Rohypnol or "roofies"). Possession of these drugs under previous law was a misdemeanor; with the passage of **House Bill 713 (Chapter 280)**, possession of the drugs constitutes a fourth degree felony, while distribution of the drugs without a person's knowledge and with the intent to commit a crime, including criminal sexual penetration, constitutes a third or second degree felony. The bill also explicitly authorizes the board of pharmacy to add by rule additional drugs to the schedules of controlled substances.

In response to recent incidents of fatal child abuse, the legislature passed **Senate Judiciary Committee Substitute for Senate Bill 166 (Chapter 59)** to increase the punishment for intentional abuse of a child under 12 years of age that results in the death of the child. The previous basic sentence of 18 years' imprisonment is now increased to life imprisonment.

The legislature eliminated the criminal offenses of dissemination of material that is harmful to a minor by computer and child luring and created the new criminal offense of child solicitation by computer. **Senate Bill 415 (Chapter 295)** provides that a person who solicits by computer a child under 16 to commit sexual acts is guilty of second degree felony if the person is at least three years older than the child. The bill also states that the crime is committed even if the intended victim is an undercover peace officer posing online as a child under 16.

The legislature passed two bills concerning domestic violence. **House Bill 440 (Chapter 281)** requires certain medical personnel to document reported or suspected domestic abuse of a patient when interviewing, examining or treating that patient. The bill mandates that medical personnel include the documentation in the patient's file and provide the patient with information and referral to services for victims of domestic abuse. **Senate Judiciary Committee Substitute for Senate Bill 447 (Chapter 30)** amends the Family Violence Protection Act to create domestic violence special commissioners whose duties are primarily to review petitions for orders of protection, conduct hearings on the merits of such petitions and make recommendations to the district court. The bill establishes minimum qualifications for the commissioners who serve at the pleasure of the chief judge of the judicial district to which the commissioners are assigned.

To deal with the rapidly growing crime of identity theft, **Senate Bill 720 (Chapter 296)** creates the new criminal offense of obtaining identity by electronic fraud. Commonly known as "phishing", the crime of obtaining identity by electronic fraud is defined as using email, a web site or

other electronic communication to obtain the personal identifying information of another person by false pretenses. The bill also increases the penalty for theft of identity to a fourth degree felony.

Statutory provisions regarding procedures for consideration of DNA evidence after a conviction were due to sunset in July 2006. With the passage of **Senate Bill 241 (Chapter 28)**, the sunset is repealed and current procedures will continue to be followed.

House Bill 250 (Chapter 248) tightens the threshold for fourth degree felony violations of the Unauthorized Recording Act by eliminating the 180-day period in which separate sound or audiovisual recordings are made and reducing the number of occurrences from 100 to seven.

Issuing or delivering a document that imitates a civil or criminal legal process, such as a false summons, complaint, pleading, warrant or subpoena, is now punishable as a misdemeanor under **House Bill 255 (Chapter 327)**.

When reasonably able to do so, state and local law enforcement officers are now required to electronically record custodial interrogations when a person is suspected of committing a felony.

House Judiciary Committee Substitute for House Bill 382 (Chapter 252) mandates that custodial interrogations be electronically recorded by audio or visual media unless the officer has good cause not to record the entire interrogation. In those cases, the officer must make a contemporaneous written or electronic record of the reasons for not making the recording.

In an effort to encourage illegal immigrants to report crime and cooperate with law enforcement, the legislature passed Senate Bill 103 to prevent state and local law enforcement agencies from enforcing federal immigration laws; however, the measure was vetoed by the governor.

Related Bills

House Bill 64 (Chapter 116) - felons' voting requirements and rights - see *Elections*

House Judiciary Committee Substitute for House Bill 66 (Chapter 198) - Detoxification Reform Act - see *Health and Public Assistance*

House Bill 254 (Chapter 309) - human rights appeals - see *Human and Civil Rights*

House Bill 275 (Chapter 249) - School Alcohol-Free Zone Act - see *Education*

House Bill 306 (Chapter 208) - crime victims reparation commission sunset removed - see *State Government*

House Bill 555 (Chapter 282) - crime victim restitution - see *Courts and Settlements*

House Consumer and Public Affairs Committee Substitute for House Bill 627 (Chapter 226) - caregiver criminal history - see *Health and Public Assistance*

House Bill 692 (Chapter 283) - crime victims' statements in court - see *Courts and Settlements*

House Business and Industry Committee Substitute for House Bill 835 (Chapter 259) - bail bondsmen licensing - see *Professional and Occupational Licensure*

Senate Bill 91 (Chapter 271) - background checks for CYFD employees - see *Children, Youth and Families*

Senate Bill 174 (Chapter 311) - human rights appeals - see *Human and Civil Rights*

Senate Bill 233 (Chapter 189) - Children's Code revisions - see *Children, Youth and Families*

Senate Bill 258 (Chapter 83) - legal education loan repayment program - see *Education*

Senate Bill 432 (Chapter 61) - Dangerous Dog Act - see *Animals and Livestock*

Senate Bill 747 (Chapter 162) - public safety officer education scholarships at New Mexico military institute - see *Education*

Senate Bill 748 (Chapter 163) - corrections education scholarships at New Mexico military institute - see *Education*

CULTURAL AFFAIRS

There were numerous measures to expand cultural programs statewide, increase museum and other cultural boards and fund local cultural initiatives.

The museum collection fund, created in **House Bill 148 (Chapter 121)**, provides that money from the sale of any part of a museum's collection will be deposited in the fund for use by that museum to fund new acquisitions. To comply with national museum ethical guidelines, each museum may have a subaccount in the museum collections fund into which the proceeds of the deaccessioning of its collection items and income from investment of the proceeds are credited and out of which the museum may expend money for the sole purpose of acquiring objects for that museum's collection. A related bill, **Senate Finance Committee Substitute for Senate Bill 905 (Chapter 277)**, creates the state museums improvements and exhibits fund and earmarks 15 percent of state museum admission fees and facilities rentals for the fund. The fund will be used for the development, implementation and maintenance of exhibitions and facilities. Revenues earned by a specific division shall be expended by that division. The law has a delayed effective date of July 1, 2006.

Senate Bill 134 (Chapter 50) increases the membership of the cultural properties review committee from seven to nine so that one member represents a New Mexico Indian tribe and one the general public. **House Bill 149 (Chapter 71)** increases the museum board of regents from seven to nine members.

House Bill 59 (Chapter 44) creates the New Mexico coin commission to assist in the selection of designs for the New Mexico state quarter for the fifty states' commemorative coin program. The commission is funded in the general appropriation act at \$60,000.

Related Bill

House Bill 336 (Chapter 212) - quality of life gross receipts tax - see *Taxation*

ECONOMIC DEVELOPMENT

Some observers have long argued that the best possible economic development policy for the state is to reduce taxes and government regulation. Many tax reduction measures were introduced during the session and are summarized in the *Taxation* section. Direct economic development actions taken by the legislature center on the state's growing film industry and on the amount of the severance tax permanent fund available for the small business investment corporation.

In order to allow the small business investment corporation to continue its efforts to fulfill its statutory duty for economic development in the state, **House Bill 466 (Chapter 63)** increases the investment commitment of the severance tax permanent fund to the corporation from .5 percent to .75 percent of the fund's market value.

In addition to several tax-related incentives aimed at promoting economic development in the film industry, the legislature passed **House Bill 517 (Chapter 102)**, which provides for a preemployment training program for film and multimedia production companies. The program is charged with producing qualified human resources in the film and multimedia industry. The legislation provides for up to two-thirds of development training funds to be expended in urban communities and the remainder in nonurban communities. Provisions are also made for administration of the preemployment training program.

Senate Bill 916 (Chapter 106) increases the amount that the state investment council is allowed to invest in New Mexico film private equity funds or a New Mexico film project from 2.5 percent to five percent of the market value of the severance tax permanent fund. The bill also increases that maximum dollar amount that can be invested in any one New Mexico film private equity fund or any one New Mexico film project from \$7.5 million to \$15 million.

Related Bills

House Taxation and Revenue Committee Substitute for House Bills 410, 582, 844 and 1086 (Chapter 104) - tax credits and deductions for businesses - see *Taxation*

House Bill 518 (Chapter 156) - Statewide Economic Development Finance Act amendments - see *Appropriations and Finance*

Senate Finance Committee Substitute for Senate Corporations and Transportation Committee Substitute for Senate Bill 416 (Chapter 337) - film production tax credit - see *Taxation*

EDUCATION

As usual, education was a hot topic for the legislature during this session. The most contentious debate concerned how to save the educational retirement fund, but there was also heated debate over the creation of a higher education department, changes to the lottery scholarship program, whether the state should embark on a concerted effort to provide pre-kindergarten services and whether local school boards or school superintendents should have the power to terminate and discharge public school employees.

There were 16 bills introduced that would affect the lottery scholarship program, most of them to change eligibility to include groups who currently are not eligible for lottery scholarships, such as students who attend private or Native American schools. In the end, the legislature settled on a joint memorial requesting the New Mexico legislative council to name a lottery scholarship study committee to study the issue during the interim.

The financial condition of the educational retirement fund was a big issue this year. The fund has lost significant value over the last several years, and contributions are inadequate to fund current and future needs. There were several measures introduced to increase employer and employee contributions, to eliminate or revise the return-to-work provision, to increase the board membership and to provide for an in-depth study of investment practices. After a long debate on the floor, the senate voted to concur with house amendments to **Senate Bill 181 (Chapter 273)**, which addresses the need for additional funding for the educational retirement program. The bill increases the employer contribution rate to the educational retirement fund by 0.75 percentage points per year for seven years; thereafter, the rate will remain at 13.9 percent. The bill also increases the employee contribution to the fund by .075 percentage points per year for four years; thereafter, the rate will remain at 7.9 percent.

There were also joint memorials that passed calling for studies of the educational retirement system and requiring yearly reports to the legislature on the condition of the educational retirement fund.

Public Schools

Education reform continues to be very important to the legislature, and **House Education Committee Substitute for House Bill 84 (Chapter 315)** is this year's extension of the changes made in the 2003 education reform bill. The bill:

- ◇ clarifies the definition of "teacher" to include teachers who do things besides teach in classrooms, including teachers who develop curriculum, provide peer intervention or mentoring or serve as resource teachers for teachers;
- ◇ allows for five-year level 1 teaching licenses, with a minimum three years at that level;
- ◇ allows level 3-A teachers who do not meet essential competencies to have additional professional development and peer intervention for a year before they are removed from the classroom;
- ◇ removes the testing requirement for kindergarten through grade three, which change matches the No Child Left Behind Act requirement; and
- ◇ requires that physical education and health education that meet academic content and performance standards be provided in all grades, including requiring both courses in grades four through eight, requiring health education in grades nine through 12 and requiring one unit of physical education for graduation.

The provision that allows for a five-year level 1 license is duplicated in **Senate Bill 662 (Chapter 316)**. Another related bill, **House Bill 139 (Chapter 314)**, requires one-half unit of New Mexico history for graduation.

The Pre-Kindergarten Act, **House Judiciary Committee Substitute for House Bill 337 (Chapter 170)**, went through multiple incarnations. As passed, the bill provides the framework for an

early childhood program that is voluntary for providers and parents. Pre-kindergarten will serve four-year-old children through public schools or licensed daycare programs in communities with the highest percentage of public elementary schools designated as federal Title 1 schools – those with the highest percentage of students not meeting the proficiency component required for calculating adequate yearly progress. The program will be administered by the public education department for public schools that are interested in providing pre-kindergarten services and by the children, youth and families department for all other providers that want to participate. The departments shall implement the legislation within the constitutional limitations of the establishment clause and Article 12, Section 3 of the state's constitution. The program was funded in the general appropriation act and in SB 190 at a total of \$5 million.

The need for better nutrition and physical education in public schools resulted in several bills being introduced, but most did not pass. Duplicate bills creating a nutrition council died late in the session in committee. One bill that survived, **Senate Public Affairs Committee Substitute for House Bill 61 (Chapter 115)**, provides for the adoption of nutrition rules by December 31, 2005 governing foods and beverages sold outside of federal department of agriculture school meal programs. The rules will address nutrition standards, portion sizes and times when students may have access to food outside the lunch program, but will not prohibit or limit the sale or distribution of foods and beverages for sale off the school campus for school fundraisers. The public education department will get assistance from the department of health and representatives of parents, students, the food and beverage industry and others. The legislature provided \$500,000 for obesity programs in the schools in SB 190.

The legislature approved an overhaul of the 1999 Charter Schools Act in **House Education Committee Substitute for House Bill 510 (Chapter 221)**. Changes include those originally proposed by the public school capital outlay task force, including that:

- ◇ current schools are eligible for funding necessary to meet statewide adequacy standards;
- ◇ a school approved after July 1, 2005 must meet educational occupancy standards;
- ◇ a school approved after July 1, 2010 must be housed in a public building or have a lease that requires the facility owner to maintain the facility to statewide adequacy standards at no additional cost to the charter school or the state; and
- ◇ school districts must offer available facilities to charter schools in their districts.

The bill also clarifies that school districts must include charter schools in their master plans.

The house education committee could not resolve the impasse between education reformists and local school boards on the issue of who should have the power to terminate and discharge public school employees. The vetoed 2001 education reform bill had as a basic tenet the need for governance changes at the state and local levels, which included making local superintendents the chief executive officers of school districts and thereby responsible for the hiring and firing of staff.

When an education reform measure passed in 2003, the bill eliminated the power of local school boards to hire and fire and gave that power to superintendents, but the bill did not clean up the termination and discharge statutes. This year's bill sought to correct that conflict, but there was opposition to the clean-up from unions and local school boards. Finally, in a compromise that allowed the other changes in the bill to move through the process, the committee stripped the controversial sections from the bill and passed a memorial requesting the legislative education study committee to study the issue in the interim.

House Education Committee Substitute for House Bill 176 (Chapter 328) makes the public education commission the governing authority and sole state agency for the administration or supervision of the administration of the state plan relating to vocational education and vocational rehabilitation, a role held in the past by the former state board of education.

In 2004, the legislature passed the Public Education Department Act, which is the enabling legislation for the constitutional provision that creates the department. That act, compiled as Chapter 9, Article 24 NMSA 1978, gave the secretary a year to determine the department's organizational structure, and this year the legislature enacted that structure in **House Bill 218 (Chapter 286)** delineating the statutory divisions within the department.

House Bill 511 (Chapter 222) requires the education technology bureau of the public education department to develop minimum educational technology standards for all public schools and sets out a process to identify and correct deficiencies from the standards. The bureau is to prepare a report by December 1, 2005 summarizing the standards and deficiencies and estimating the amount of money required to correct the deficiencies. The bill creates a fund to be used to correct the deficiencies but does not appropriate money for the fund pending completion of the assessment of the deficiencies.

Truancy is a continual problem in many school districts and the legislature made changes to the Compulsory School Attendance Law last year to require early identification of truants and intervention by school districts to curb truancy and to eliminate the use of out-of-school suspensions and expulsions as punishments for truancy. However, there remained anecdotal information that some school districts disenroll truants through provisions in the Public School Finance Act rather than deal with them. The definition of membership (MEM) in that act provides that the current roll of a class or school on a specified day is determined by the addition of original entries and reentries minus withdrawals, including students absent from the school for as many as 10 consecutive school days. **House Bill 955 (Chapter 260)** clarifies the definition of MEM by specifying that withdrawals do not include truants and habitual truants the school district is required to intervene with and keep in an educational setting. In addition, each school district is required to maintain an attendance policy that uses withdrawal only after exhausting efforts to keep students in educational settings. Districts are required to document their efforts to keep truants and habitual truants in school. This measure to

keep children in school will work in concert with the change to MEM calculation in House Education Committee Substitute for House Bill 1091, discussed in the *Public School Finance* section below.

The legislature approved **House Education Committee Substitute for House Bill 1101 (Chapter 292)** to allow school districts to become charter school districts. This bill replaces the former law, sunsetting this year, that allowed only one small, one medium and one large school district to be charter school districts.

Senate Bill 69 (Chapter 78) requires that honors or similar academically rigorous classes in mathematics and language arts be provided in each high school beginning with the 2006-2007 school year.

Senate Bill 128 (Chapter 80) amends the Instructional Material Law to:

- ◇ expand the definition of instructional material;
- ◇ provide for a summer review institute at which basal materials in the content area under adoption will be reviewed by reviewers of record and scored and ranked primarily against how well they align with state academic content and performance standards;
- ◇ provide for stipends to be paid to reviewers;
- ◇ create the instructional material adoption fund and charge fees to publishers to review their instructional materials;
- ◇ change the allocation date from July 1 to April 1 and allow a local superintendent to apply for a waiver of the use of allocated funds;
- ◇ provide for direct payment to publishers and depositories on behalf of private schools;
- ◇ allow retention of unexpended balances of instructional materials allocations to school districts, state institutions and adult basic education centers for expenditure in subsequent years; and
- ◇ require additional information on annual reports.

Senate Bill 138 (Chapter 300) allows school districts and charter schools to create core curriculum frameworks to provide high-quality curricula in kindergarten through grade six to prepare students for pre-advanced placement and advanced placement coursework in grades seven through 12. Frameworks must be aligned with state academic content and performance standards. The law allows grants to be made to school districts and charter schools that choose to implement core curriculum frameworks. HB 2 provided \$250,000 for the measure.

A few years ago, the legislature passed a law to grant high school diplomas to World War II veterans who left high school to enlist. This year, the legislature passed **Senate Bill 198 (Chapter 11)**, a similar measure for Korean conflict veterans.

Senate Bill 275 (Chapter 60) allows students to carry and self-administer asthma and emergency anaphylaxis medications that have been lawfully prescribed.

The School Alcohol-Free Zone Act, enacted by **House Bill 275 (Chapter 249)**, makes it unlawful to possess or consume alcohol on public school grounds.

Public School Finance

The legislature has tried since the public education reform efforts of 2000 to fund a public school funding formula study. This year, the legislature passed and the governor signed **Senate Bill 125 (Chapter 49)**, which provides for the appointment of a funding formula study task force made up of six legislators, three members appointed by the governor, three school superintendents appointed by the New Mexico legislative council and the president of the New Mexico school board association or the president's designee. Staff for the task force will be provided by the three permanent legislative committee staffs, the public education department and the office of education accountability. The task force will develop a request for proposals for a comprehensive study of the public school funding formula, including a revised training and experience index aligned to the three-tiered licensure system for teachers; size factors associated with small schools and school districts; and any other factor with the potential to affect the equity and efficacy of the funding formula. The study was funded at \$200,000 in the general appropriation act from the "education reform lockbox", a separate account of the appropriation contingency fund; however, the appropriation was vetoed.

In **House Education Committee Substitute for House Bill 1091 (Chapter 291)**, the legislature has removed the requirement that a certain portion of local and federal revenue be used for capital outlay and changed the days on which funding is calculated to the eightieth and one hundred twentieth days. Proponents hope that using the later days will encourage schools to keep students in school.

Senate Bill 789 (Chapter 97) allows charter school students to participate in certain extracurricular activities and provides for the calculation of program units to support the cost. A charter school student may participate in the extracurricular activities offered by the public school in the attendance zone in which the student lives.

House Bill 249 (Chapter 206) includes national board for professional teaching standards certification in the program cost calculation.

The New Mexico government education fund was created by **House Bill 268 (Chapter 207)** to consist of appropriations, gifts, grants and donations and to be used to contract for annual week-long high school civics courses for boys and girls to be held at various colleges and universities. The fund received a \$50,000 appropriation in SB 190.

Post-Secondary Education

The most significant higher education bill of the session was **House Education Committee Substitute for House Bill 745 (Chapter 289)**, which creates the higher education department as a cabinet-level department of state government and replaces the commission on higher education with an advisory board. The bill was heavily amended during its passage as the legislature sought to ensure

consolidation of the state's post-secondary efforts while operating within the constitutional confines that grant control over the institutions to their respective boards of regents. The new secretary of higher education will be appointed by the governor.

Articulation between the two- and four-year schools has been a concern of the legislature since the appointment of the higher education study committee in 1985 and 1986. The legislature passed the Post-Secondary Education Articulation Act in 1995. This year, **Senate Bill 161 (Chapter 272)** amends that act to require a common course name and numbering system for lower-division courses in all public post-secondary educational institutions and to require that the four-year schools accept student credits for the general education core and other discipline modules. In addition to the statutory direction that the commission on higher education, now the higher education department, penalize four-year schools for refusing credits by recommending a reduction in legislative funding — a provision that has not, apparently, been implemented by the commission — the new law requires that a receiving institution reimburse a student the complete cost of each course the student was required to repeat if the student's articulation complaint is upheld by the commission.

Senate Bill 482 (Chapter 155) changes the definition of "resident student" for tuition payments and budget and revenue calculations to include a member of an Indian nation, tribe or pueblo located wholly or partially in New Mexico, regardless of residence of the member prior to acceptance at a post-secondary educational institution enumerated in Article 12, Section 11 of the constitution of New Mexico. The provision applies to undergraduate and post-graduate enrollment. In a related measure, **Senate Bill 921 (Chapter 168)** grants in-state tuition and fees to armed forces and national guard members and their families.

A fairly controversial measure, **Senate Bill 582 (Chapter 348)**, provides that a public post-secondary educational institution shall not deny admission to a student on the basis of the student's immigration status and that state financial aid shall be available to all persons who attended a New Mexico high school for at least one year and either graduated or received a GED in New Mexico. The controversy arises over whether the bill violates current federal law that prohibits granting financial aid and in-state tuition at post-secondary educational institutions to non-citizens who are in the United States without proper documentation and have not complied with immigration and naturalization service regulations.

The legislature began a process last year that paves the way for northern New Mexico community college to become a four-year college by allowing it to offer a bachelor's degree in education. This year, the legislature approved "northern New Mexico college" as the institution's new statutory name by the duplicate enactment of **House Bill 461 (Chapter 308)** and **Senate Bill 594 (Chapter 304)**. The legislature also passed **Senate Education Committee Substitute for Senate Bill 884 (Chapter 193)** to change the name of the Luna vocational-technical institute to "Luna community college" and the name of Mesa technical college to "Mesalands community college". In addition, the

legislature passed **Senate Bill 626 (Chapter 32)**, which amends current statute to allow the board of a vocational technical institute to change the institute's name.

House Bill 693 (Chapter 47) amends the procedures for creating a technical and vocational institute district to provide for an election to include within a technical and vocational institute district a portion of a school district not previously included.

House Bill 405 (Chapter 40) provides for the conversion of the eastern New Mexico university off-campus instruction program in Ruidoso into a branch college of eastern New Mexico university.

Nonregionally accredited colleges and universities are now required to be licensed and regulated after passage of **House Bill 541 (Chapter 223)**, which amends the Post-Secondary Educational Institution Act.

House Bill 774 (Chapter 323) changes most of the college loan-for-service programs' interest charge calculations, most notably by removing the requirement that accrued interest be capitalized immediately upon completion or termination of the student's education. A loan will not accrue interest until the higher education department determines that the loan recipient has terminated education prior to graduation or has failed to fulfill a service obligation, or until cancellation of a contract between the student and department.

The Teacher Loan for Service Act is amended by **House Bill 173 (Chapter 202)** to allow the costs of two-year post-secondary education in an education transfer module to qualify for loans. The general appropriation act included funding for teacher loans for service at \$186,500.

The legislature established a legal education loan repayment assistance program for attorneys who practice in certain public service employment areas in New Mexico that have difficulty recruiting and retaining qualified attorneys due to current entry-level salaries. **Senate Bill 258 (Chapter 83)** allows attorneys licensed in New Mexico who practice with a tax-exempt civil legal service organization that provides civil legal services to indigent persons, the public defender department or a district attorney's office to apply for loan repayment assistance.

The legislature passed and the governor signed the College Affordability Act, **Senate Bill 669 (Chapter 192)**, which provides for scholarships for needy New Mexico resident students as part of the administration's move to increase the availability of needs-based, rather than merit-based, state financial aid. The bill creates an endowment fund and an expenditure fund, though appropriations to those funds were amended out of the final version.

In addition to receiving \$225,000 in SB 190 for the Richard T. Knowles legislative scholarship program, the New Mexico military institute was the subject of three substantive bills. **Senate Bill 746 (Chapter 161)** allows the institute to transfer up to \$500,000 of its budget balances to the legislative scholarship fund. **Senate Bill 747 (Chapter 162)** and **Senate Bill 748 (Chapter 163)** allow for public safety officer education and corrections education scholarships at the institute. The

institute may enter into agreements with the department of public safety and the corrections department, respectively, and the departments may transfer funds for scholarships to the institute.

House Bill 509 (Chapter 136) creates a nurse educators fund to finance bachelor, master and doctoral nursing education loans for college and university-employed nursing educators who wish to continue their education.

Senate Bill 169 (Chapter 81) creates the Technology Research Collaborative, with the New Mexico institute of mining and technology acting as its fiscal agent. Members of the collaborative include the national laboratories located in New Mexico, the state's major research institutes and all post-secondary institutions. The purposes of the collaborative are to establish advanced technology centers, commercialize new intellectual property, encourage opportunities for new technology businesses and create a work force to support new enterprises based on intellectual property. The work of the collaborative will be administered by a board whose members will serve two-year terms at the pleasure of the governor. The collaborative will employ a director and staff.

Public School Capital Outlay

Senate Finance Committee Substitute for Senate Bill 455 (Chapter 274) is the omnibus public school capital outlay bill recommended by the public school capital outlay task force. The bill addresses issues raised during the evaluation of the program's pilot year of operation under the new standards-based program, including funding assistance for charter schools; roof repairs, including creation of a two-year roof repair and replacement initiative; education technology and the education technology offset; ongoing maintenance; building code compliance; inspection costs for the state fire marshal, construction industries division and local governments; and the public school facilities authority. The bill creates the public school capital outlay task force as a permanent legislative interim oversight task force. The task force is directed to appoint an advisory committee to look at ways to facilitate the interaction between charter schools and their school districts on issues relating to facility needs. The law authorizes the development of a uniform, statewide, web-based facility information management system to provide a centralized database of maintenance activities and comprehensive maintenance request and expenditure information and appropriates \$1.5 million from the public school capital outlay fund to implement the system. It also facilitates the training of facilities maintenance and management personnel and requires each school district to develop and implement preventive maintenance plans and to participate in the system. The bill increases the state SB 9 guarantee amount from \$50.00 per mill per unit to \$60.00 beginning in fiscal year 2006 and authorizes the use of SB 9 funds to meet the local match requirement under the state roof repair and replacement initiative. This authorization is estimated to provide an additional \$6 million in SB 9 distributions from the public school capital outlay fund and is consistent with the long-term goal of raising the state share of funding for maintenance. The bill also clarifies that the proceeds of school

district general obligation bonds can be used for the purpose of matching public school capital outlay council awards.

The bill doubles the amount of grants to school districts for lease payments for classroom facilities, including charter schools, and appropriates \$284,400 to the public school capital outlay council for lease payment assistance to those charter schools that are in their first year of operation and that were not included in the lease payment assistance provided this year.

Related Bills

House Bill 32 (Chapter 176) - Energy Efficiency and Renewable Bonding Act - see *Environment and Natural Resources*

House Bill 997 (Chapter 232) - special fuels tax deduction for school buses - see *Taxation*

House Bill 1007 (Chapter 265) - Education Works Act amendments - see *Health and Public Assistance*

House Joint Resolution 9 (CA 2) - lease agreements for state and school districts - see *Constitutional Amendments*

Senate Bill 456 (Chapter 54) - school-based health centers - see *Health and Public Assistance*

ELECTIONS

Election bills were popular this year, with over 75 pieces of legislation introduced concerning elections. Particularly contentious topics included voter identification issues, voting machine reliability and security, provisional voting procedures, registration procedures, election result audits and recounts.

The legislature addressed a number of election issues in an omnibus election reform bill, **Senate Judiciary Committee Substitute for Senate Rules Committee Substitute for Senate Bills 678, 680, 718 and 735 (Chapter 270)**. Among the items included in the bill are provisions requiring or allowing:

- ◇ a random check of voting system results after an election;
- ◇ notification of voters who voted on provisional ballots if their ballots were not counted and a procedure to appeal that decision;
- ◇ voter identification when voting in person or absentee;
- ◇ uniform standards and instructions for counting ballots and training poll workers;
- ◇ use of a voter-verifiable paper trail for voting systems;
- ◇ early processing of absentee ballots;
- ◇ standards for nongovernmental organizations that register voters; and
- ◇ automatic recounts of election returns in certain cases.

The secretary of state now replaces the county clerk as the agent to be notified regarding changes to a convicted felon's voter registration eligibility. **House Bill 64 (Chapter 116)** instructs district court clerks to notify the secretary of state when a person is convicted of a felony or has completed the conditions of a court order and requires the secretary of state to notify all county clerks

concerning changes to the person's voter registration eligibility. Furthermore, the bill requires the corrections department to notify the secretary of state when it issues a certificate to a person for completion of the entire felony sentence and the person's voter registration eligibility is restored.

Lobbyists now have the option of electronically authenticating their reports to the secretary of state if they have chosen to file their reports online with the passage of **House Bill 660 (Chapter 330)**. A house bill giving candidates the option of electronically authenticating their campaign reports died in committee.

EMPLOYMENT AND LABOR

The legislature considered various bills relating to employer and employee relations. A technical error in workers' compensation legislation passed last year was corrected in the 2005 session, and a measure to protect day laborers from excessive check-cashing practices received broad support in the house and unanimous support in the senate.

The Day Laborer Act, **House Bill 672 (Chapter 257)**, provides protection for laborers who work on a temporary basis for employers. The bill addresses check-cashing practices of day labor service agencies or contractors who provide job placement assistance to day laborers. There is a cap of \$2.00 per check placed on checks cashed by a day labor service agency or by a check-cashing service operating within the office of a day labor service agency for day laborers placed by the agency. Notices must be posted noting the fee for cashing a check, and cashing checks at that location must be voluntary. Paychecks issued by a day labor service agency to compensate laborers it has placed must be payable in cash at any bank or other financial institution. A day laborer cannot contract away the right to accept a permanent job from any of the employers for which the laborer works. Penalties are set forth in the Day Laborer Act for failure to comply with the provisions of the act; in addition, penalties for failure to comply with other labor laws of the state are increased.

House Bill 9 (Chapter 3) amends the Unemployment Compensation Law to increase and extend benefits and to reduce employer contributions. The bill is identical to a law that passed in 2003 but that was automatically repealed pursuant to a faulty repeal section in that law. The higher benefits and reduced contributions are possible because of a current surplus in the unemployment compensation fund and will remain in effect until January 1, 2008, or any earlier date when the fund drops below a certain level.

An arithmetic error in the minimum wage provisions enacted in 2003 for tipped employees was resolved by **House Bill 178 (Chapter 306)** and **Senate Bill 250 (Chapter 302)**.

House Bill 442 (Chapter 253) increases the contract value from \$20,000 to \$60,000 on public works projects that require specific minimum wages to various classes of laborers and mechanics. Additionally, the director of the labor and industrial division of the labor department

may, with cause, issue investigative or hearing subpoenas relating to public works prevailing wage projects. The bill also amends various penalty provisions.

Related Bills

House Bill 98 (Chapter 111) - office of workforce training and development - see *State Government*

House Bill 289 (Chapter 42) - health insurance for part-time employees - see *Health and Public Assistance*

Senate Bill 457 (Chapter 17) - qualified transportation benefit for state employees - see *Motor Vehicles and Transportation*

Senate Bill 639 (Chapter 93) - state employee paychecks - see *State Government*

Senate Corporations and Transportation Committee Substitute for Senate Bill 657 (Chapter 94) - independent contractors in construction industries - see *Business, Financial Institutions and Insurance*

ENVIRONMENT AND NATURAL RESOURCES

The most significant environmental action during the session was the expansion of the tire recycling program by the Recycling and Illegal Dumping Act. This legislation enhances recycling efforts and strengthens enforcement of illegal dumping controls. Other successful measures provide for wildlife habitat improvement, enhanced energy efficiency in public buildings and improvements in environmental permitting procedures.

Senate Floor Substitute for Senate Bill 142 (Chapter 171) repeals the Tire Recycling Act and enacts in its place the Recycling and Illegal Dumping Act. The new act enlarges upon the old by covering more of the waste stream than just waste tires. It creates the recycling and illegal dumping alliance, which is charged with developing strategies to increase recycling and decrease illegal dumping; creating a state recycling plan and updating the plan; and reviewing and making recommendations for funding grant applications from the recycling and illegal dumping fund, which is created in the act to replace the tire recycling fund. While expenditures from the old fund were limited to abatement of illegal tire dump sites, the new law provides for one-third of the recycling and illegal dumping fund to be allocated to abatement of illegal dumping and recycling of other solid wastes. The act also enhances enforcement powers of the department of environment (NMED) by providing for increased record keeping, inspections, issuance of compliance orders and increased fines.

After unsuccessful attempts in previous legislative sessions to amend Water Quality Act provisions regarding permit hearings, **House Bill 35 (Chapter 195)** changes the procedure for publicizing and conducting hearings for the issuance, modification or renewal of discharge permits and eliminates the de novo basis of an appeal of an agency permit decision to the water quality control commission. The law had previously provided for hearings before the NMED prior to a permit decision in which the department acted as a court to hear evidence for or against the permit decision. It then provided that an aggrieved party to the agency decision could appeal the decision to the water quality control commission, which also heard arguments in a manner similar to a court of record,

allowing all of the arguments as though the hearing were being conducted de novo. House Bill 35 changes the function of the commission to that of an appellate court, which does not hear all of the evidence anew but is limited to reviewing the record of the original hearing and considering arguments with respect to that record. However, if a party to the hearing can persuade the commission that there was no reasonable opportunity to submit evidence related to a particular issue during the original hearing, the commission can order that additional evidence be taken by the agency that conducted the original hearing, and that agency could then alter its decision based on the new evidence. Proponents contend that eliminating the requirement for a de novo hearing on appeal promises to reduce the cost of appeals and unnecessary delays in permit decisions.

The Surface Mining Act is amended in **House Bill 311 (Chapter 209)** to eliminate one level of appeal of a permitting action taken by the mining and minerals division of the energy, minerals and natural resources department and to delete the exemption for state agencies from the attorney fees provision. The Surface Mining Act is also amended in **House Bill 306 (Chapter 208)**, which provides that only the coal surface mining commission, rather than the Coal Surface Mining Act, would be considered under sunset provisions. (See the *State Government, Organization* section for further information on House Bill 306.)

House Energy and Natural Resources Committee Substitute for House Bill 78 (Chapter 177) requires that a habitat management stamp, at a cost of \$5.00, be attached to each hunting or fishing license. The revenue from the sale of the stamps will be placed in a special fund for appropriation by the legislature for the improvement, maintenance, development and operation of property for fish and wildlife habitat management.

As a means of financing the installation of energy systems that use renewable energy in state and public school district buildings, the legislature enacted the Energy Efficiency and Renewable Bonding Act in **House Bill 32 (Chapter 176)** to permit the state to issue bonds for the installation of energy-efficient measures in those buildings. Bond debt is to be repaid from energy cost savings realized by the state as a result of the installation of the energy-efficient measures. The energy, minerals and natural resources department is charged with developing a state plan for installation of energy-efficient technology in those buildings throughout the state.

Senate Bill 145 (Chapter 173) establishes a "gaining access into nature" program to be administered by the state game commission. The program allows the commission to identify properties under its jurisdiction for activities other than hunting or fishing, define which activities will be allowed on the properties and issue permits for access to the properties.

Beginning in April 2006, residents and nonresidents of New Mexico must pay increased license fees for hunting and fishing licenses. **Senate Finance Committee Substitute for Senate Bill 16 (Chapter 74)** raises license fees for most hunting and fishing licenses, increases the eligibility age for a junior fishing license and provides for a junior hunting license and a junior-senior elk license.

Related Bills

House Taxation and Revenue Committee Substitute for House Bills 410, 582, 844 and 1086 (Chapter 104) - renewable energy production tax credit expansion - see *Taxation*

House Bill 995 (Chapter 179) - biomass energy tax deduction - see *Taxation*

Senate Bill 644 (Chapter 341) - energy-efficient technologies in public utilities - see *Utilities and Telecommunications*

GAMING AND WAGERING

Gaming is conducted pursuant to a delicate balance in New Mexico. All gaming tribes, with one exception, are operating pursuant to legal compacts negotiated with the governor in 2001 that give the tribes a certain degree of exclusivity balanced against the amount of revenue sharing paid by the tribes and the other provisions of the compact. The tribes and the governor have made sporadic efforts to realign the exclusivity agreement, mainly because of the continuous pressures from other groups seeking to increase their gambling capacity. Horse racetracks have come back from the brink of extinction due to the addition of gaming machines on track premises and to a formula requiring the tracks to put a percentage of their net take into purses and breeder incentives. Nonprofit fraternal and veterans' clubs seem to have reached a place where they can live for the time being with the regulations under which they operate. Every year, there seem to be efforts to change the mix to the advantage of one group over another. This year the balance appeared to shift slightly in favor of the racetracks. The tribes may work to restore the balance in some way through negotiations with the governor and the legislature. The nonprofit organizations that have had virtually no regulatory oversight as far as bingo and raffles will find they are now under tightened scrutiny because the gaming control board will take over the regulation of those games. This may be the first year since 2001 that the legislative committee on compacts meets to review a new compact. All in all, the state continues to try to work out a comfortable balance between tribal and nontribal gaming.

One of the most controversial gaming bills of the session was **Senate Bill 837 (Chapter 350)**. In this bill, the hours during which gaming machines may be operated on the premises of a racetrack are increased from a maximum of 12 hours per day to up to 18 hours per day not to exceed 112 hours per week. The machines may be operated at any time during the day, but may not exceed 18 hours in the 24-hour period between 12:00 a.m. of one day and 12:00 a.m. of the following day. In addition to increasing the hours, the gaming tax to be paid on the net proceeds of the gaming machines operated at a racetrack is increased from 25 percent to 26 percent.

The Bingo and Raffle Act was amended to bring bingo and raffle games under the regulation of the gaming control board in **Senate Bill 370 (Chapter 349)**. The gaming control board will adopt rules concerning licensure for lessors, distributors and manufacturers of bingo and raffle equipment; permits for employees who conduct bingo and raffle games or who manufacture or distribute bingo and raffle equipment; reasonable expenses that may be claimed by organizations operating under the

act; and general implementation and administration of the act. A bingo and raffle tax equal to three percent of the net proceeds of a game of chance conducted pursuant to the Bingo and Raffle Act will be collected by the taxation and revenue department and administered pursuant to the Tax Administration Act.

The department of health is required by **House Bill 684 (Chapter 331)** to gather data on New Mexico bankruptcies that involve gambling debt and suicides that may have resulted from accrual of gambling debt. Collection of this information requires the department of health to coordinate with law enforcement and medical officials who investigate suicides as well as the federal bankruptcy court in the state.

One controversial gaming bill that made its way to the governor's desk – Senate Bill 384 – was vetoed. The bill would have given the gaming control board the discretion to grant a gaming license to a person who has been denied a license or certification in New Mexico or another state; who has had a license or certification, issued pursuant to the gaming laws of a state or the United States, permanently suspended or revoked for cause; or who is currently under suspension or other limiting action in this state or any other state involving any gaming activities or licensure for gaming activities. Current law does not give the board discretion in the matter but, rather, requires that such a person be denied a gaming license or certification. The bill also would have removed the salary cap on the board's executive director, provided for nonprofit gaming licensees to set aside funds for compulsive gambling treatment programs and set out provisions allowing compulsive gamblers to exclude themselves from a gaming establishment.

HEALTH AND PUBLIC ASSISTANCE

Faced with growth in both health care costs and in the number of uninsured in the state, the legislature struggled to maintain the current level of medicaid services by appropriating an \$80 million increase of general fund in HB 2 to the medicaid program to make up for the shrinking federal contribution. Several substantive bills addressed the issue of the uninsured as well, with new laws making health insurance more available to low- and moderate-income persons by making it more affordable for employers and individuals.

Based on recommendations from the Insure New Mexico Council appointed by Governor Richardson, the legislature approved several measures to reduce the number of uninsured. **House Bill 523 (Chapter 305)** and **Senate Bill 271 (Chapter 301)** allow the implementation of a small employer insurance program that will provide options for small employers, those with 50 or fewer employees, to voluntarily buy into the state's health insurance program. The legislature removed certain provisions of the Health Insurance Alliance (HIA) Act to make health insurance more affordable for small businesses and individuals under **House Bill 394 (Chapter 21)**. This expansion

includes changing the premium rate structure to lower costs, changing the composition of the HIA board of directors to include a nonprofit representative and increasing HIA's responsibility for outreach, public awareness and assistance to employers in obtaining and maintaining health insurance for employees. **House Bill 335 (Chapter 41)** requires individual and group health insurance policies to cover an unmarried dependent child until that person reaches the age of 25, regardless of whether the person is enrolled in an educational institution. Finally, Insurance Code provisions enacted in **House Bill 289 (Chapter 42)** require insurers to offer a health insurance plan to part-time employees working over 20 hours per week for employers that choose to provide coverage for such employees.

Both **Senate Bill 313 (Chapter 5)** and **Senate Bill 314 (Chapter 6)** address the need for coordinated HIV and AIDS services in the state. Senate Bill 313 establishes the governor's HIV and AIDS policy commission, which will function as the federally required planning and advisory group on HIV and AIDS services. The commission will contribute to the department of health (DOH) annual report on HIV and AIDS as well as advise the department on HIV and AIDS policies, including a drug formulary. Senate Bill 314 establishes DOH as the HIV and AIDS program coordinator among state agencies and lists services to be provided. It also creates a medical advisory committee within DOH to review and recommend drug formulary policies, and establishes an independent constituent services program to review fiscal matters and consumer complaints and report to the department.

Umbilical cord blood is a primary source of stem cells, which can be used for the treatment of numerous diseases as well as for research. The Umbilical Cord Blood Banking Act, enacted in **Senate Bill 605 (Chapter 43)**, requires health care providers treating a patient in the third trimester of pregnancy for pregnancy-related issues to advise her of options for the donation of umbilical cord blood. This requirement can be satisfied by distributing a pamphlet prepared by DOH to the patient. The bill also requires health care facilities and providers to permit a pregnant patient to arrange for an umbilical cord blood donation unless it is medically inadvisable. Requirements imposed under this bill are waived if such donations conflict with bona fide religious beliefs of a health care provider or facility.

The Detoxification Reform Act, which amends and repeals sections of New Mexico law regarding the voluntary and involuntary commitment of persons substantially intoxicated by alcohol or drugs, is enacted in **House Judiciary Committee Substitute for House Bill 66 (Chapter 198)**. The act amends emergency commitment procedures for intoxicated persons and institutes protective custody procedures whereby a physician or police officer may commit an intoxicated person to a treatment facility if there is probable cause to believe the person is disorderly in a public place or the person's safety is at issue. The act further provides that a person may be detained at a treatment facility for up to 72 hours and must be given the opportunity to contact counsel. The act repeals

sections of law that provide for commitment hearings in a district court, probation and discharge procedures.

Two new laws coming out of this session address telehealth, which is an electronic means to link care sites for physician-to-physician communication, distance education or other professional activities and for connecting patients with health care providers in other locations. **Senate Bill 473 (Chapter 55)** creates the New Mexico telehealth commission to coordinate efforts to establish and promote a telehealth system statewide, and **Senate Bill 456 (Chapter 54)** amends the Primary Care Capital Funding Act to allow loans for capital projects for school-based health centers and telehealth sites.

Senate Bill 589 (Chapter 157) mandates that health plans in New Mexico include early intervention services provided through the family, infant, toddler program to eligible children and their families, with a maximum annual benefit of \$3,500.

House Bill 180 (Chapter 45) amends the Immunization Act to add pharmacists to the categories of health care providers eligible to access the immunization registry both to receive and to report patient immunization information. Since licensed pharmacists are legally able to prescribe and administer immunizations, their inclusion in the act enhances the accuracy of the registry and supports state efforts to increase the number of children who are immunized.

House Bill 479 (Chapter 134) specifies more than two dozen tests for congenital diseases for which a newborn infant must be screened, rather than leaving the responsibility of determining which tests are administered to DOH. The screening will not be given to infants of parents who object to the requirements in writing.

The Pain Relief Act and the Medical Practice Act are amended in **House Bill 727 (Chapter 140)** to create a pain management advisory council, encourage the provision of pain management education for all practitioners with prescribing authority and establish rules for the management of pain based on national standards. Additionally, it strengthens and clarifies the evidentiary requirements for disciplinary action against a provider for treatment of pain. Together, these measures should serve to enhance the ability of providers to adequately treat an individual's intractable pain with less fear of reprisal.

House Bill 318 (Chapter 243) amends the Public Assistance Act to authorize the provision of home- and community-based services to individuals with brain injuries. It appropriates \$2 million from the general fund to the aging and long-term services department to administer these services in cooperation with the human services department (HSD). This bill passed both houses of the legislature last year in substantially the same form, but was vetoed by the governor. With his signature in 2005, as many as 36,000 people in the state with brain injuries who have not been eligible for services in the past will become eligible.

Data collection requirements in the Health Information System Act are expanded by **Senate Bill 786 (Chapter 322)** to include information regarding language preference when receiving health care services and participation in clinical research trials. The bill also requires that all data collected be aggregated so as to identify health disparities relating to race, ethnicity, gender and age.

House Consumer and Public Affairs Committee Substitute for House Bill 627 (Chapter 226) closes an oversight that could have allowed a disqualified individual from becoming a caregiver or hospital caregiver had the person committed certain crimes within a year of having been cleared through a national criminal history screening.

As the latest of several bills in recent years that the department of environment has supported in an effort to increase fees to cover costs of enforcing health and environmental laws, **House Bill 455 (Chapter 218)** allows the department to increase its fees under the Food Service Sanitation Act. Language in the original bill would have dedicated the revenue from the fee increase to the department through a continuing appropriation, but this language was amended out in committee. The department must request that the additional revenue be appropriated every year by the legislature; thus, the fees may be increased but there is no guarantee that the legislature will appropriate the revenue to the department for the stated purpose of the fee increase.

Portable hand-washing facilities must be provided in public locations where portable toilets are required by law or ordinance under **Senate Bill 538 (Chapter 190)**.

Since 2002, HSD has offered a higher education program to people who are eligible for temporary assistance for needy families benefits. The program provides cash assistance and other benefits while a student attends college and requires that the student devote at least 20 hours per week to classes, studying, work-study employment or other volunteer activity. The initial program was implemented by regulation of the department; in 2003, the program was set in statute when the Education Works Act was adopted, with all program costs covered by state rather than federal funding. The act originally allowed students to take up to 24 months of classes with an option to take one additional academic term if that would allow the student to obtain a degree. **House Bill 1007 (Chapter 265)** amends this provision to allow for a second additional academic term if it will result in the student earning a degree.

Three bills were introduced that would have legalized the use of marijuana for certain medical conditions. While the senate passed all three bills, only one of them – Senate Bill 795, enacting the Lynn Pierson Compassionate Use Act – was passed out of committee in the house. The session ended before the bill was considered on the house floor. Several failed bills were aimed at alleviating the problem of licensed midwives being unable to purchase risk insurance to cover their practices. The bills would have allowed midwives to purchase this insurance through the state. The broadest of those bills, Senate Public Affairs Committee Substitute for Senate Bill 427, passed in both the senate and the house; however, it was pocket-vetoed by the governor.

Related Bills

- House Bill 259 (Chapter 7)** - Native American subcommittee of the behavioral health planning council - see *Indian and Intergovernmental Affairs*
- House Bill 308 (Chapter 250)** - speech-language pathologist and audiologist licensing - see *Professional and Occupational Licensure*
- House Government and Urban Affairs Committee Substitute for House Bill 314 (Chapter 210)** - counseling and therapy licensure - see *Professional and Occupational Licensure*
- House Bill 440 (Chapter 281)** - domestic abuse documentation by medical personnel - see *Criminal Law and Public Safety*
- House Bill 509 (Chapter 136)** - nurse educators fund - see *Education*
- House Bill 639 (Chapter 307)** - licensing for medication aides and hemodialysis technicians - see *Professional and Occupational Licensure*
- House Bill 684 (Chapter 331)** - gambling debt suicides - see *Gaming and Wagering*
- House Bill 713 (Chapter 280)** - date rape drugs - see *Criminal Law and Public Safety*
- Senate Finance Committee Substitute for Senate Bill 52 (Chapter 58)** - Behavioral Health Capital Funding Act revenue bonds - see *Appropriations and Finance*
- Senate Judiciary Committee Substitute for Senate Bill 297 (Chapter 159)** - temporary physician licenses - see *Professional and Occupational Licensure*
- Senate Bill 375 (Chapter 89)** - mill levies for indigent health care - see *Taxation*
- Senate Bill 445 (Chapter 53)** - Public Health Act violations - see *Aging and Long-Term Services*
- Senate Bill 483 (Chapter 56)** - Lou Gehrig's disease tax refund donations - see *Taxation*
- Senate Bill 689 (Chapter 160)** - prescription drug discount card - see *Aging and Long-Term Services*
- Senate Bill 740 (Chapter 96)** - county building rentals for sick and indigent services - see *Local Government*

HOUSING

Continuing its efforts from previous sessions to address the need for affordable housing for the state's low- and moderate-income populations, the legislature established a funding mechanism this year for affordable housing initiatives.

Senate Bill 115 (Chapter 105) enacts the New Mexico Housing Trust Fund Act. The New Mexico housing trust fund is to be managed by the New Mexico mortgage finance authority in conjunction with the New Mexico housing trust fund advisory committee, and the purpose of the fund is to provide flexible funding that can be used to leverage other funding sources for affordable housing projects. The state investment council will serve as the investment agent for the fund.

HUMAN AND CIVIL RIGHTS

In response to growing public concern over privacy issues, ranging from the use of genetic information to the use of social security numbers, the legislature considered several bills to tighten restrictions on business use of personal identifying information, and two were signed into law. The legislature also passed two bills concerning timelines and venues for human rights appeals.

New Mexico's genetic privacy law, the Genetic Privacy Act, was expanded in **House Judiciary Committee Substitute for House Bill 183 (Chapter 204)** to make it illegal for employers, landlords, lenders and insurers to use genetic information derived from analysis or testing or from participation in studies when making decisions regarding employment, recruiting, lending or public accommodations. The bill expressly prohibits insurers from using genetic propensity or carrier status as a basis for a decision to refuse to insure a person, but does not require insurance companies to offer benefits beyond those offered in standard plans.

House Judiciary Committee Substitute for House Bill 363 (Chapter 127) amends the Privacy Protection Act to further restrict how a business may use an individual's social security number. Under the bill, a business is prohibited from disclosing a social security number, requiring the use of the number, printing the number on materials mailed, otherwise transmitting a social security number or refusing to transact business because an individual refuses to supply a social security number. The bill also provides exceptions to these prohibitions.

Timelines for filing human rights appeals are extended in **Senate Bill 174 (Chapter 311)**, which, along with **House Bill 254 (Chapter 309)**, also changes the appellate tribunal for human rights actions from the supreme court to the court of appeals.

Related Bills

House Bill 306 (Chapter 208) - human rights commission sunset removed - see *State Government*

House Bill 353 (Chapter 126) - privacy of veterans' discharge papers - see *Military and Veterans' Affairs*

INDIAN AND INTERGOVERNMENTAL AFFAIRS

Native American issues are important to the legislature and are the focus each year of the legislative interim Indian affairs committee. The Tribal Infrastructure Act, passed during this session, is intended to help alleviate long-standing problems with substandard or non-existing public infrastructure in Native American communities. Native American culture and concerns are addressed in bills dealing with behavioral health and the treatment and disposition of the remains of a deceased Native American subject to an autopsy. The legislature also created a fund for the settlement of litigation involving Indian water rights and brought the Gallup intertribal ceremonial back under the auspices of state government. Native American students are now accorded in-state resident status for the purpose of calculating tuition at state educational institutions.

In an effort to improve basic infrastructure serving tribal communities, the Tribal Infrastructure Act, enacted in **House Bill 868 (Chapter 146)**, creates the tribal infrastructure trust fund and project fund and provides for grants and loans for tribal infrastructure improvement. The trust fund provides a source of money for the project fund, which in turn provides money for approved projects. The project fund may also receive direct appropriations. The act creates a 13-member tribal infrastructure board responsible for authorizing financial assistance for qualified

infrastructure projects. Proposed rules as well as grant and loan proposals are subject to review by the interim Indian affairs committee. While the Tribal Infrastructure Act was not funded, the legislature did appropriate \$3 million in the capital outlay bill for tribal infrastructure projects statewide.

The manner in which the state medical investigator treats the remains of Native Americans has long been of concern to New Mexico's Indian nations, tribes and pueblos. **House Judiciary Committee Substitute for House Bill 987 (Chapter 263)** prohibits autopsies of Native Americans except when legally required due to possible criminal acts or omissions or an obscure cause of death, or when consent is given for an autopsy. When an autopsy is conducted, advance notice and documentation shall be given to the deceased's next of kin or the deceased's Indian nation, tribe or pueblo and, when requested, a law enforcement official of the deceased's Indian nation, tribe or pueblo may be present during the autopsy. Unless otherwise required by law, the state medical investigator shall certify that all body parts of the deceased have been replaced and shall consult with the deceased's spouse or next of kin regarding disposition of the deceased's remains.

Other bills that affect Native Americans include **House Bill 259 (Chapter 7)**, which provides for the establishment of a Native American subcommittee of the behavioral health planning council; **Senate Public Affairs Committee Substitute for Senate Bill 214 (Chapter 188)**, which requires preference for placements in culturally competent settings for Native American children in the behavioral health system; and **House Bill 481 (Chapter 219)**, which returns the Gallup intertribal ceremonial to state governance.

Related Bills

House Bill 867 (Chapter 231) - *Jicarilla Apache Nation v. Rio Arriba County Assessor* - see *Taxation*

Senate Bill 172 (Chapter 172) - Indian water rights settlement fund - see *Water*

Senate Bill 225 (Chapter 26) - Safe Haven Act amendments - see *Children, Youth and Families*

Senate Bill 482 (Chapter 155) - Native Americans as resident students - see *Education*

Senate Bill 713 (Chapter 346) - athletic event cooperative agreements between state and tribes - see *Taxation*

LAND GRANTS - MERCEDES

The provisions of all but one of the bills endorsed by the legislative interim land grant committee managed to pass legislative scrutiny this session, with only an appropriation for clean-up of hazardous wastes failing to make it through the process. Much of the focus of land grant legislation was on methods for retrieval of lost common lands and on governance issues.

The secretary of state is required to establish the New Mexico community land grant registry, and community land grants operating as political subdivisions of the state are required to register their bylaws and current officers with the secretary of state pursuant to the provisions of **House Bill 209 (Chapter 205)**. Community land grant boards of trustees now have the right of first refusal to purchase lands that state agencies decide to sell if those lands were formerly part of that land grant,

according to the provisions of **House Bill 331 (Chapter 251)**. **House Bill 332 (Chapter 211)** allows certain community land grants-mercedes to match the highest bid at delinquent tax auctions for property that was formerly part of the original land grant.

LOCAL GOVERNMENT

Numerous legislative initiatives relating to local government were considered this year. A large urban center, various mid-size cities and a large rural component present significant challenges to counties and municipalities that try to balance their respective needs with the geographic diversity of the state.

Bernalillo county is authorized by **House Bill 723 (Chapter 139)** to delegate review and approval of preliminary plats and final plats of subdivisions to a county administrative officer or to the county planning commission. Appeals of decisions made by a delegate of the county commission must be heard by the county commission within 30 days of the filing of an appeal with the county commission. Appeals from a decision of the county commission may be taken to the district court.

Many small counties will receive increased distributions from the small counties assistance fund as a result of the passage of **House Bill 432 (Chapter 183)**. The bill also extends eligibility for small county assistance to counties, regardless of class, that impose county gross receipts taxes totaling at least three-eighths percent. Future distributions are to be adjusted for inflation.

Senate Bill 740 (Chapter 96) permits counties to rent county buildings at less than market value to nonprofit organizations with a history of service to sick and indigent persons in the county.

The legislature amended the Public Records Act under **House Government and Urban Affairs Committee Substitute for House Bill 449 (Chapter 217)** to provide counties and municipalities the ability to charge reasonable fees for certain public records and databases, similar to that afforded to state agencies under the same act.

Related Bills

House Bill 336 (Chapter 212) - quality of life gross receipts tax - see *Taxation*

House Bill 380 (Chapter 238) - investment in federal home loan banks - see *Appropriations and Finance*

House Appropriations and Finance Committee Substitute for House Bill 979 (Chapter 262) - local transportation infrastructure fund - see *Appropriations and Finance*

Senate Bill 375 (Chapter 89) - mill levies for indigent health care - see *Taxation*

Senate Bill 670 (Chapter 158) - local government general obligation bonds - see *Appropriations and Finance*

MILITARY AND VETERANS' AFFAIRS

Military and veterans' affairs were key legislative and gubernatorial priorities during the session with more than 47 bills and 11 memorials introduced on the topics. The first substantive bill to be passed and signed provides for the reimbursement of life insurance premiums for members of

the New Mexico national guard. Several bills provide financial benefits for veterans and members of the military and their families. Other bills protect the privacy of veterans' records filed with county clerks and extend the validity of driver's licenses for those stationed out of state.

When the governor signed **House Bill 10 (Chapter 2)** into law during the session, New Mexico became the first state in the nation to reimburse its national guard members for the cost of life insurance obtained through the federal servicemembers' group life insurance program. Eligible members of the national guard may be reimbursed for the current monthly premium of \$16.25 to obtain \$250,000 in insurance under the program, which will be administered by the department of military affairs.

Veterans of the armed forces may in some circumstances have reason to file a copy of their discharge papers with their county clerk; these papers, which may contain sensitive personal information regarding a veteran's service record have until now been open for public inspection pursuant to the provisions of the Inspection of Public Records Act. **House Bill 353 (Chapter 126)** exempts discharge papers from public inspection, restricting the right to inspect such papers to the veteran, veteran's next of kin, deceased veteran's personal representative and persons authorized in writing by the veteran, including a person having the veteran's general power of attorney.

Related Bills

House Bill 303 (Chapter 124) - driver's licenses for military personnel on active duty - see *Motor Vehicles and Transportation*

House Bill 484 (Chapter 220) - tax refund donations to national guard members - see *Taxation*

House Taxation and Revenue Committee Substitute for House Bill 743 (Chapter 230) - veterans' property tax exemption - see *Taxation*

Senate Bill 921 (Chapter 168) - in-state tuition and fees for military members and families - see *Education*

MOTOR VEHICLES AND TRANSPORTATION

Legislation passed during the session concerning motor vehicles and transportation encompasses a broad range of issues, from a bill that affects the issuance of permits for intrastate contract motor carriers to a bill that provides a tax benefit to state employees who commute. This year also saw a successful effort to pass significant changes to statutes that regulate the registration and operation of off-highway motor vehicles. Perhaps the most high-profile bill introduced during the session that involved motor vehicles, this bill's addition of numerous safety requirements to the Off-Highway Motor Vehicle Act was the subject of considerable media attention.

Operators of off-highway motor vehicles, including all-terrain vehicles, off-highway motorcycles and snowmobiles, are now required to register and obtain permits to operate those vehicles in New Mexico. **Senate Bill 252 (Chapter 325)** enacts significant additions and revisions to the Off-Highway Motor Vehicle Act, which mandates resident and nonresident registration of off-

highway motor vehicles, imposes various safety and training requirements and requires dealers of off-highway motor vehicles to distribute safety information. The act requires persons under the age of 18 to complete a training course and wear helmets and eye protection while operating an off-highway motor vehicle. It also creates a safety board that recommends grants from the trail safety fund to develop off-highway motor vehicle parks and trails. Persons who operate off-highway motor vehicles on private land or for agricultural operations are exempt from the act.

New Mexico became the thirty-third state in the nation to enact what is commonly known as a "move over law" when it passed **House Bill 71 (Chapter 10)**. When approaching a stationary emergency vehicle on the side of the highway displaying flashing emergency lights, motorists are required to either slow down and move to a lane away from the emergency vehicle or, if an adjacent traffic lane is not available, slow down and be prepared to stop. Failure to do so may result in a penalty assessment misdemeanor and a \$50.00 fine.

Incidental carriers are required to show evidence of adequate financial responsibility to the public regulation commission (PRC) pursuant to new requirements adopted in **House Bill 739 (Chapter 288)** in order to travel on public highways. An incidental carrier is a motor carrier that transports people incidental to some other activity, such as a vehicle providing transportation for whitewater rafters to or from the points where the rafting trip begins or ends on behalf of a rafting company. The PRC will establish the extent of financial responsibility that must be purchased and will regulate transport of passengers by an incidental carrier.

The PRC is now required to determine if granting a permit as an intrastate contract motor carrier is consistent with the public interest and if the permit would endanger or impair the operations of motor carriers to an extent contrary to the public interest. **House Bill 740 (Chapter 229)** expands the population of motor carriers that must be considered when granting a permit from those who are contract motor carriers and who are protesting granting of the permit to all motor carriers. As in the past, a permit for an intrastate contract motor carrier of persons must be viewed in light of the impairment a new contract motor carrier of persons would cause to existing operations in the same territory; however, an intrastate contract motor carrier of household goods permit now requires review by the PRC of the impact the new permit will have on all motor carriers of goods and the effect denial of the permit will have on the applicant for the permit.

Senate Bill 243 (Chapter 312) includes several changes to commercial driver's license provisions that are needed for the state to be in compliance with mandates from the federal motor carrier safety administration. Compliance issues refer to issues that include minimum times to post conviction information to driver records and commercial driver record information exchanges between states. The legislation also adds new criteria for disqualifying operators from operation of commercial vehicles upon a blood alcohol content test result of .08 for those 21 years of age and older and .02 for those under 21 years of age.

House Bill 303 (Chapter 124) provides that a New Mexico driver's license, that is otherwise valid, issued to a person on active military duty and stationed away from New Mexico, remains valid and does not expire as long as that person, or that person's spouse if accompanying the military member, is on active duty away from New Mexico or until 30 days after the member returns to New Mexico or is discharged.

Senate Corporations and Transportation Committee Substitute for Senate Bill 441 (Chapter 324) replaces a "wrecker of vehicles" and a wrecker of vehicles license with an "auto recycler" and an auto recycler license in the Motor Vehicle Code and prohibits an auto recycler from selling motor vehicles that could be registered for use on the highways. An auto recycler may only sell vehicle parts and scrap. This bill also creates definitions for "nonrepairable vehicle" and "salvage vehicle" and restricts how and to whom a nonrepairable vehicle may be titled and transferred.

In the previous 60-day session, a great number of bills were introduced and passed that dealt with motor vehicle license plates, but only two bills on the topic passed this year. **Senate Bill 820 (Chapter 344)** authorizes the issuance to licensed personnel special motor vehicle license plates with a logo identifying the vehicle owner as an emergency medical technician. The fee for the special plate is an additional \$25.00 over the regular motor vehicle registration fee. **House Bill 272 (Chapter 13)** requires the taxation and revenue department to make county name stickers or decals available for use on vehicle registration plates. The stickers or decals are to be designed and prescribed by the department to fit on a registration plate without obscuring the registration number or validating sticker.

House Bill 201 (Chapter 20) increases motor vehicle administrative fees. The fees, which are collected to defray the costs of operations, are increased from \$.50 to \$2.00. Revenues from the fee increases are to be distributed among the motor vehicle division of the taxation and revenue department, the state road fund and local governments. **House Bill 806 (Chapter 258)** increases certain taxes and fees that are distributed to the state road fund, including the trip tax imposed on heavy trucks not registered in New Mexico for tax purposes, the caravan fee imposed on the commercial transport of unregistered vehicles and the two-day drive out permit fee that allows nonresidents to drive an unlicensed vehicle out of the state. The bill also removes the limitation that an annual overweight permit for trucks weighing more than 86,400 pounds is only valid for trips within 125 miles of the origin of the trip.

Senate Bill 586 (Chapter 298) requires the use of either booster seats or child passenger restraint devices that meet federal standards for children five and six years of age or for children weighing less than 60 pounds, regardless of age.

Related Bills

House Judiciary Committee Substitute for House Bills 282, 494 and 506 (Chapter 241) - ignition interlock devices - see *Criminal Law and Public Safety*

House Appropriations and Finance Committee Substitute for House Bill 979 (Chapter 262) - local transportation infrastructure fund - see *Appropriations and Finance*

Senate Judiciary Committee Substitute for Senate Bills 109, 187 and 603 (Chapter 269) - ignition interlock devices - see *Criminal Law and Public Safety*

Senate Bill 457 (Chapter 17) - state employee transportation benefit - see *Public Officers and Employees*

PROFESSIONAL AND OCCUPATIONAL LICENSURE

A number of bills regulating professions and occupations were enacted this year to update licensure requirements, structures and procedures in a wide array of professions.

House Bill 99 (Chapter 69) amends the Engineering and Surveying Practice Act by providing for separate rule promulgation for professional engineers and professional surveyors, expanding powers and duties of the board, changing quorum requirements and amending licensure requirements. The bill also mandates that all surveying services contractors issue a written statement when providing professional surveying services indicating the minimum terms and conditions of professional liability insurance coverage or the absence of professional liability insurance coverage.

The Speech-Language Pathology, Audiology and Hearing Aid Dispensing Practices Act is amended by **House Bill 308 (Chapter 250)** to separate the former license, which had covered both speech-language pathologists and audiologists, into two separate licenses.

House Bill 309 (Chapter 125) amends the Athletic Trainer Practice Act to revise athletic trainer standards, expand duties of the athletic trainer practice board and change licensure, examination and provisional permit requirements.

The Counseling and Therapy Practice Act is amended in **House Government and Urban Affairs Committee Substitute for House Bill 314 (Chapter 210)** and introduces specific language describing the requirements for associate marriage and family therapist or counselor licensure. The bill includes changes to counseling and therapy practice accreditation; experience, educational and licensure requirements; and definitions for counseling- and therapy-related fields or practices. The bill also grants immunity to the counseling and therapy practice board when taking good faith actions.

House Business and Industry Committee Substitute for House Bill 835 (Chapter 259) prohibits convicted felons from becoming bail bondsmen and enumerates additional reasons for which the license of a bail bondsman may be denied, suspended, revoked or refused to be continued. The bill also requires the return of collateral security within a reasonable time after the termination of liability on a bond, limits the fees that may be imposed by bail bondsmen and regulates the manner in which collateral or security is handled.

The Hoisting Operators Safety Act is amended in **Senate Bill 228 (Chapter 52)** to require that all crane operators be licensed. Operators successfully completing an approved in-house training course have one year after completion to become licensed, although the requirement for passing a written examination is waived for those operators. The bill also provides for a hearing pursuant to the

Uniform Licensing Act prior to denial, suspension or revocation of a hoisting license; increases the membership of the hoisting operators licensure examining council from three to five; and creates the Hoisting Operators Safety Act fund that will be funded by licensing fees. The delayed effective date of the act is July 1, 2006.

Senate Bill 267 (Chapter 35) amends the statutes relating to licensure of real estate brokers and salespersons and redefines those persons as either qualifying or associate brokers. It provides licensing qualifications for each classification of real estate broker and authorizes criminal background checks of applicants. It also requires that licenses for associate brokers be in the custody of and displayed by qualifying brokers. A new provision requires that, in the event of a lawsuit or action, a nonresident broker consent to a venue in the county in which the plaintiff resides and substitute service of process upon the New Mexico real estate commission. This act also creates the real estate education and training fund to be used to improve real estate education and to train real estate instructors.

In an effort to strengthen qualifications of real estate appraisers, the legislature passed **House Bill 130 (Chapter 118)**, which permits the taxation and revenue department to cooperate with the international association of assessing officers and the real estate appraiser's board in the establishment of training courses for appraiser's certificate qualification.

Senate Judiciary Committee Substitute for Senate Bill 297 (Chapter 159) authorizes the New Mexico medical board to grant a license to practice as a physician to a person who received a medical education in Canada, who has participated in a postgraduate training program located in New Mexico and who meets all other licensing requirements. The bill further authorizes the board to grant a temporary license to practice to a person who is practicing only at an organized youth camp or school so long as that person is qualified to practice in this state and is under the supervision of a New Mexico licensed physician.

The Construction Industries Licensing Act is amended by two bills this year. **House Bill 993 (Chapter 264)** provides that the director of the construction industries division may not issue a license or certificate following a revocation if the requesting party is found to have violated any provision of the act during the period of revocation. **House Bill 532 (Chapter 46)** updates references to several state building codes.

Senate Bill 262 (Chapter 84) provides that if an individual fails to pay the required annual renewal fee for a certificate as a certified public accountant, or if a firm fails to pay the required renewal fee for a permit to practice as a firm, the certificate or permit may be withheld without a hearing and may be canceled if the renewal fee and delinquency fee are not paid within 90 days of their expiration.

House Bill 639 (Chapter 307) consolidates licensing and training authority of medication aides for employment in nursing homes and schools and of hemodialysis technicians under the board of nursing. It also establishes new fees for these licensees and for licensed nurses.

PUBLIC OFFICERS AND EMPLOYEES

New Mexico, along with other employers both public and private, must deal with the challenges of maintaining actuarially sound retirement plans. The legislature introduced various initiatives dealing with public employee retirement plans and gave extensive consideration to other measures relating to public employees.

Volunteer firefighters are eligible for retirement benefits pursuant to the Volunteer Firefighters Retirement Act. In 2003, this act was amended to permit a firefighter whose first year of service was during or after the year in which the firefighter became 45 years old to qualify for retirement after having accrued at least 10 years of service credit. **House Bill 142 (Chapter 119)** permits volunteer firefighters to adjust their service records for up to five years of service credit for years of service that may have been earned previously but not credited pursuant to the Volunteer Firefighters Retirement Act. These service credit adjustments must be filed with the public employees retirement association by December 31, 2005.

A new section is added to Chapter 10, Article 7 NMSA 1978 under **Senate Bill 457 (Chapter 17)** to allow state agencies, state educational institutions and political subdivisions of the state to offer their employees a "qualified transportation benefit" or commuter incentive. The benefit may be offered as a pretax deduction, an employer-paid benefit or a combination of the two, and it may be used for certain transportation and parking expenses defined in Section 132(f) of the Internal Revenue Code of 1986.

Senate Bill 296 (Chapter 86) allows certain "former participating employer governing authority members", such as former members of school boards, city councils or county commissions, to participate in the retiree health care authority program. Eligible persons will pay a monthly premium to obtain these benefits.

House Bill 207 and Senate Bill 875, companion bills that were both vetoed by the governor, would have required that retirement benefits for a public employees retirement association member who returns to work after July 1, 2005 be suspended after the member earns \$30,000 in any calendar year. The bills also would have provided that the pension for a legislator who retires after July 1, 2005 under state legislator member coverage plan 2 be based on the average of the three highest per diem rates in effect on any July 1 during the legislator's service. With the vetoes, the return-to-work provisions are unchanged and legislator pensions continue to be based on the rate in effect on December 1 of the year in which a legislator retires. Senate Bill 216, also vetoed, would have required retirees in the educational retirement system who return to work while receiving a pension to make nonrefundable contributions to the educational retirement fund.

STATE GOVERNMENT

Legislative measures formally created two agencies that had already been operating under the governor's direction – a sports authority and an office of workforce training and development. Over 20 boards and commissions will have extended operational periods through amendment of the Sunset Act, and measures were adopted to make some operational and property and procurement changes in state government.

Organization

Senate Bill 435 (Chapter 64) establishes the children's cabinet in statute. The cabinet is administratively attached to the office of the governor and will meet six times annually, led by either the governor or the lieutenant governor, to consider and make recommendations to the legislature on issues affecting children.

In 2004, Governor Richardson created a state sports authority through Executive Order 04-44. **House Bill 58 (Chapter 197)** creates the New Mexico sports authority in statute with the enactment of the New Mexico Sports Authority Act. The authority is administratively attached to the tourism department and is intended to assist in recruiting and retaining professional and amateur sporting events. The authority is comprised of 25 members of the public appointed by the governor for four-year terms and six ex-officio members.

House Bill 419 (Chapter 128) provides a support mechanism to attract and develop spaceport facilities and create new job opportunities. The "spaceport authority" is created with seven voting members appointed by the governor and with the lieutenant governor and secretary of economic development serving as nonvoting, ex-officio members. The authority may issue revenue bonds under the Private Activity Bond Act and borrow money to acquire or build spaceport-related projects.

House Bill 98 (Chapter 111) creates the office of workforce training and development as an agency administratively attached to the office of the governor. The office assumes the functions of the job training division of the labor department, including duties under the Workforce Development Act, and assumes responsibilities from the local government division of the department of finance and administration under the Individual Development Account Act. The purpose of the office is to coordinate and maximize the effectiveness of workforce programs of all types in the state. The state workforce development board, which advises the governor on developing programs to enhance employment opportunities in the state, is reconfigured to comply with federal law. The bill creates a coordination oversight committee as part of the board, made up of representatives of state agencies, labor, education and the legislature. This committee's primary duties include planning and implementation for job development and training.

Senate Bill 619 (Chapter 342) creates the New Mexico exposition center authority to create, finance and operate a multipurpose exposition facility in the greater Albuquerque area.

Various boards, commissions and committees were either eliminated or extended with the passage of two bills during the session. **House Bill 306 (Chapter 208)** extends the life of 19 boards and seven commissions pursuant to the provisions of the Sunset Act, with periods of extension from four to 11 years. The bill also removes the human rights commission, crime victims reparations commission, construction industries commission, manufactured housing committee and New Mexico livestock board from the provisions of the Sunset Act. **House Bill 1008 (Chapter 321)** repeals several boards and committees and clarifies new responsibilities for others. Eliminated entities include the health profession advisory committee, health information system advisory committee, adult protective services advisory board and health information alliance. The bill transfers most functions of these entities to the executive departments that had been ultimately responsible for making decisions based on the entities' recommendations.

Operations

Senate Bill 518 (Chapter 156) allows New Mexico's share of the expenses of the Cumbres and Toltec scenic railroad commission to be paid out of user fees not needed for railroad loan retirement.

Senate Bill 639 (Chapter 93) authorizes the department of finance and administration to require the automatic direct deposit of state employee paychecks, with a provision for exceptions.

House Bill 467 (Chapter 22) creates the Emergency Powers Code out of existing emergency laws in Chapter 12, Articles 10 through 12 NMSA 1978 and creates the Emergency Licensing Act out of existing sections in Chapter 12, Article 10 NMSA 1978. It further recompiles various provisions throughout the NMSA into the Emergency Powers Code.

Property and Procurement

House Business and Industry Committee Substitute for House Bill 152 (Chapter 122) allows the department of transportation to sell, lease or exchange department property and facilities for commercial purposes, providing the department with more flexibility in managing its assets. It allows co-ventures such as the sale of New Mexico products in commercial tourist welcome centers and amends a section of law that previously prohibited joint public-private commercial ventures on department property and rights of way. This will allow the department to carry out its plan of developing joint public-private ventures on its property on Cerrillos road in Santa Fe. The bill directs revenue from these ventures to the state road fund, thus dedicating a potential revenue stream for road maintenance and improvements.

House Bill 1045 (Chapter 147) amends the Public Employees Retirement Act, authorizing the retirement board of the public employees retirement association (PERA) to acquire land and construct a new building to house the association if the existing PERA building is sold.

Establishment of a commuter rail system in the state has gained much support in recent years, yet certain changes in law have been necessary in order to address specific aspects of constructing and operating such a system. Until enactment of **House Judiciary Committee Substitute for House Bill**

1104 (Chapter 148), the state was allowed to purchase only project-specific insurance rather than the continuous insurance coverage required for operation of a rail system. The bill allows the state, a state agency or a political subdivision of the state to procure a continuous insurance policy, including owner's, operator's or contractor's protective or liability insurance, builder's risk insurance, railroad protective insurance or other policy of insurance against the negligence of another party to the contract. It provides that if the state, a state agency or a political subdivision of the state covered by the risk management division of the general services department enters into a contract for the construction, operation or maintenance of a public transportation system, including a railroad and related facilities that require insurance, the division must pay the cost of the insurance, and the premiums may not be a general obligation of the state. These provisions are similar to those insuring AMTRAK and other commuter rail operations in other states.

Senate Public Affairs Committee Substitute for Senate Bill 1055 (Chapter 317) enacts an exemption to the Procurement Code that authorizes the secretary of health to enter into an agreement with a private entity to operate Fort Bayard medical center or to build and operate, in Grant county, a replacement for the medical center.

House Bill 498 (Chapter 334) creates the State Use Act to promote productive employment for the disabled. It provides that state agencies and local governing bodies shall procure needed services from persons with disabilities pursuant to rules adopted by the New Mexico council for purchasing from persons with disabilities, and provides that such purchases are exempt from the Procurement Code.

Senate Bill 814 (Chapter 99) amends the Procurement Code to require a subcontractor to provide a performance and payment bond on a public works building project if the subcontractor's contract is for \$50,000 or more.

Symbols and Motto

The state has two new official symbols as a result of the session, with the hot air balloon designated as the official state aircraft in **Senate Bill 13 (Chapter 4)** and the Cumbres and Toltec scenic railroad designated as the state's official historic railroad in **House Bill 447 (Chapter 254)**. There was also a bill introduced to change the state motto; however, Senate Bill 953 ultimately failed and the motto "Crescit Eundo" remains.

Related Bills

House Education Committee Substitute for House Bill 745 (Chapter 289) - higher education department - see *Education*

Senate Bill 313 (Chapter 5) - governor's HIV and AIDS policy commission - see *Health and Public Assistance*

Senate Bill 473 (Chapter 55) - New Mexico telehealth commission - see *Health and Public Assistance*

Senate Bill 614 (Chapter 65) - next generation council - see *Children, Youth and Families*

TAXATION

In January, Governor Bill Richardson named certain tax relief measures as gubernatorial priorities for the 2005 legislative session. His proposals to provide income tax cuts to low- and middle-income households and single-parent families and to reduce gross receipts tax pyramiding for businesses spearheaded his efforts to provide tax relief to New Mexicans. The legislature passed legislation to implement many of the governor's tax relief proposals and other tax-related measures to provide administrative reforms, to promote economic growth and to provide additional tax relief to certain taxpayers. The cost of the tax relief was offset by other bills to increase existing taxes, extend the phase-in of the income tax cuts and provide authority for the imposition of new taxes.

House Taxation and Revenue Committee Substitute for House Bills 410, 582, 844 and 1086 (Chapter 104) (HB 410) is the most comprehensive tax relief measure passed by the legislature. The bill contains income tax relief measures to provide up to a \$2,500 income tax exemption for low- and middle-income households and an additional income tax exemption of \$3,000 for persons 65 years of age or older with medical care expenses exceeding \$28,000. The legislation also contains provisions to permit heads of households to file income taxes within the same income tax brackets as married individuals filing joint returns. An annual tax holiday during the first weekend of August is also included to provide for tax-free sales of clothing, footwear, school supplies and computers.

Tax relief measures in the form of income tax and gross receipts tax credits or deductions for businesses are also contained in the legislation. Many of these tax breaks were proposed as a means of promoting economic growth for certain industries in the state. One such measure is an expansion of the film production tax credit, under which film production companies may claim up to 15 percent of direct production or postproduction expenditures made by the companies in New Mexico for the production of films or audiovisual products. To assist small research and development businesses, the legislation includes a credit against modified combined tax liability for 20 percent of qualified research expenditures made by those businesses. The legislation further provides a gross receipts tax deduction for receipts from "transformational acquisition programs" performing research and development, testing and evaluation at New Mexico military bases. A gross receipts tax deduction for receipts from aircraft services is also expanded through the legislation. To promote the construction of affordable housing, the legislation contains provisions for an affordable housing tax credit against modified combined tax liability for investment in affordable housing projects approved by the New Mexico mortgage finance authority.

The legislation also contains measures to promote economic development in rural areas by making the rural jobs tax credit permanent. The tax credit is applied against modified combined tax liability for wages paid by qualified businesses in rural areas. State law originally provided that the tax credit's availability would last until June 30, 2005. That time limitation is removed by the legislation passed this year.

One of the most significant tax relief reforms affecting businesses is included in a gross receipts deduction to reduce "gross receipts tax pyramiding" on services, which is the repeated taxation of the same service in a series of transactions in which that service is sold and resold. The bill provides a 10 percent deduction from gross receipts for receipts from sales of services for resale that were previously taxable pursuant to law. Although the credit does not completely eliminate the effects of gross receipts tax pyramiding, it reduces it to a certain extent. Municipalities and counties are held harmless from the provision of the credit.

In addition to the use of tax incentives to promote economic development in New Mexico, the legislation uses tax credits to promote the generation of renewable energy by expanding eligibility for the renewable energy production tax credit. Changes in the law permit eligibility for that corporate income tax credit for taxpayers that hold title to qualified energy generators and that lease property upon which a qualified energy generator operates. In addition, the legislation allows a taxpayer to be allocated all or a portion of the right to claim a renewable energy production tax credit if the taxpayer owns an interest in a business entity that is taxed for federal income tax purposes as a partnership as long as the interest owner holds at least a five percent share in the energy-generating business entity.

The cost of the provisions of the tax cuts contained in this legislation was an issue of concern; thus, the legislation includes a partial offset to the costs of the provision of those tax cuts by extending the phase-in of income tax rate reductions provided in 2003. Previously, marginal tax rates were scheduled to be 5.3 percent in tax year 2006 and 4.9 percent in 2007. The legislation changes this schedule by changing the top rates to 5.8 percent in 2006, 5.3 percent in 2007 and 4.9 percent in 2008.

In addition to the comprehensive economic development and energy-related tax incentives provided by the legislature through the passage of this omnibus tax bill, the legislature passed additional measures to promote economic growth in certain industries, the use of certain energy sources, the exercise of environmental responsibility, support of military service and other perceived desirable behaviors.

The film industry is one example of an industry that will benefit from measures included in the omnibus bill and from other tax cuts passed during the 2005 session. The legislature also passed **House Bill 122 (Chapter 101)**, which permits the state investment officer to purchase portions of anticipated film production tax credits to make investments in film production companies by providing loans to those companies. The legislature also passed **Senate Finance Committee Substitute for Senate Corporations and Transportation Committee Substitute for Senate Bill 416 (Chapter 337)** to promote film industry growth. The bill establishes the New Mexico filmmaker tax credit, which provides an additional credit against personal or corporate income tax to a New Mexico film production company for five percent of certain direct production expenditures made by the

company if at least 50 percent of the production company's crew is composed of New Mexico residents.

An energy use tax incentive is contained in **House Bill 995 (Chapter 179)**, which provides a compensating tax deduction for the use of certain biomass-related materials and equipment to promote the use of biomass energy resources. Materials and equipment for which a tax deduction may be taken include biomass boilers, gasifiers, furnaces and feedstock trailers.

House Bill 105 (Chapter 113) provides an incentive for organ donation by providing a deduction against net income for expenses related to donating human organs to another person. Eligible expenses include lost wages, lodging expenses and travel expenses. Taxpayers whose dependents donate organs would also qualify for the tax deduction, which is not to exceed \$10,000 in a taxable year.

Similar to one of the tax relief measures for seniors in HB 410, a \$2,800 income tax credit is provided in **House Taxation and Revenue Committee Substitute for House Bill 1102 (Chapter 267)** to seniors over age 65 who have unreimbursed medical care expenses of \$28,000 or more in a taxable year.

Tax incentives are provided to publicly traded partnerships through the passage of **Senate Bill 30 (Chapter 185)**. This legislation exempts publicly traded partnerships from requirements of the Withholding Tax Act. According to the taxation and revenue department (TRD), although such partnerships are rare, about half are related to the oil and gas industry; thus, many of the businesses that benefit from this legislation are likely participants in that industry.

In addition to providing tax relief to individuals of certain income groups and to businesses, the legislature attempted to provide special tax relief provisions to veterans and military families. To implement the provisions of a constitutional amendment ratified by the voters during the November 2004 general election to expand the group of veterans eligible for property tax exemptions, the legislature passed **House Taxation and Revenue Committee Substitute for House Bill 743 (Chapter 230)**. The legislation expands a property tax exemption previously reserved for honorably discharged veterans who served during periods of armed conflict to all honorably discharged veterans. The legislation provides a mechanism for compensation of individuals who were eligible for the exemption in the 2004 tax year but did not receive the exemption. Those individuals may claim the exemption during the 2005 tax year. **House Bill 484 (Chapter 220)** further encourages assistance to members of the New Mexico national guard activated for service in the global war on terrorism and their families. The legislation permits taxpayers to designate portions of their income tax refunds for that purpose.

Like military assistance tax policy issues, health care assistance tax policy issues were the subject of contentious debate during the 2005 session. In 2004, the legislature's passage of Senate Bill 385 was at the center of the debate on how to pay for escalating medicaid costs. The legislation imposed a daily bed surcharge on the gross receipts of services provided by nursing homes, licensed

intermediate care facilities for the mentally retarded and licensed residential treatment centers. Funds raised from the surcharge were intended to help the state in obtaining federal matching funds for medicaid. However, the legislation also implemented an income tax credit of \$10.00 per day to non-medicaid patients and their families to offset the additional costs from the surcharge. Due to federal concerns that the provision of the tax credit might violate certain provisions of the Social Security Act and prevent the state from receiving the federal matching funds, the 2005 legislature voted in **Senate Bill 534 (Chapter 91)** to repeal the tax credit at issue. The same bill provides nursing homes with a deduction from gross receipts from third-party administrators of medicare and the federal military TRICARE program, a managed health insurance program for active duty military personnel and their families, retirees and their families, survivors, active duty reservists and members of the national guard.

In addition to the tax refund donation provisions in House Bill 484, the legislature passed two bills during the 2005 legislative session to facilitate donations by taxpayers of their anticipated tax refunds to certain governmental or charitable purposes. **Senate Bill 310 (Chapter 87)** allows taxpayers to designate portions of their income tax refunds to the state parks division of the energy, minerals and natural resources department for the kids in parks education program. **Senate Bill 483 (Chapter 56)** allows taxpayers to designate portions of their tax refunds for research on amyotrophic lateral sclerosis, more commonly known as Lou Gehrig's disease.

Although the legislature passed several bills to reduce tax burdens on New Mexico individuals and businesses, some measures also passed that might increase tax burdens in certain circumstances. Legislation providing local governments with the authority to impose new or additional taxes was prominent during the 2005 session. **Senate Bill 375 (Chapter 89)** provides counties with the authority to hold elections on mill levies for the purposes of indigent health care funding and elections on funding for county hospitals within the same year. A new tax named the "local option quality of life gross receipts tax" may be imposed by local governments as a result of the passage of **House Bill 336 (Chapter 212)**. This bill allows counties and municipalities to enact a gross receipts tax of up to one-fourth percent of gross receipts for the purpose of funding cultural programs and activities provided by the local governments. Imposition of the tax is subject to voter approval. **House Bill 433 (Chapter 129)** provides counties and municipalities with additional authority to impose local option gross receipts taxes by removing the time limits that constrained the ability to impose the municipal or county capital outlay gross receipts tax.

Senate Finance Committee Substitute for Senate Bill 440 (Chapter 351) enacts the Municipal Event Center Funding Act, which authorizes municipalities to impose a surcharge of not less than five percent on revenues arising from activities at a municipal event center. The tax would be used to finance bonds issued by the municipalities to design, purchase, construct or renovate municipal event centers. The legislation additionally authorizes municipalities to establish funds for

the construction, renovation, operation, maintenance and equipment of municipal event centers, and it provides a governmental gross receipts tax exemption for municipal event center receipts.

Several other taxes, such as severance taxes, fuel taxes, motor vehicle excise taxes, other privilege taxes and property taxes are affected by legislation passed during the session. **House Bill 434 (Chapter 130)** expands the imposition of the oil and gas severance tax, the oil and gas conservation tax and the oil and gas emergency school tax to the severance of helium and nonhydrocarbon gases. **House Bill 424 (Chapter 109)** creates informational return reporting requirements for gasoline and special fuel rack operators, wholesalers and retailers. **House Bill 997 (Chapter 232)** provides a special fuels tax deduction for number 2 diesel fuel used by public school buses. The privilege taxes on athletic competition and on closed circuit telecasts were also affected by legislative action. To permit cooperative agreements between the state and tribal governments, **Senate Bill 713 (Chapter 346)** renames those taxes as "fees". The fees might thus be imposed on tribal governments pursuant to intergovernmental agreements.

Tax administration, as during the previous session, continued to be a prominent issue in tax policy formation in 2005. Several bills to expedite or simplify management of the state's tax system on the departmental level passed the legislature. **House Bill 234 (Chapter 12)** eliminates requirements for the reissuance of nontaxable transaction certificates to eliminate perceived complexities that might have arisen from such reissuance. To improve the manner in which tax fraud claims are handled, **House Bill 411 (Chapter 108)** establishes a tax fraud investigations division within the TRD and provides for criminal penalties and confidentiality provisions associated with tax fraud investigations.

After a failed attempt in 2004 to pass legislation to include the secretary of taxation and revenue in the representation of New Mexico in negotiation of the statewide streamlined sales tax initiative to facilitate sales and use taxes on remote sales transactions and to simplify the manner in which the sales of goods and services are taxed, in 2005 the legislature passed **House Bill 575 (Chapter 225)** to permit the secretary's participation in future negotiations.

Senate Bill 604 (Chapter 338) directs that receipts from the local option gross receipts tax, the local hospital gross receipts tax and the special county hospital gasoline tax be distributed to certain counties for use in operating a hospital rather than to the largest municipalities within those counties as previously required.

House Bill 829 (Chapter 143) amends New Mexico's version of the Uniform Probate Code to conform with amendments adopted by the national conference of commissioners on uniform state laws in 1998 and 2003. The amendments address the transfer of property in the absence of a will and the apportionment of the burden of federal and state estate taxes between the heirs of an estate or the beneficiaries of a trust.

In 1995, the Jicarilla Apache Nation purchased the Lodge at Chama, a 35,000-acre ranch where patrons may hunt deer and elk and enjoy many acres of forest as well as the amenities of an

upscale resort. When the Jicarillas purchased the property, Rio Arriba county reclassified the property as commercial instead of agricultural, as the grazing and forest property had been classified in the past. This raised the property tax rate of the land, and the Jicarillas sued the county. The supreme court of New Mexico found in *Jicarilla Apache Nation v. Rio Arriba County Assessor* that the reclassification was warranted. A dissent in that case noted that it is the prerogative of the legislature, not a function of the courts, to define what constitutes an agricultural use of land. **House Bill 867 (Chapter 231)** makes it clear that land used to raise captive elk or deer is agricultural land and provides for a tax per head on elk and deer equal to that on cattle and sheep, respectively. The lodge and other buildings remain taxable by the county as commercial property, as those facilities have always been taxed.

Related Bills

Senate Bill 370 (Chapter 349) - bingo and raffle tax - see *Gaming and Wagering*

Senate Bill 837 (Chapter 350) - gaming tax - see *Gaming and Wagering*

UTILITIES AND TELECOMMUNICATIONS

Bills introduced and passed this year concerning telecommunications reflect dramatic changes in available technology, with cellular, internet, cable and wireless now as integral to the telecommunications infrastructure as land lines have been for decades. Because the public regulation commission (PRC) regulatory structure was initially conceived before the introduction of these more recent technologies, the legislature passed bills to adjust the PRC's authority to address current needs, and coming sessions will most likely see more adjustments. In addition, the legislature focused on the escalating cost of energy and on the governor's commitment to energy conservation.

Senate Bill 644 (Chapter 341) amends the Public Utility Act to allow public utilities to recover costs of investments in energy efficiency and streamlines regulations that affect utilities' implementation of energy-efficiency technologies. The bill provides that the PRC shall approve investments in efficiency as an acceptable use of ratepayer money. Public utilities are required to evaluate and implement cost-effective programs that reduce energy demand and consumption; the programs must, however, be reviewed and approved by the PRC prior to implementation. The bill also provides for nonbinding recommendations on energy-efficient programs from PRC staff, the energy, minerals and natural resources department, the attorney general's office and other interested parties.

House Bill 776 (Chapter 335) reforms the PRC's intrastate switched access rates, which are the fees that telecommunications carriers pay to each other to originate and terminate calls on their respective networks. The bill also provides revenue for the rural universal service fund, which supports telecommunications carriers' ability to service high-cost rural areas, and reduces intrastate switched access charges to the same level as interstate switched access charges. Under the new law, the PRC is required to establish eligibility criteria for participation in the rural universal service fund;

establish an affordability benchmark rate for basic services, which will be used to determine the level of support for each eligible carrier; provide for the collection of a surcharge on a competitively neutral basis and for the administration and disbursement of money from the fund; and determine which services require support from the fund. The surcharge will be collected from consumers to replace the intrastate switched access charges that companies currently pay to each other in order to ensure availability of local affordable services in rural high-cost areas. The access charges will be phased out over three years beginning no later than April 1, 2006, and a report to the legislature is required by December 1, 2008 regarding the effects of this change. Funds to be collected are specifically designated nonpublic funds. The PRC retains authority to adjust intrastate rates.

House Bill 174 (Chapter 203) simplifies and updates existing law with respect to funding for emergency 911 communications systems by consolidating three separate 911 surcharges and funds and allowing administrators greater flexibility to use funds for costs associated with establishing and updating emergency 911 services. **Senate Bill 688 (Chapter 276)** amends Section 62-9-5 NMSA 1978 of the Public Utility Act to require the PRC, when reviewing a utility request to abandon service or facilities, to consider the effect of the abandonment on all customers in New Mexico, whether served directly or indirectly. Location control and certificate of public convenience and necessity provisions of the Public Utility Act are modified by **Senate Bill 847 (Chapter 340)**, which now allows public utilities to apply for a certificate of public convenience and necessity before location approval, lock in rate-making principles over the life of a project and streamline the approval process in certain instances. **Senate Corporations and Transportation Committee Substitute for Senate Bill 855 (Chapter 339)**, in addition to updating language in the Public Utility Act, adds provisions for appointment of a receiver for public utilities that are unwilling or unable to service their customers; amends procedures by which small water and sewer utilities may change their rates; moves the date for paying the inspection and supervision fee; and allows the PRC to reject an application for location approval of an electric generating plant or transmission line if it is determined that it would unduly impair power system reliability.

A vetoed bill concerning telecommunications, House Consumer and Public Affairs Committee Substitute for House Bill 256, would have terminated Qwest's obligation to pay into the rural extension service fund.

WATER

This past fall and winter saw heavy precipitation in New Mexico. Whether this presages an end to the long-term drought or whether it turns out to be an anomalous year remains to be seen. In any case, there seemed to be a lessened sense of urgency among legislators and interest groups to enact dramatic water policy changes during the session. The exception was the passage of bills to create a

strategic water reserve to give the state a means of responding to interstate river compact delivery emergencies and to endangered species water needs. Domestic well restrictions were proposed again, but failed to progress through committees as far as they did during the 2004 session, when there were doubts about the state's ability to deliver enough Pecos river water to Texas. With the Pecos situation still on their minds, many legislators fostered passage of a measure to repeal the sunset provision on authority for lower Pecos river water banking to help meet future needs for deliveries and to facilitate water rights transfers. A measure creating an Indian water rights settlement fund was also enacted, as the legislature looked far into the future to anticipated needs for state cost-sharing for water projects to implement the Navajo water rights settlement and other agreements affecting Indian nations, tribes and pueblos. There were not as many bills in 2005 as in previous sessions to explore water conservation options, nor were appropriations for water management and litigation as high as requested by the agencies concerned. This year's respite from water urgencies may be fleeting, but many groups, including the Elephant Butte lake boaters, are pleasantly surprised and hopeful about the current weather patterns.

Senate Finance Committee Substitute for Senate Bill 123 (Chapter 175) creates the strategic water reserve and provides for the purchase, lease or donation of surface water rights for the reserve. Water in the reserve will be available to the interstate stream commission to meet compliance obligations pursuant to interstate stream compacts and to contribute to implementation of recovery plans for endangered species. A water reserve will help the state avoid potential priority calls on private water rights holders to meet compliance requirements in the event of drought-induced shortfalls and will provide a buffer against negative economic impacts that could result if the federal government orders the state to curtail water delivery to rightful owners. The bill requires the interstate stream commission to cooperate with political subdivisions to identify water rights to be acquired for the reserve and to obtain water rights with sufficient seniority to ensure delivery of water to achieve the goals of the reserve. The commission is prohibited from obtaining any rights by condemnation, and acequia or community ditch water is ineligible for acquisition for the reserve.

The Indian water rights settlement fund is established by **Senate Bill 172 (Chapter 172)**, which also establishes a process by which the legislature may indicate the state's support for negotiated water rights settlements in the future. In **Senate Conservation Committee Substitute for Senate Bill 102 (Chapter 186)**, district attorneys are given explicit authority to prosecute violations of laws concerning the misuse of water and interference with easements for or access to acequia and community irrigation ditches.

Related Bills

House Bill 35 (Chapter 195) - Water Quality Act amendments - see *Environment and Natural Resources*

House Bill 123 (Chapter 70) - drinking water state revolving loan fund appropriation - see

Appropriations and Finance

House Bill 304 (Chapter 180) - water and wastewater planning program - see *Appropriations and Finance*

APPENDIXES

DATA ON LEGISLATION
Forty-seventh Legislature, First Session, 2005

TOTAL LEGISLATION^{1,2}	HOUSE	SENATE	TOTAL
Bills	1,215	1,145	2,360
Joint Resolutions	17	21	38
Joint Memorials	111	98	209
Memorials	74	49	123
Concurrent Resolutions	1	0	1
Resolutions	6	5	11
	TOTAL: 1,424	1,318	2,742
INTRODUCTIONS³			
Bills & Dummies Substituted	1,106	1,076	2,182
Joint Resolutions	17	21	38
Joint Memorials	107	97	204
Memorials	74	49	123
Concurrent Resolutions	1	0	1
Resolutions	6	5	11
	TOTAL: 1,311	1,248	2,559
PASSAGE			
Bills	230	190	420
Joint Resolutions	2	3	5
Joint Memorials	47	52	99
Memorials	54	27	81
Concurrent Resolutions	0	0	0
Resolutions	1	1	2
	TOTAL: 334	273	607
PERCENTAGE OF INTRODUCTIONS PASSED			
Bills	21%	18%	19%
Joint Resolutions	12%	14%	13%
Joint Memorials	44%	54%	49%
Memorials	73%	55%	66%
Concurrent Resolutions	0	0	0
Resolutions	17%	20%	18%
	TOTAL: 25%	22%	24%
ENACTED			
Signed by Governor	198	153	351
VETOED			
Vetoed by Governor's Message	4	9	13
Pocket Vetoed ⁴	28	28	56
	TOTAL: 32	37	69
PERCENTAGE OF PASSED BILLS VETOED	14%	19%	16%

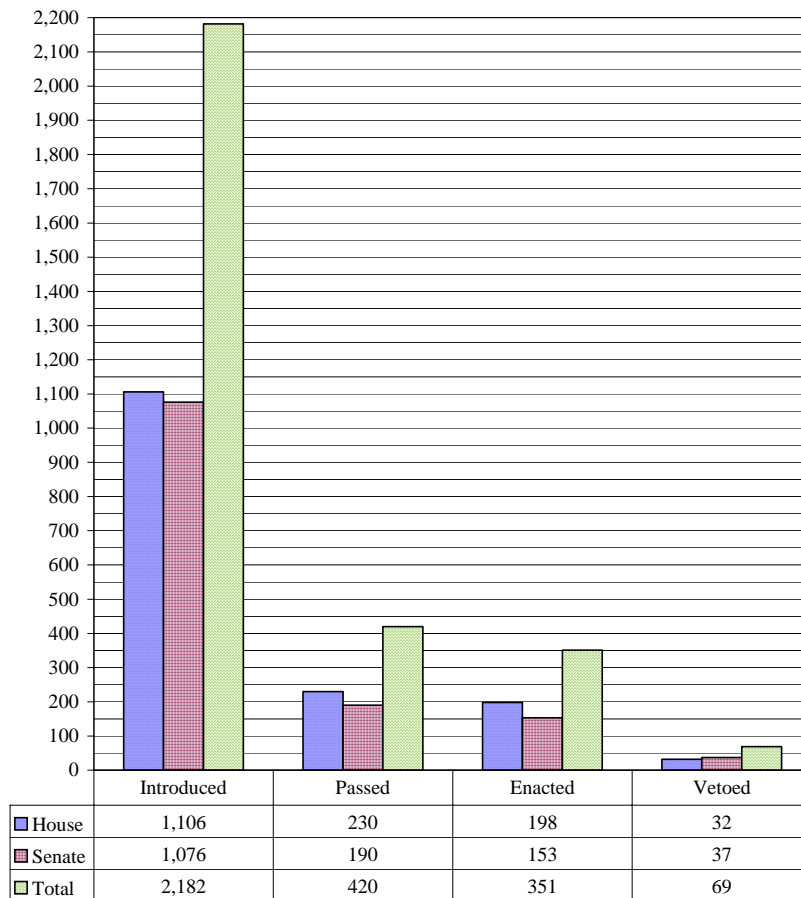
¹There were 49 dummy bills introduced in the house and 51 in the senate; however, if they were not substituted into substantive bills, they are not counted in these statistics.

²Includes substitutes counted as separate bills.

³Does not count substitutes, with the exception of dummy substitutes.

⁴Pursuant to Article IV, Section 22 of the constitution of New Mexico.

Bill Action Summary Regular Session 2005



All Introduced Legislation Percentage Passed, Regular Session 2005

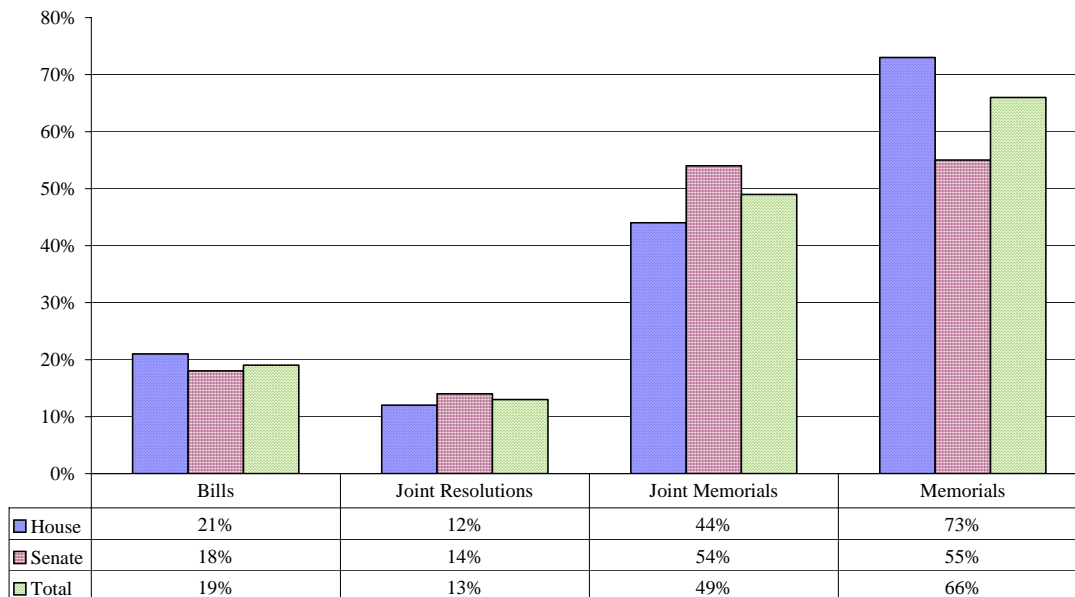


TABLE 1
SUMMARY OF GENERAL FUND APPROPRIATIONS
FORTY-SEVENTH LEGISLATURE
FIRST SESSION, 2005
(in thousands)

	<u>Fiscal Year 2005</u>	<u>Fiscal Year 2006</u>
GENERAL APPROPRIATIONS ACT (GAA) OF 2005 (Ch. 33)		
Section 4. Operating Expenses		
A. Legislative	0.0	3,357.0
B. Judicial	0.0	154,831.9
C. General Control	0.0	147,599.9
D. Commerce & Industry	0.0	45,866.6
E. Agriculture, Energy & Natural Resources	0.0	67,560.0
F. Health, Hospitals & Human Services	0.0	1,112,200.4
G. Public Safety	0.0	292,062.5
H. Transportation	0.0	0.0
I. Other Education	0.0	19,154.3
J. Higher Education	0.0	691,118.5
K. Public School Support	0.0	2,107,196.3
Subtotal for Fiscal Year 2006 Operating Expenses	\$0.0	\$4,640,947.4
Section 5. Special Appropriations	82,614.8	0.0
Section 6. Supplemental and Deficiency Appropriations	8,456.8	0.0
Section 7. Data Processing Appropriations	0.0	0.0
Section 8. Compensation Appropriations	0.0	12,719.6
Subtotal for Additional Appropriations	\$91,071.6	\$12,719.6
FISCAL YEAR TOTALS - GENERAL APPROPRIATIONS ACT	\$91,071.6	\$4,653,667.0
FISCAL YEARS 2005 AND 2006 - GAA	\$4,744,738.6	
 SPECIAL APPROPRIATION BILLS		
HB 1 (Ch. 1) Feed Bill	8,076.6	10,971.5
HB 885 (Ch. 347) Capital Expenditures	237,646.6	0.0
SB 190 (Ch. 34) House Bill 2 Jr.	7,795.7	29,880.3
TOTAL - SPECIAL APPROPRIATION BILLS	\$253,518.9	\$40,851.8
FISCAL YEAR TOTALS - GAA & SPECIAL APPROPRIATIONS	\$344,590.5	\$4,694,518.8
FISCAL YEARS 2005 AND 2006 - GAA & SPECIALS	\$5,039,109.3	

TABLE 2
GENERAL APPROPRIATION ACT OF 2005
CHAPTER 33
GENERAL FUND
(in thousands)

	Fiscal Year 2005	Fiscal Year 2006
SECTION 4 - OPERATING EXPENSES		
Legislative		
Energy Council Dues		32.0
Legislative Council Service		3,325.0
Total Legislative		\$3,357.0
Judicial		
Supreme Court Law Library		1,637.0
New Mexico Compilation Commission		0.0
Judicial Standards Commission		573.1
Court of Appeals		4,694.3
Supreme Court		2,394.8
Administrative Office of the Courts		31,898.4
Supreme Court Building Commission		696.7
First Judicial District Court		5,163.7
Second Judicial District Court		17,674.0
Third Judicial District Court		4,752.1
Fourth Judicial District Court		1,225.3
Fifth Judicial District Court		4,262.3
Sixth Judicial District Court		1,971.4
Seventh Judicial District Court		1,491.4
Eighth Judicial District Court		2,076.4
Ninth Judicial District Court		2,041.4
Tenth Judicial District Court		607.9
Eleventh Judicial District Court		3,751.7
Twelfth Judicial District Court		2,186.8
Thirteenth Judicial District Court		3,709.8
Bernalillo County Metropolitan Court		17,876.0
First Judicial District Attorney		3,556.9
Second Judicial District Attorney		13,619.6
Third Judicial District Attorney		2,829.6
Fourth Judicial District Attorney		2,411.2
Fifth Judicial District Attorney		3,125.4
Sixth Judicial District Attorney		1,686.5
Seventh Judicial District Attorney		1,835.1
Eighth Judicial District Attorney		2,039.1
Ninth Judicial District Attorney		1,916.9
Tenth Judicial District Attorney		733.4
Eleventh Judicial District Attorney		4,171.0
Twelfth Judicial District Attorney		2,061.9
Thirteenth Judicial District Attorney		3,140.8
Administrative Office of the District Attorneys		1,020.0
Total Judicial		\$154,831.9

TABLE 2
GENERAL APPROPRIATION ACT OF 2005
CHAPTER 33
GENERAL FUND
(in thousands)

	Fiscal Year 2005	Fiscal Year 2006
General Control		
Attorney General		11,551.3
State Auditor		2,281.6
Taxation and Revenue Department		56,842.1
State Investment Council		0.0
Department of Finance and Administration		15,291.8
Public School Insurance Authority		0.0
Retiree Health Care Authority		10.0
General Services Department		11,241.2
Educational Retirement Board		0.0
New Mexico Sentencing Commission		606.8
Public Defender Department		30,965.7
Governor		4,373.1
Lieutenant Governor		618.9
Office of the Chief Information Officer		945.8
Public Employees Retirement Association		0.0
State Commission of Public Records		2,230.4
Secretary of State		2,989.2
Personnel Board		3,932.0
Public Employees Labor Relations Board		311.7
State Treasurer		3,408.3
Total General Control		\$147,599.9
Commerce and Industry		
Board of Examiners for Architects		0.0
Border Authority		422.6
Tourism Department		8,164.7
Economic Development Department		6,161.4
Regulation and Licensing Department		13,031.0
Public Regulation Commission		10,185.3
New Mexico Medical Board		0.0
Bord of Nursing		0.0
New Mexico State Fair		0.0
State Board of Licensure		0.0
Gaming Control Board		5,814.5
State Racing Commission		1,987.1
Board of Veterinary Medicine		0.0
Cumbres and Toltec Scenic Railroad Commission		100.0
Total Commerce and Industry		\$45,866.6

TABLE 2
GENERAL APPROPRIATION ACT OF 2005
CHAPTER 33
GENERAL FUND
(in thousands)

	Fiscal Year 2005	Fiscal Year 2006
Agriculture, Energy and Natural Resources		
Cultural Affairs Department		26,670.5
New Mexico Livestock Board		887.1
Department of Game and Fish		179.6
Energy, Minerals and Natural Resources Department		20,514.0
New Mexico Youth Conservation Corps		0.0
Commissioner of Public Lands		0.0
State Engineer		19,032.1
Organic Commodity Commission		276.7
Total Agriculture, Energy and Natural Resources		\$67,560.0
Health, Hospitals and Human Services		
Commission on the Status of Women		464.8
Office on African American Affairs		421.1
Commission for Deaf and Hard-of-Hearing Persons		0.0
Martin Luther King, Jr. Commission		255.4
Commission for the Blind		1,551.1
Indian Affairs Department		2,371.7
Aging and Long-Term Services Department		36,183.3
Human Services Department		626,765.9
Labor Department		1,631.0
Workers' Compensation Administration		0.0
Vocational Rehabilitation Division		5,770.2
Governor's Commission on Disability		578.6
Developmental Disabilities Planning Council		3,042.4
Miners' Hospital of New Mexico		0.0
Department of Health		272,239.5
Department of Environment		13,370.8
Office of Natural Resources Trustee		230.1
New Mexico Health Policy Commission		1,355.4
Veterans' Services Department		2,247.2
Children, Youth and Families Department		143,721.9
Total Health, Hospitals and Human Services		\$1,112,200.4
Public Safety		
Department of Military Affairs		5,286.4
Parole Board		365.9
Juvenile Parole Board		375.2
Corrections Department		211,742.8
Crime Victims Reparation Commission		1,747.5
Department of Public Safety		72,544.7
Total Public Safety		\$292,062.5

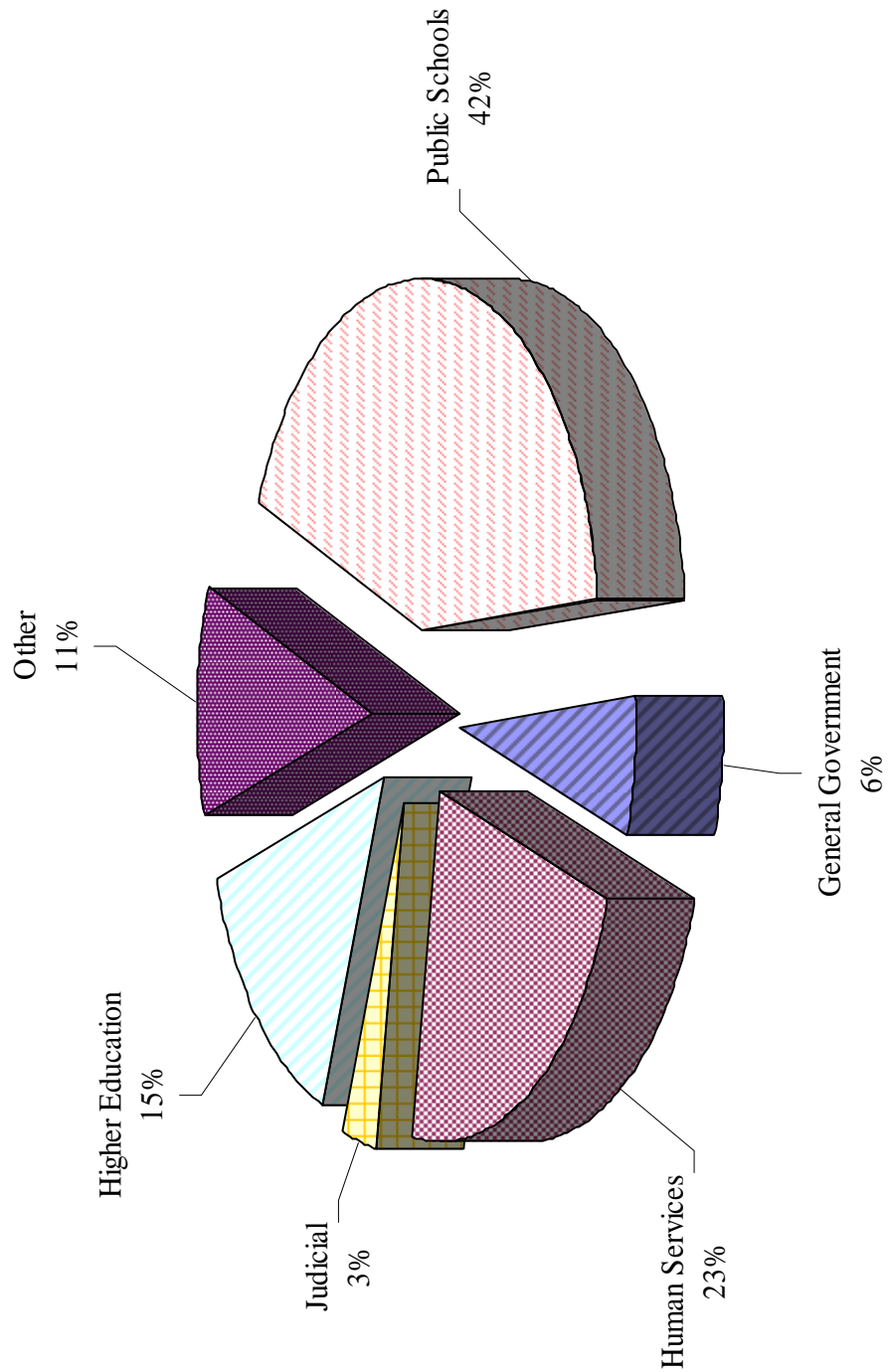
TABLE 2
GENERAL APPROPRIATION ACT OF 2005
CHAPTER 33
GENERAL FUND
(in thousands)

	Fiscal Year 2005	Fiscal Year 2006
Transportation		
Department of Transportation		0.0
Total Transportation		\$0.0
 Other Education		
State Public Education Department		11,636.2
Other Education and Special Appropriations		7,518.1
Public School Facilities Authority		0.0
Total Other Education		\$19,154.3
 Higher Education		
Commission on Higher Education		34,589.0
University of New Mexico		260,134.6
New Mexico State University		166,082.3
New Mexico Highlands University		25,785.9
Western New Mexico University		16,769.7
Eastern New Mexico University		38,527.0
New Mexico Institute of Mining and Technology		32,741.1
Northern New Mexico Community College		8,067.9
Sante Fe Community College		12,361.1
Albuquerque Technical-Vocational Institute		47,700.1
Luna Vocational-Technical Institute		7,088.8
Mesalands Community College		2,364.8
New Mexico Junior College		7,110.4
San Juan College		19,619.7
Clovis Community College		10,028.0
New Mexico Military Institute		0.0
New Mexico School for the Blind & Visually Impaired		164.6
New Mexico School for the Deaf		1,983.5
Total Higher Education		\$691,118.5
 Public School Support		
Public School Support		2,070,096.3
Instructional Material		30,500.0
Educational Technology		5,000.0
Incentives for School Improvement		1,600.0
Total Public School Support		\$2,107,196.3
 Total Section 4 - 2006 Appropriations		 \$4,640,947.4

TABLE 2
GENERAL APPROPRIATION ACT OF 2005
CHAPTER 33
GENERAL FUND
(in thousands)

	<u>Fiscal Year 2005</u>	<u>Fiscal Year 2006</u>
SECTION 5 - SPECIAL APPROPRIATIONS		
128 items were in the bill as passed	115,157.3	
10 items were vetoed reducing general fund by	-32,542.5	
118 general fund appropriations were signed into law	<u>82,614.8</u>	
Total Section 5 - 2005 Appropriations	\$82,614.8	
SECTION 6 - SUPPLEMENTALS & DEFICIENCIES		
13 general fund appropriations were signed into law	<u>8,456.8</u>	
Total Section 6 - 2005 Appropriations	\$8,456.8	
SECTION 7 - DATA PROCESSING		
34 appropriations of other state funds were approved	<u>0.0</u>	
Total Section 7 - 2005 Appropriations	\$0.0	
SECTION 8 - COMPENSATION		
State Agency Compensation		<u>12,719.6</u>
Total Section 8 - 2006 Appropriations		\$12,719.6
FISCAL YEAR TOTALS - GAA GENERAL FUND	<u>\$91,071.6</u>	<u>\$4,653,667.0</u>
FISCAL YEARS 2005 & 2006 - GAA GENERAL FUND	\$4,744,738.6	

CHART 1
GENERAL FUND APPROPRIATIONS
Fiscal Years 2005 and 2006
Forty-seventh Legislature



**CHART 2 AND CHART 3
GENERAL FUND APPROPRIATIONS
Fiscal Years 2005 and 2006
Forty-seventh Legislature, First Session**

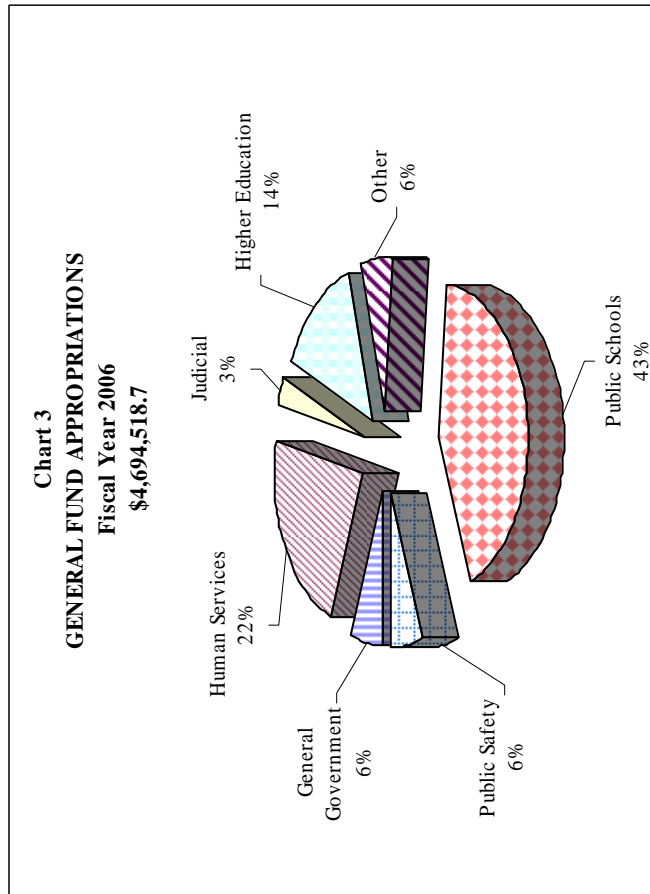
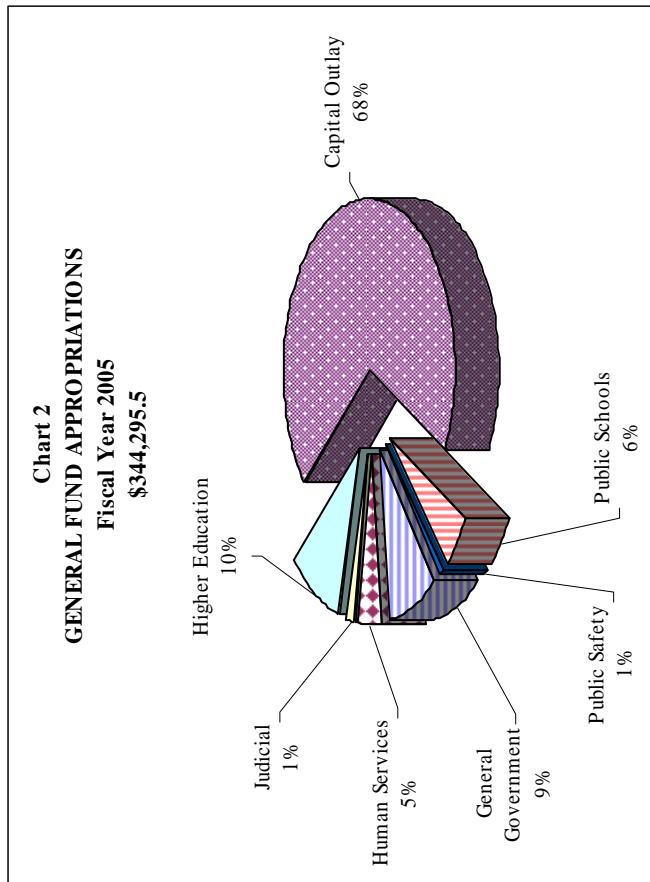


TABLE 3
GENERAL APPROPRIATION ACT VETOES

HB 2 PAGE	AGENCY CODE	DESCRIPTION	Fiscal Year 2005	Fiscal Year 2006
SECTION 3 - GENERAL PROVISIONS				
4	ALL	Restrictions concerning the appropriation of supplemental federal funds	0.0	0.0
5	ALL	Language regarding FTE maximums	0.0	0.0
6	ALL	Contractual services contingency language	0.0	0.0
SECTION 4 - APPROPRIATIONS				
50	GC	Internal service fund appropriation contingency language	0.0	0.0
96	AE&NR	FTE position designations for museums and monuments	0.0	0.0
126	HS	Legislative intent regarding supplanting of local funds	0.0	0.0
144	HS	Earmarking of appropriations for equipment and contracts	0.0	0.0
145	HS	Prohibition against reversion of appropriations	0.0	0.0
182	OE	Earmarking of appropriations for PSFA positions	0.0	0.0
213	PSS	PED reporting requirement to the LESC and LFC by 7/1/05	0.0	0.0
SECTION 5 - SPECIAL APPROPRIATIONS				
216	L	LCS public school funding formula study	-200.0	0.0
217	J	General fund appropriation contingency language	0.0	0.0
217	J	Administrative office of the district attorneys	-100.0	0.0
220	GC	Transfer and contingency language regarding pre-kindergarten	0.0	0.0
223	AE&NR	Public regulation commission appropriation of other state funds	0.0	0.0
223	AE&NR	Cultural affairs department earmarked appropriations	-742.5	0.0
226	AE&NR	State engineer expenditure authority	0.0	0.0
227	AE&NR	State engineer expenditure authority	0.0	0.0
228	AE&NR	State engineer reversion of unspent funds	0.0	0.0
230	HS	Department of health earmarking of funds	0.0	0.0
231	HS	Contingent appropriation language	0.0	0.0
234	OE	PED reporting requirement to the LESC by 11/1/05	0.0	0.0
234	HE	Commission on higher education appropriations	-31,500.0	0.0

TABLE 3
GENERAL APPROPRIATION ACT VETOES

HB 2 PAGE	AGENCY CODE	DESCRIPTION	Fiscal Year 2005	Fiscal Year 2006
SECTION 7 - DATA PROCESSING APPROPRIATIONS				
247	HS	Health policy commission appropriation of other state funds	0.0	0.0
249	OE	PSFA earmarked and contingent appropriation of other state funds	0.0	0.0
249	HE	Commission on higher education appropriation of other state funds	0.0	0.0
250	HE	Commission on higher education appropriation of other state funds	0.0	0.0
SECTION 10 - FISCAL YEAR 2006 BUDGET ADJUSTMENTS AUTHORIZED				
261	GC	New Mexico sentencing commission	0.0	0.0
SECTION 11 - APPROPRIATION REDUCTION				
265	ALL	Specific budget reductions are eliminated	0.0	0.0
TOTALS.....			-32,542.5	0.0

KEY TO AGENCY CODES

ALL	All government departments
L	Legislative
J	Judicial
GC	General Control
C&I	Commerce and Industry
AE&NR	Agriculture, Energy and Natural Resources
HS	Health, Hospitals and Human Services
PS	Public Safety
T	Transportation
OE	Other Education
HE	Higher Education
PSS	Public School Support

TABLE 4
BILLS AFFECTING GENERAL FUND REVENUE
(in thousands)

(all amounts are recurring unless noted)

Bill No.	Chapter	Subject	Fiscal Year				
			2005	2006	2007	2008	
HB 105	113	Organ donation deduction	(5.0)	(25.0)	(25.0)	(25.0)	
HB 394	21	Health insurance rates	-	196.0	564.0	(1,748.0)	(1)
HB 410	104	Modifying the personal income tax and gross receipts tax	-	12,328.0	27,737.0	(6,974.0)	
HB 411	108	Tax fraud investigation	Indeterminate				(2)
HB 434	130	Subject helium to severance taxes	Indeterminate				
HB 444	132	Health insurance premium surtax	-	(800.0)	(800.0)	(800.0)	
HB 995	179	Biomass equipment tax deduction	-	(9.0)	(9.0)	(9.0)	
HB 997	232	School bus fuel excise exemption	-	140.0	140.0	140.0	(3)
HB 1102	267	Over 65 medical expense tax credit	(1,725.0)	(3,550.0)	(3,550.0)	(3,550.0)	
SB 416	337	Low-income film production credit	Indeterminate				
SB 534	91	Nursing home gross receipts	1,399.5	2,398.0	2,398.0	2,398.0	(4)
SB 713	346	Athletic competition privilege tax	Indeterminate				
			-	-	-	-	
			-	-	-	-	
Totals			(330.5)	10,678.0	26,455.0	(10,568.0)	

Notes:

- (1) Initially, an increase in the cost of premiums will result in an increase in premium tax revenue. However, health insurers receive a credit against premium taxes for assessments paid to the Health Insurance Alliance, therefore, beginning in FY 08 there will be a negative impact on the general fund.
- (2) Any additional revenue will derive from increased compliance.
- (3) Fuels that are exempt from the special fuels excise tax are subject to the gross receipts tax.
- (4) Personal income tax revenue increases by \$3,200.0 because of the repeal of the bed tax credit; gross receipts revenue decreases by \$802.0 because of the new deduction for medicaid-funded beds.

TABLE 5
BILLS AFFECTING OTHER STATE REVENUE
(in thousands)

(all amounts are recurring unless noted)

Bill No.	Chapter	Subject	Fiscal Year				
			2005	2006	2007	2008	
HB 9	3	Unemployment compensation	-	(15,000.0)	(15,000.0)	(15,000.0)	
HB 122	101	Film production tax credit loans	Indeterminate				
HB 201	20	Motor vehicle administrative fees	-	3,255.0	3,255.0	3,255.0	
HB 203	38	Game and Fish liability account	Indeterminate				
HB 411	108	Tax fraud investigation	-	1,645.0	1,760.2	1,883.4	(1)
HB 424	109	Gas and special fuels	Indeterminate				(2)
HB 434	130	Subject helium to severance taxes	Indeterminate				
HB 484	220	National guard income tax contribution	11.0	22.0	22.0	22.0	
HB 997	232	School bus fuel excise exemption	-	(430.0)	(430.0)	(430.0)	
SB 16	74	Game and Fish license fees	-	1,500.0	4,500.0	4,500.0	
SB 310	87	Parks division income tax contribution	12.0	25.0	25.0	25.0	
SB 483	56	ALS income tax contribution	11.0	22.0	22.0	22.0	
SB 713	346	Athletic competition privilege tax	Indeterminate				
Totals			34.0	(8,961.0)	(5,845.9)	(5,722.6)	

Notes:

(1) Revenue impact is a result of increased compliance; it is anticipated that the Department of Labor penalty and interest fund, Workers' Compensation Administration fund and uninsured employer's fund will realize increased collections.

(2) This legislation introduces new reporting requirements and could result in increased compliance.

TABLE 6
BILLS AFFECTING LOCAL GOVERNMENT REVENUE
(in thousands)

(all amounts are recurring unless noted)

Bill No.	Chapter	Subject	Fiscal Year				
			2005	2006	2007	2008	
HB 201	20	Motor vehicle administrative fees	-	345.0	345.0	345.0	
HB 336	212	Local option quality of life gross receipts	Indeterminate				(1)
HB 410	104	Modifying the personal income tax and gross receipts tax	-	(2,618.0)	(2,949.0)	(3,348.0)	
HB 424	109	Gas and special fuels	Indeterminate				(2)
HB 434	130	Subject helium to severance taxes	Indeterminate				
HB 995	179	Biomass equipment tax deduction	-	(1.0)	(1.0)	(1.0)	
HB 997	232	School bus fuel excise exemption	-	5.0	5.0	5.0	
SB 534	91	Nursing home gross receipts	(133.8)	(535.0)	(535.0)	(535.0)	
			-	-	-	-	
			-	-	-	-	
			-	-	-	-	
			-	-	-	-	
			-	-	-	-	
		Totals	(133.8)	(2,804.0)	(3,135.0)	(3,534.0)	

Notes:

(1) Any new revenue will depend upon voter approval.

(2) This legislation introduces new reporting requirements and could result in increased compliance.

TABLE 7
2005 CAPITAL OUTLAY PROJECTS BY CATEGORY
HTRC/HB885 (Laws 2005, Chapter 347)

CHILDREN & FAMILY FACILITIES (domestic violence shelters, daycare, etc.)	<i>87 projects</i>	\$5,905,000
COMMUNITY FACILITIES	<i>285 projects</i>	\$19,867,275
CORRECTIONS FACILITIES	<i>23 projects</i>	\$4,070,811
CULTURAL FACILITIES (libraries, museums, arts, etc.)	<i>280 projects</i>	\$26,092,088
HEALTH FACILITIES	<i>108 projects</i>	\$19,786,083
HIGHER EDUCATION	<i>258 projects</i>	\$36,348,145
HIGHWAYS, ROADS & BRIDGES (streets, overpasses, drainage, etc.)	<i>399 projects</i>	\$35,979,422
JUDICIAL FACILITIES	<i>47 projects</i>	\$3,278,940
LAW ENFORCEMENT & PUBLIC SAFETY	<i>58 projects</i>	\$6,004,555
MILITARY & VETERANS	<i>27 projects</i>	\$1,137,500
MISCELLANEOUS	<i>81 projects</i>	\$50,198,814
MULTIPLE PROJECTS (projects grouped by county, district, other)	<i>4 projects</i>	\$275,000
PARKS & RECREATION FACILITIES	<i>351 projects</i>	\$28,821,837
PUBLIC BUILDINGS (government offices, rest areas, fair facilities, etc.)	<i>169 projects</i>	\$40,952,175
SCHOOLS (education facilities other than higher education)	<i>643 projects</i>	\$96,868,990
SENIOR CITIZENS	<i>218 projects</i>	\$10,087,299
TRANSPORTATION (airports, railroads, buses, vehicles, etc.)	<i>200 projects</i>	\$17,902,643
UTILITY & WASTE (water lines, sewer, power, landfills, etc.)	<i>309 projects</i>	\$38,751,417
WATER & IRRIGATION (rivers, dams, acequias, conservation, wells, etc.)	<i>87 projects</i>	\$30,482,000
<i>Grand Total</i>	<i>3,634 projects</i>	\$472,809,994

TABLE 8
2005 CAPITAL OUTLAY PROJECTS BY COUNTY
HTRC/HB885 (Laws 2005, Chapter 347)

BERNALILLO	<i>1,018 projects</i>	\$93,109,287
CATRON	<i>10 projects</i>	\$315,000
CHAVES	<i>156 projects</i>	\$6,566,811
CIBOLA	<i>100 projects</i>	\$5,352,000
COLFAX	<i>46 projects</i>	\$3,248,000
CURRY	<i>53 projects</i>	\$4,640,355
DE BACA	<i>7 projects</i>	\$458,000
DONA ANA	<i>254 projects</i>	\$28,965,752
EDDY	<i>132 projects</i>	\$6,370,359
GRANT	<i>60 projects</i>	\$10,318,148
GUADALUPE	<i>22 projects</i>	\$2,910,000
HARDING	<i>14 projects</i>	\$653,390
HIDALGO	<i>15 projects</i>	\$1,552,000
LEA	<i>65 projects</i>	\$7,406,360
LINCOLN	<i>56 projects</i>	\$4,643,000
LOS ALAMOS	<i>6 projects</i>	\$256,000
LUNA	<i>22 projects</i>	\$2,375,000
MCKINLEY	<i>162 projects</i>	\$9,580,541
MORA	<i>47 projects</i>	\$2,311,500
MULTIPLE COUNTY	<i>41 projects</i>	\$9,435,500
OTERO	<i>78 projects</i>	\$9,178,714
QUAY	<i>21 projects</i>	\$2,402,000
RIO ARRIBA	<i>123 projects</i>	\$9,027,000
ROOSEVELT	<i>61 projects</i>	\$4,093,143
SAN JUAN	<i>140 projects</i>	\$16,117,936
SAN MIGUEL	<i>109 projects</i>	\$8,405,400
SANDOVAL	<i>161 projects</i>	\$15,902,026
SANTA FE	<i>286 projects</i>	\$22,739,443
SIERRA	<i>20 projects</i>	\$4,746,116
SOCORRO	<i>37 projects</i>	\$3,702,000
STATEWIDE	<i>85 projects</i>	\$151,411,000
TAOS	<i>97 projects</i>	\$6,536,000
TORRANCE	<i>42 projects</i>	\$2,599,500
UNION	<i>9 projects</i>	\$1,557,392
VALENCIA	<i>79 projects</i>	\$13,925,321
<i>Grand Total</i>	<i>3,634 projects</i>	\$472,809,994

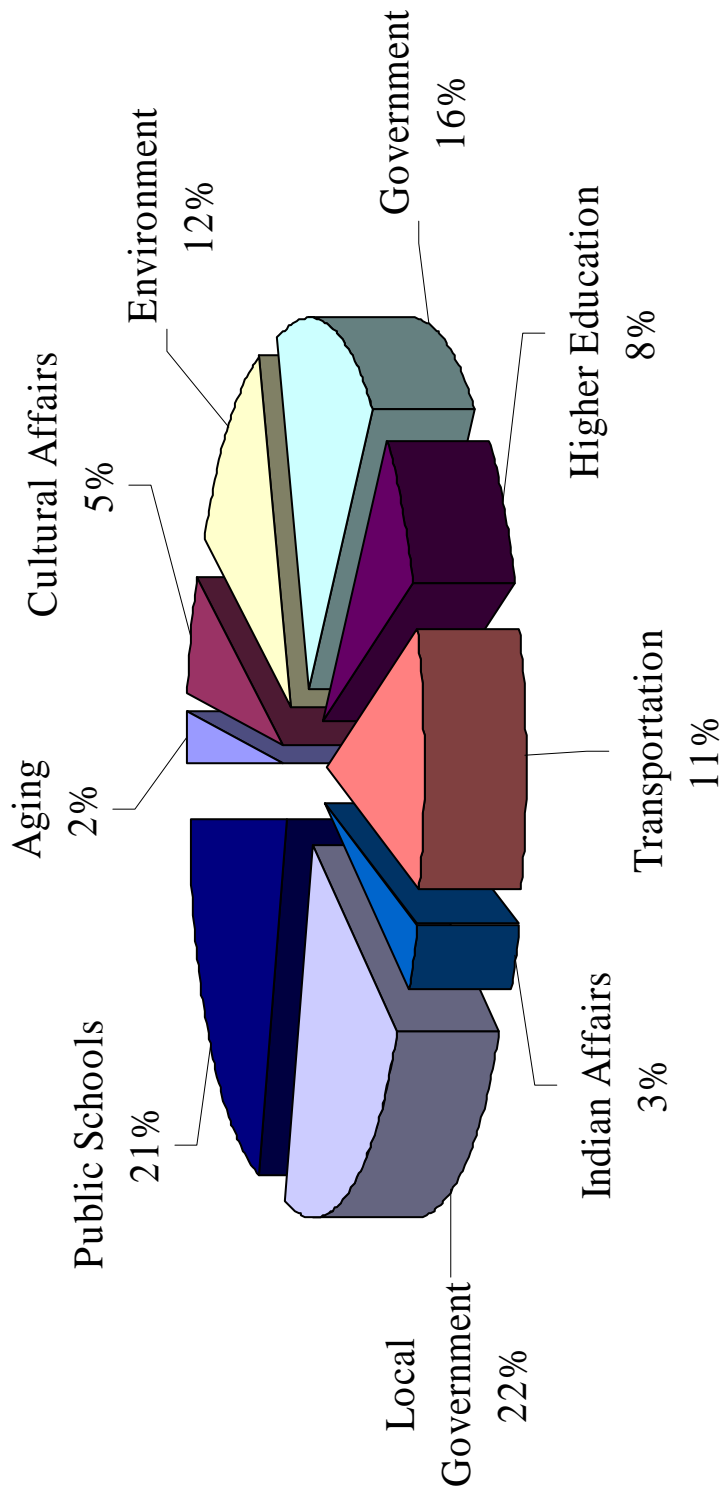
TABLE 9
2005 CAPITAL OUTLAY PROJECTS BY AGENCY
HTRC/HB885 (Laws 2005, Chapter 347)

ADMIN OFFICE OF THE COURTS	<i>1 project</i>	\$25,000
ADMIN OFFICE OF THE DISTRICT ATTORNEYS	<i>2 projects</i>	\$57,000
AGING AND LONG-TERM SERVICES DEPARTMENT	<i>276 projects</i>	\$13,117,554
ALBUQUERQUE TECHNICAL-VOCATIONAL INSTITUTE	<i>5 projects</i>	\$375,000
ARMORY BOARD, STATE	<i>5 projects</i>	\$645,000
BLIND AND VISUALLY IMPAIRED, NM SCHOOL FOR THE	<i>6 projects</i>	\$189,000
CAPITAL PROGRAM FUND	<i>24 projects</i>	\$25,309,400
CHILDREN, YOUTH AND FAMILIES DEPARTMENT	<i>3 projects</i>	\$37,000
CORRECTIONS DEPARTMENT	<i>3 projects</i>	\$2,600,000
COURT - 1ST JUDICIAL DISTRICT	<i>6 projects</i>	\$130,000
COURT - 2ND JUDICIAL DISTRICT	<i>4 projects</i>	\$150,940
COURT - 5TH JUDICIAL DISTRICT	<i>1 project</i>	\$25,000
COURT - 13TH JUDICIAL DISTRICT	<i>4 projects</i>	\$420,000
CULTURAL AFFAIRS DEPARTMENT	<i>54 projects</i>	\$8,581,243
CULTURAL AFFAIRS DEPARTMENT, LIBRARY DIVISION	<i>1 project</i>	\$75,000
CUMBRES AND TOLTEC SCENIC RAILROAD COMMISSION	<i>1 project</i>	\$1,000,000
DISTRICT ATTORNEY OF THE 1ST JUDICIAL DISTRICT	<i>1 project</i>	\$25,000
EASTERN NEW MEXICO UNIVERSITY	<i>25 projects</i>	\$2,055,811
ECONOMIC DEVELOPMENT DEPARTMENT	<i>10 projects</i>	\$14,285,000
EDUCATION DEPARTMENT, PUBLIC	<i>644 projects</i>	\$32,638,990
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT	<i>9 projects</i>	\$7,850,000
ENGINEER, OFFICE OF THE STATE	<i>32 projects</i>	\$7,747,000
ENVIRONMENT, DEPARTMENT OF	<i>274 projects</i>	\$31,651,961
FAIR COMMISSION, STATE	<i>15 projects</i>	\$3,688,000
FINANCE AND ADMINISTRATION, DEPARTMENT OF	<i>4 projects</i>	\$20,000,000
FINANCE AUTHORITY, NEW MEXICO	<i>1 project</i>	\$500,000
GAME AND FISH, DEPARTMENT OF	<i>11 projects</i>	\$10,380,000
GENERAL SERVICES DEPARTMENT	<i>5 projects</i>	\$10,000,000
GENERAL SERVICES DEPARTMENT, PROPERTY CONTROL	<i>1 project</i>	0
HEALTH, DEPARTMENT OF	<i>10 projects</i>	\$5,976,000
HIGHLANDS UNIVERSITY, NEW MEXICO	<i>17 projects</i>	\$3,046,000
INDIAN AFFAIRS DEPARTMENT	<i>259 projects</i>	\$18,829,513
INTERSTATE STREAM COMMISSION	<i>29 projects</i>	\$12,680,000

TABLE 9
2005 CAPITAL OUTLAY PROJECTS BY AGENCY
HTRC/HB885 (Laws 2005, Chapter 347)

LABOR DEPARTMENT	<i>1 project</i>	\$220,000
LAND OFFICE, STATE	<i>3 projects</i>	\$1,488,000
LEGISLATIVE COUNCIL SERVICE	<i>4 projects</i>	0
LOCAL GOVERNMENT DIVISION	<i>1,289 projects</i>	\$106,954,026
LUNA VOCATIONAL-TECHNICAL INSTITUTE	<i>8 projects</i>	\$1,250,000
MAGISTRATE AND METROPOLITAN COURT CAPITAL FUND	<i>5 projects</i>	0
MESALANDS COMMUNITY COLLEGE	<i>1 project</i>	\$25,000
MILITARY AFFAIRS, DEPARTMENT OF	<i>3 projects</i>	\$80,000
MILITARY INSTITUTE, NEW MEXICO	<i>2 projects</i>	\$100,000
MINERS' COLFAX MEDICAL CENTER	<i>1 project</i>	\$30,000
MINING AND TECHNOLOGY, NEW MEXICO INSTITUTE OF	<i>8 projects</i>	\$1,440,000
NEW MEXICO JUNIOR COLLEGE	<i>2 projects</i>	\$100,000
NEW MEXICO STATE UNIVERSITY	<i>78 projects</i>	\$12,742,855
PUBLIC EMPLOYEES RETIREMENT ASSOCIATION	<i>5 projects</i>	\$661,300
PUBLIC RECORDS, STATE COMMISSION OF	<i>6 projects</i>	\$140,000
PUBLIC SAFETY, DEPARTMENT OF	<i>3 projects</i>	\$1,105,000
PUBLIC SCHOOL CAPITAL OUTLAY FUND	<i>1 project</i>	\$62,000,000
SAN JUAN COLLEGE	<i>7 projects</i>	\$1,262,143
SANTA FE COMMUNITY COLLEGE	<i>10 projects</i>	\$205,000
TAXATION AND REVENUE DEPARTMENT	<i>1 project</i>	\$900,000
TOURISM DEPARTMENT	<i>4 projects</i>	\$155,000
TRANSPORTATION, DEPARTMENT OF	<i>369 projects</i>	\$34,087,810
UNIVERSITY OF NEW MEXICO	<i>69 projects</i>	\$10,307,400
WASTEWATER FACILITY CONSTRUCTION LOAN FUND	<i>1 project</i>	\$1,500,000
WESTERN NEW MEXICO UNIVERSITY	<i>10 projects</i>	\$1,966,048
<i>Grand Total</i>	<i>3,634 projects</i>	<i>\$472,809,994</i>

**CHART 4
2005 CAPITAL OUTLAY PROJECTS
HTRC/HB885 (Laws 2005, Chapter 347)**



Note: ENVIRONMENT includes local water and wastewater projects.
 GOVERNMENT includes all projects of a statewide nature.
 INDIAN AFFAIRS includes all projects on tribal lands except for aging and transportation projects, which are included in the AGING and TRANSPORTATION categories.

EFFECTIVE DATES OF LAWS 2005
by Bill Number

<i>Bill</i>	<i>Chapter Title</i>	<i>Emergency Clause</i>	<i>Effective Date of Law</i>	<i>Other Dates, Notes</i>
HB 0001	1 Feed Bill, K. Martinez	Yes	1/21/2005	
HB 0002	33 General Appropriation Act of 2005, Saavedra		3/14/2005	
HB 0009	3 Unemployment Compensation Changes, Stewart	Yes	2/8/2005	Sect. 12: Sections 1-5 apply to benefit calculations and eligibility determinations made on or after 1/1/05; Sect. 13: Sections 6-10 become effective 1/1/08 or are triggered by secretary of labor's certification of certain fund amount
HB 0010	2 National Guard Life Insurance Reimbursement, B. Lujan	Yes	2/2/2005	
HB 0031	114 Game Protection Fund Appropriations,		6/17/2005	
HB 0032	176 Energy Efficiency and Renewable Energy Bonding, Stewart		7/1/2005	
HB 0035	195 Eliminate De Novo Water Hearings, Heaton		6/17/2005	
HB 0037	326 Game and Fish Licenses Over Internet, Heaton		6/17/2005	
HB 0040	196 "Public Employer" in Employee Retirement Act, Heaton		6/17/2005	
HB 0054	67 Conditions for Business Incubators, Heaton		6/17/2005	
HB 0058	197 New Mexico Sports Authority Act, Saavedra		7/1/2005	
HB 0059	44 Create New Mexico Coin Commission, Irwin		7/1/2005	
HB 0061	115 School Meal Nutrition Rules, Swisstack		6/17/2005	rules must be adopted by 12/31/2005
HB 0064	116 Felony Convict Voting Requirements, Beam		6/17/2005	
HB 0066	198 Detoxification Reform Act Changes, Lundstrom		7/1/2005	
HB 0067	117 Branch Community College Board Authority, Lundstrom		6/17/2005	does not affect existing agreements or contracts
HB 0071	10 Motorists Moving Aside for Emergency Vehicles, Wallace		6/17/2005	
HB 0076	245 Insurance Fraud Investigator Powers, King		6/17/2005	
HB 0078	177 Game Commission Habitat Acquisition and Fees, Stewart		6/17/2005	
HB 0079	199 Expand Occupational Therapy Board, Stewart		7/1/2005	
HB 0084	315 Public School Code Clean-Up, Stewart	Yes	4/7/2005	

<i>Bill</i>	<i>Chapter</i>	<i>Title</i>	<i>Emergency Clause</i>	<i>Effective Date of Law</i>	<i>Other Dates, Notes</i>
HB 0093	200	Amend Pesticide Control Act, Nunez		6/17/2005	
HB 0095	36	Public Projects Revolving Fund Authorizations, Varela	Yes	3/18/2005	Sect. 2: certification required by 6/30/2008
HB 0097	68	Family Preservation Act, Varela		6/17/2005	
HB 0098	111	Office of Workforce Training and Development, Varela	Yes	4/4/2005	Sect. 22: effective 4/4/2005 all relevant Labor Depart. staff, money, equipment, etc., are transferred to OWTD; Sect. 23: effective 7/1/2005 all relevant DFA staff, etc., transferred to OWTD
HB 0099	69	Engineer and Surveyor Licensure Requirements, M. P. Garcia		6/17/2005	
HB 0103	19	Additional Sex Offender Board Member, Park		6/17/2005	
HB 0105	113	Income Tax Deduction for Organ Donation, Park		6/17/2005	applies to tax years beginning 1/1/2005
HB 0122	101	Film Production Tax Credit Loans, Gonzales		6/17/2005	
HB 0123	70	Drinking Water System Financing, Gonzales	Yes	4/4/2005	
HB 0130	118	Real Estate Appraiser Qualifications, Miera		6/17/2005	
HB 0132	201	Educational Assistance Foundation Loans, Miera		6/17/2005	
HB 0139	314	New Mexico History for Public School Graduation, Miera		6/17/2005	
HB 0142	119	Volunteer Firefighter Retirement Credits, Rodella		6/17/2005	Sect. 1: credit for years prior to 2005 must be requested prior to 12/31/2005; Sect. 2: applies to members retiring on or after 6/20/2003
HB 0147	120	Recovery of Attorney Fees in Lien Actions, Wirth		6/17/2005	
HB 0148	121	Create Museum Collections Fund, Wirth		6/17/2005	
HB 0149	71	Expand Museum Board of Regents Membership, Wirth		7/1/2005	
HB 0152	122	Commercial Goods on Publicly Owned Facilities, Lundstrom		6/17/2005	
HB 0153	285	Utility Operator Regulation and Fees, King		7/1/2005	
HB 0173	202	Teacher Preparation Program Loans, Hamilton		6/17/2005	
HB 0174	203	911 Surcharge and Fund, Stell		7/1/2005	
HB 0176	328	Vocational Education Under Public Commission, Stapleton		6/17/2005	

<i>Bill</i>	<i>Chapter</i>	<i>Title</i>	<i>Emergency Clause</i>	<i>Effective Date of Law</i>	<i>Other Dates, Notes</i>
HB 0178	306	Clarify Minimum Wage for Tipped Employees, Park		6/17/2005	Sect. 2: Sect. 1 B applies to wages earned starting 7/1/2005
HB 0180	45	Immunization Information for Pharmacists, Picraux		6/17/2005	
HB 0183	204	Protection of Genetic Privacy, Picraux		7/1/2005	
HB 0193	37	Create Water Resources Research Institute, Nunez		6/17/2005	
HB 0195	182	Create Strategic Water Reserve, Stell		6/17/2005	
HB 0201	20	Increase Motor Vehicle Administration Fees, Hanosh		7/1/2005	
HB 0203	38	Game and Fish Liability Suspense Account, Hanosh		6/17/2005	
HB 0205	246	Judicial Retirement Contributions, Varela		6/17/2005	benefits and contributions are different throughout the bill for those who become members before or after 7/1/2005; Sect. 3: member contributions increase 7/1/2005 and 7/1/2006
HB 0209	205	Official Community Land Grant Registry, Rodella		6/17/2005	
HB 0216	247	Magistrate Retirement Employer Contributions, Varela		7/1/2005	member and employer contributions increase 7/1/2005 and 7/1/2006
HB 0218	286	Public Education Department Divisions, Stewart		6/17/2005	
HB 0234	12	Nontaxable Transaction Certificate Reissuance, B. Lujan	Yes	3/15/2005	
HB 0248	123	Children's Artwork Motorcycle License Plates, King		6/17/2005	
HB 0249	206	School Program Cost Calculation Changes, King		6/17/2005	
HB 0250	248	Unauthorized Recording Act Violations, Sandoval		7/1/2005	
HB 0254	309	Court of Review for Human Rights Appeals, Wirth		6/17/2005	
HB 0255	327	Crime of Simulating Legal Process, Wirth		6/17/2005	
HB 0259	7	Native American Behavioral Health Committee, Sandoval		6/17/2005	
HB 0268	207	Create New Mexico Government Education Fund, Luna		6/17/2005	

<i>Bill</i>	<i>Chapter</i>	<i>Title</i>	<i>Emergency Clause</i>	<i>Effective Date of Law</i>	<i>Other Dates, Notes</i>
HB 0271	287	New Mexico Finance Authority Water Project Fund Projects, Crook	Yes	4/7/2005	
HB 0272	13	Optional License Plate County Name Stickers, Moore		6/17/2005	
HB 0273	39	Volunteer Operation of State Parks, Moore		6/17/2005	
HB 0275	249	Prohibit Alcohol on School Premises, Moore		6/17/2005	
HB 0282	241	Interlocks for All DWI Offenders, K. Martinez		6/17/2005	
HB 0289	42	Part-Time Employee Insurance Coverage, Wirth		7/1/2005	
HB 0303	124	Extend Military Driver's License Expirations, Hamilton		6/17/2005	
HB 0304	180	Water and Wastewater Grant Eligibility, Sandoval		7/1/2005	
HB 0306	208	Board and Commission Sunset Date Changes, Wallace		6/17/2005	
HB 0307	8	Military Base Planning Commission Members, Wallace		6/17/2005	
HB 0308	250	Speech-Language Pathology Scope of Practice, Wallace		6/17/2005	
HB 0309	125	Athletic Trainer Licensing and Requirements, Wallace		6/17/2005	
HB 0311	209	Surface Mining Act Appeal Provisions, Wallace		6/17/2005	
HB 0314	210	Counseling and Therapy Licenses and Practice, Moore		6/17/2005	Sect. 7: effective 7/1/2007; Sect. 12 B: additional core curriculum required effective 7/1/2005; Sects. 14 & 15: effective 7/1/2005
HB 0318	243	Medicaid Services for Brain Injuries, Beam	Yes	4/6/2005	
HB 0322	9	"Project" in Industrial Revenue Bond Act, Heaton	Yes	3/11/2005	
HB 0331	251	Land Grant Purchase of State Lands, M. P. Garcia		6/17/2005	
HB 0332	211	Land Grant Purchase at Tax Auctions, M. P. Garcia		7/1/2005	
HB 0335	41	Health Coverage for Unmarried Dependents, Picraux		7/1/2005	
HB 0336	212	Local Option Quality of Life Gross Receipts, Picraux		7/1/2005	Sects. 1 & 2: local government ordinances must be enacted prior to 1/1/2016

<i>Bill</i>	<i>Chapter</i>	<i>Title</i>	<i>Emergency Clause</i>	<i>Effective Date of Law</i>	<i>Other Dates, Notes</i>
HB 0337	170	Pre-Kindergarten Act, Miera		6/17/2005	Sect. 9: certain requirements for appropriations in FYs 2005-2007
HB 0349	213	School Library Fund Allocations, Cordova		6/17/2005	
HB 0353	126	Military Discharge Public Records Exception, Sandoval		7/1/2005	
HB 0363	127	Social Security Number Confidentiality Act, Picraux		1/1/2006	
HB 0368	214	Raise Procurement Code Small Purchase Limit, Sandoval		7/1/2005	
HB 0374	72	Health Policy Commission Membership, Heaton		6/17/2005	
HB 0380	238	County Investments in Federal Home Banks, Hall		7/1/2005	
HB 0382	252	Electronic Recording of Custodial Interviews, Balderas		1/1/2006	
HB 0388	239	Broaden Scope for Securities Lenders,		6/17/2005	
HB 0389	240	Permanent Fund Investment Limitations, Varela		7/1/2005	
HB 0392	215	Amend Continuing Care Act Disclosures, Gonzales		6/17/2005	
HB 0394	21	Health Insurance Rates and Alliance Membership, K. Martinez		7/1/2005	
HB 0405	40	ENMU Ruidoso Branch Community College, Williams		6/17/2005	
HB 0411	108	Create Tax Fraud Investigation Division, B. Lujan		6/17/2005	
HB 0419	128	Spaceport Development Act, Boykin		6/17/2005	
HB 0424	109	Gas and Special Fuels Requirements, Silva		1/1/2006	
HB 0425	216	Intrastate Wine Shipping and Sales, Silva		6/17/2005	
HB 0432	183	Small Counties Assistance Act Eligibility, Whitaker		6/17/2005	
HB 0433	129	Local Government Gross Receipts Time Limits, Whitaker	Yes	4/5/2005	
HB 0434	130	Subject Helium to Various Severance Taxes, Whitaker		7/1/2005	
HB 0437	131	Raise State Fair Concession Contract Amount, Park		6/17/2005	
HB 0440	281	Medical Personnel to Document Abuse, Picraux		7/1/2005	

<i>Bill</i>	<i>Chapter</i>	<i>Title</i>	<i>Emergency Clause</i>	<i>Effective Date of Law</i>	<i>Other Dates, Notes</i>
HB 0442	253	Minimum Wage on Public Works Contract Value, Ruiz		7/1/2005	
HB 0444	132	Health Insurance Premium Surtax, Luna		6/17/2005	
HB 0447	254	Cumbres and Toltec as Official State Railroad, Rodella		6/17/2005	
HB 0449	217	Local Government Databases as Public Records, Rodella		6/17/2005	
HB 0455	218	Raise Food Sanitation Act Permit Fees, Nunez		6/17/2005	
HB 0461	308	Northern New Mexico State School Name and Mission, Salazar		6/17/2005	
HB 0466	63	Small Business Investment Corporation Funds, Salazar		6/17/2005	
HB 0467	22	Emergency Powers Code, Heaton		7/1/2005	
HB 0477	133	Mandate Human Papillomavirus Screening, Stewart		6/17/2005	
HB 0479	134	Newborn Child Medical Test Requirements, King		6/17/2005	
HB 0481	219	Intertribal Ceremonial Act, Harrison	Yes	4/6/2005	
HB 0484	220	Income Tax Contribution to National Guard, Sandoval		6/17/2005	applies to tax years beginning 1/1/2005
HB 0495	135	Structured Settlement Protection Act, Cervantes		7/1/2005	
HB 0498	334	State Use Act for Persons with Disabilities, Picraux		6/17/2005	
HB 0509	136	Create Nurse Educators Fund, Varela		6/17/2005	
HB 0510	221	Charter School Standards, Gonzales		7/1/2005	Sect. 2: members are prohibited from serving on more than one governing body for charters approved or renewed starting 7/1/2005; Sect. 3: establishes facility standards for charters approved starting 7/1/2005 and 7/1/2010
HB 0511	222	Correct Educational Technology Deficiencies, Miera		6/17/2005	Sect.2: educational technology adequacy standards to be developed by 9/1/2005
HB 0517	102	Development Training Program Funding, B. Lujan	Yes	4/4/2005	
HB 0518	103	NM Finance Authority Economic Development Loans, Silva	Yes	4/4/2005	

<i>Bill</i>	<i>Chapter</i>	<i>Title</i>	<i>Emergency Clause</i>	<i>Effective Date of Law</i>	<i>Other Dates, Notes</i>
HB 0520	255	Unemployment Experience History Transfers, Silva		6/17/2005	
HB 0523	305	Small Employer Health Care Coverage Access, B. Lujan		7/1/2005	Sect. 7: superintendent of insurance shall promulgate certain rules and recommendations by 1/1/2010
HB 0529	137	Employee Labor Relations Board Meetings, Stapleton		6/17/2005	
HB 0532	46	Revise Construction Industries Licensing, Stapleton		6/17/2005	
HB 0541	223	Amend Post-Secondary Educational Act, Nunez		6/17/2005	
HB 0555	282	Crime Victim Restitution as Permissible Lien, Beam		6/17/2005	
HB 0561	224	Amend Assistance Animal Act, Lundstrom		6/17/2005	
HB 0562	138	Eligibility for Food Stamp Notification, M. P. Garcia		6/17/2005	
HB 0575	225	Streamlined Sales Tax Agreement Participation, Whitaker		6/17/2005	
HB 0591	73	Sandoval Arroyo Flood Control Authority, Youngberg		6/17/2005	
HB 0610	294	Insurance Tax Credit and Eligibility, Trujillo		6/17/2005	
HB 0626	256	Employee Abuse Registry Act, Cervantes		6/17/2005	Sect. 7: rules must be adopted by 1/1/2006
HB 0627	226	Amend Caregiver Criminal Screening Act, Cervantes		6/17/2005	
HB 0639	307	Permanent Nursing Practice Programs, Picraux	Yes	4/7/2005	
HB 0641	242	Concealed Handgun License Changes, Heaton		6/17/2005	
HB 0659	329	Uniform Principal and Income Act Changes, Park		7/1/2005	Sect. 11: certain applicability exceptions
HB 0660	330	Electronic Lobbyist Registration, Arnold-Jones		6/17/2005	
HB 0672	257	Day Laborer Act, A. Lujan		6/17/2005	
HB 0684	331	Gambling Addiction Study Including Suicide, Cordova		6/17/2005	
HB 0692	283	Crime Victim Statements at Court Proceedings, Stapleton		6/17/2005	
HB 0693	47	School District Additions to Other Districts, Stapleton		6/17/2005	
HB 0695	227	Increase Parole Board Membership, Chavez		7/1/2005	

<i>Bill</i>	<i>Chapter</i>	<i>Title</i>	<i>Emergency Clause</i>	<i>Effective Date of Law</i>	<i>Other Dates, Notes</i>
HB 0696	228	State Park and Recreation Advisory Committee, Chavez		6/17/2005	
HB 0704	332	Game Commission Advisory Committees, Nunez		6/17/2005	
HB 0720	178	Natural Resource Conservation Bids, B. Lujan		6/17/2005	
HB 0723	139	Class A County Subdivision Approval Authority, Youngberg		6/17/2005	
HB 0727	140	Pain Management and Treatment Conditions, Picraux		6/17/2005	
HB 0739	288	Incidental Car Insurance Carrier Proof to Public Regulation Commission, B. Lujan		6/17/2005	
HB 0740	229	Public Regulation Commission Consideration of Motor Carrier Permits, B. Lujan		6/17/2005	
HB 0743	230	Veterans' Property Tax Exemption and Rebates, B. Lujan	Yes	4/6/2005	
HB 0745	289	Higher Education as Cabinet Department, B. Lujan	Yes	4/7/2005	Sect. 29: all property, obligations and references in law to commission on higher education transfer to the higher education department on 4/7/2005
HB 0747	110	Create State Information Technology Divisions, Heaton		6/17/2005	
HB 0751	14	Cotton Boll Weevil Act District Monitoring, Nunez		6/17/2005	
HB 0752	141	Soil and Water Conservation District Elections, Nunez		7/1/2005	
HB 0774	323	College Loan Interest Charge Calculations, Varela		6/17/2005	
HB 0776	335	Rural Universal Telecommunications Fund, Rodella		6/17/2005	Sect. 1: various deadlines for rules adoption, implementation of fund and phase-in of charges
HB 0785	310	Commercial Driver's License Background Checks, M. P. Garcia		6/17/2005	
HB 0793	290	County Sheriffs Appointment of Deputies, Madalena		6/17/2005	
HB 0806	258	Motor Vehicle Tax and Fee Adjustments, Silva	Yes	4/6/2005	Sect. 5: Sects. 1-3 effective 7/1/2005
HB 0828	142	Amber Alerts as Cell Phone Text Messages, Vigil		7/1/2005	

<i>Bill</i>	<i>Chapter</i>	<i>Title</i>	<i>Emergency Clause</i>	<i>Effective Date of Law</i>	<i>Other Dates, Notes</i>
HB 0829	143	Uniform Estate Tax Apportionment Act, Wirth		7/1/2005	Sect. 19: certain exclusions apply for three years after effective date
HB 0834	144	Uniform Commercial Code Revisions, Park		1/1/2006	Sects. 110-111: act does not affect documents issued prior to effective date of act; Sect. 114: Sect. 100 applies prior to effective date of act in certain circumstances
HB 0835	259	Bail Bondsman Licensing Requirements,	Yes	4/6/2005	
HB 0848	145	Repeal Imitation Honey Act, Gutierrez		6/17/2005	
HB 0867	231	Clarify Property Tax on Agricultural Lands, B. Lujan	Yes	4/6/2005	
HB 0868	146	Tribal Infrastructure Act, B. Lujan		6/17/2005	Sect. 7: administrative appropriations to begin FY 2006
HB 0869	244	Small Business Regulatory Relief Act, B. Lujan		7/1/2005	Sect 6: each agency shall have reviewed current rules by 7/1/2010, new rules shall be reviewed every five years
HB 0885	347	Severance Tax Bond Projects, Sandoval	Yes	4/8/2005	
HB 0901	284	Additional Judgeships, Saavedra		7/1/2005	Sect. 10: magistrate judges appointed to new divisions to begin serving on 7/1/2005 for term ending 12/31/2006
HB 0950	181	Expand Renewable Energy Production Tax Credit, Moore		6/17/2005	Sect. 2: act applies to tax years beginning 1/1/2005
HB 0955	260	School District Attendance Policies, Swisstack		6/17/2005	
HB 0977	261	Observance of American Indian Day, Madalena		6/17/2005	
HB 0979	262	New Mexico Finance Authority Local Transportation Infrastructure Fund, Silva		6/17/2005	
HB 0987	263	Deceased Native American Remains Disposition, Zanetti		6/17/2005	
HB 0993	264	Contractor License Reissuance, Cervantes		7/1/2005	
HB 0995	179	Biomass-Related Equipment Tax Deduction, Balderas		6/17/2005	
HB 0997	232	School Bus Fuel Excise Tax Deduction, Gonzales		7/1/2005	
HB 1007	265	Second Semester in Education Works Program, Beam		6/17/2005	
HB 1008	321	Eliminate Various Health Care Committees, B. Lujan		6/17/2005	

<i>Bill</i>	<i>Chapter</i>	<i>Title</i>	<i>Emergency Clause</i>	<i>Effective Date of Law</i>	<i>Other Dates, Notes</i>
HB 1021	233	Increase Protected Animal Levy, Ezzell		6/17/2005	
HB 1028	234	Juvenile Corrections Grant Review Board, Swisstack		6/17/2005	
HB 1035	235	Eliminate Pesticide Advisory Review Board, B. Lujan		6/17/2005	
HB 1043	236	Horse Rescue and Retirement Facilities, Lundstrom		6/17/2005	
HB 1045	147	New PERA Office Building, B. Lujan	Yes	4/5/2005	
HB 1053	184	Repeal Business Development Corporation Act, B. Lujan		6/17/2005	Sect. 3: business development corporation fund is repealed effective 7/1/2005
HB 1074	237	Value of State Property to be Inventoried, Sandoval		6/17/2005	
HB 1080	333	Public Employer as Affiliated Public Employer, Miera		6/17/2005	
HB 1091	291	Change School Calculation of MEM [membership], Miera		7/1/2005	Sect. 2: Sect. 1 (D) (1) and (3) apply beginning with the 2006-2007 school year
HB 1097	266	2005 Public Securities Validation, B. Lujan	Yes	4/6/2005	
HB 1101	292	2005 Charter School District Act, K. Martinez		6/17/2005	Sect. 10: Sect. 9 repeals are effective 7/1/2005
HB 1102	267	Medical Care Plan and Tax Credit, K. Martinez		6/17/2005	applies to taxable years starting 1/1/2005
HB 1104	148	State Railroad Operation Insurance, K. Martinez		6/17/2005	
HB 1110	293	Water Project Fund Distribution, Hobbs		6/17/2005	
HB 410	104	Income Tax Exemption for Certain Taxpayers, B. Lujan			Sects. 1, 8, 10-26: effective 7/1/2005; Sect. 2: effective 1/1/2006; Sect. 3: effective 1/1/2007; Sect. 4: effective 1/1/2008; Sect. 5: applies to tax years beginning 1/1/2006; Sects. 6, 7, 9: apply to tax years beginning 1/1/2005
SB 0001	48	Emergency Fund Grants to Indian Tribes, P. Campos		7/1/2005	
SB 0013	4	Hot Air Balloons as Official State Aircraft, Komadina		6/17/2005	
SB 0016	74	Raise Nonresident Game and Fish License Fees, P. Campos		4/1/2006	
SB 0030	185	Partnership Information Filing Requirement Exemption, Leavell		6/17/2005	Sect. 2: act applies to tax years beginning 1/1/2005

<i>Bill</i>	<i>Chapter</i>	<i>Title</i>	<i>Emergency Clause</i>	<i>Effective Date of Law</i>	<i>Other Dates, Notes</i>
SB 0035	57	Create Division of International Trade, M. J. Garcia		6/17/2005	
SB 0039	149	Gould's Turkey Enhancement Permits,		7/1/2005	
SB 0045	150	Workers' Compensation Independent Medical Exam, Leavell		7/1/2005	
SB 0051	75	Land Grant Board of Trustees Authority, B. Sanchez		7/1/2005	
SB 0052	58	Cigarette Tax Revenue Distributions, Papen		6/17/2005	
SB 0054	76	NM Finance Authority Water and Wastewater Project Grants, Papen	Yes	4/4/2005	Sect. 2: project must be certified by end of FY 08
SB 0057	77	Compensation for Auctioneers, Leavell		6/17/2005	
SB 0061	318	Financial Advisor Procurement Code Exemption, Carraro		7/1/2005	
SB 0068	23	Change Corrections Commission Composition, Papen		7/1/2005	Sect. 6: commission members serving on 7/1/05 continue to serve until their terms expire and replacements appointed and qualified
SB 0069	78	Require Honors Classes in Certain Schools, Beffort		6/17/2005	applies beginning 2006-2007 school year
SB 0092	79	Time Period for Access to Public Records, M. Sanchez		6/17/2005	
SB 0102	186	Prosecution for Various Misuses of Water, Cisneros		6/17/2005	
SB 0109	269	Interlocks for Juvenile DWI Offenders, Cravens		6/17/2005	
SB 0114	151	Workers' Comp Eligibility Requirements, Leavell		7/1/2005	
SB 0115	105	New Mexico Housing Trust Fund Act, Rodriguez		7/1/2005	
SB 0118	187	Unfair Trade Practice Mediation Requirements, Fidel		6/17/2005	
SB 0119	303	Unify Nursing Medication Aides Programs, Nava	Yes	4/7/2005	
SB 0123	175	Strategic Water Reserve, Cisneros		6/17/2005	
SB 0125	49	Funding Formula Study Task Force, Nava		6/17/2005	
SB 0128	80	Instructional Material Allocation Calculation, Nava	Yes	4/4/2005	
SB 0134	50	Cultural Properties Review Committee Members, M. J. Garcia		7/1/2005	

<i>Bill</i>	<i>Chapter</i>	<i>Title</i>	<i>Emergency Clause</i>	<i>Effective Date of Law</i>	<i>Other Dates, Notes</i>
SB 0138	300	Core School Curriculum Framework, Kernan		6/17/2005	
SB 0142	171	Recycling and Illegal Dumping Act, Feldman		6/17/2005	Sect. 22: Tire Recycling Act regulations, permits and registrations remain in effect
SB 0145	173	Gaining Access into Nature Program, Feldman		6/17/2005	
SB 0166	59	Life Sentence for Deadly Child Abuse, M. J. Garcia		6/17/2005	
SB 0169	81	Create Technology Research Collaborative, Cisneros		6/17/2005	
SB 0172	172	Create Indian Rights Water Settlement Fund, Cisneros		7/1/2005	
SB 0174	311	Time Limit for Human Rights Act Appeals, Grubestic		6/17/2005	
SB 0175	24	County Clerk Recording of Property Transfers, Smith		6/17/2005	
SB 0178	336	Customer Utility Deposit Interest Rates, Cisneros		7/1/2005	
SB 0185	25	Gifted Education Program Advisory Committees, Nava		6/17/2005	
SB 0190	34	General Appropriation Act of 2005, Fidel		3/17/2005	
SB 0191	51	Child Support Enforcement Judgment Changes, Griego		6/17/2005	
SB 0192	174	State Park Pass Sales by Private Vendors, Griego		6/17/2005	
SB 0198	11	High School Diplomas for Certain Veterans, B. Sanchez		6/17/2005	
SB 0214	188	Cultural Needs for Indian Child Placement, Tsosie		6/17/2005	
SB 0215	299	American Indian Advanced School Curriculum, Tsosie		6/17/2005	Sect. 2 B (6): enter into certain agreements with tribes or authorized tribal educational entities by January 2006
SB 0225	26	Clarify Safe Haven for Infants Act, Tsosie		6/17/2005	
SB 0228	52	Hoisting Operator Licensing Requirements, Grubestic		7/1/2006	
SB 0230	27	Emergency Drills in Public and Private Schools, Sharer		7/1/2005	
SB 0233	189	Children's Code Revisions, M. Sanchez		6/17/2005	
SB 0240	107	Expand Jury Selection Pool, M. Sanchez		7/1/2005	

<i>Bill</i>	<i>Chapter</i>	<i>Title</i>	<i>Emergency Clause</i>	<i>Effective Date of Law</i>	<i>Other Dates, Notes</i>
SB 0241	28	Repeal DNA Evidence Procedures Sunset, M. Sanchez		6/17/2005	
SB 0242	82	Extend Temporary Placement of Children Times, M. Sanchez	Yes	4/4/2005	
SB 0243	312	Commercial Driver's Changes, Grubestic		7/1/2005	
SB 0250	302	Clarify Minimum Wage for Tipped Employees, Papen		6/17/2005	Sect. 2: Sect. 1 B applies to wages earned starting 7/1/2005
SB 0252	325	Off-Highway Vehicle Safety and Fee Requirements, Feldman		1/1/2006	Sect. 20 B: off-highway motor vehicle safety board shall make certain safety training arrangements by 1/1/2007
SB 0258	83	Legal Education Loan Repayment Program, M. Sanchez		6/17/2005	
SB 0262	84	Public Accountant Certificates Renewal, Jennings		7/1/2005	
SB 0263	85	Create Judicial Compensation Commission, Snyder		6/17/2005	
SB 0267	35	Real Estate Broker Licensing Requirements, Fidel			Sects. 1-19 effective 1/1/2006; Sect. 20 effective 7/1/2005
SB 0271	301	Small Employer Health Care Coverage Access, Feldman		7/1/2005	
SB 0275	60	Asthma Medication for Certain Students, Nava		6/17/2005	
SB 0282	15	Recreational Vehicle Special Event Licenses, Smith		6/17/2005	
SB 0284	112	Organ Donor License Plates, Feldman		6/17/2005	
SB 0289	320	Bonds for Santa Fe Parking Structure, Fidel		6/17/2005	
SB 0296	86	Expand Retiree Health Care Act Eligibility, Neville		7/1/2005	
SB 0297	159	Circumstances for Physician Licensures, Komadina	Yes	4/5/2005	
SB 0310	87	Income Tax Contributions to Parks Division, Griego		6/17/2005	applies to taxable years beginning 1/1/2005
SB 0313	5	Create Governor's HIV and AIDS Commission, Griego		6/17/2005	
SB 0314	6	Billy Griego HIV and AIDS Act, Griego		6/17/2005	
SB 0352	88	Youth Conservation Corps Tuition Vouchers, Altamirano		6/17/2005	
SB 0370	349	Gaming Board Regulation of Bingo and Raffles, Griego		6/17/2005	

<i>Bill</i>	<i>Chapter</i>	<i>Title</i>	<i>Emergency Clause</i>	<i>Effective Date of Law</i>	<i>Other Dates, Notes</i>
SB 0375	89	County Health Mill Levy Election Conditions, R. Martinez		6/17/2005	
SB 0400	29	Temporary License Night Driving Requirements, Altamirano		6/17/2005	
SB 0413	152	Amend Drug, Device and Cosmetic and Pharmacy Acts, Fidel		6/17/2005	
SB 0415	295	Create Child Solicitation by Computer Offense, M. J. Garcia		7/1/2005	
SB 0416	337	Low-Income County Film Production Tax Credit, M. J. Garcia	Yes	4/7/2005	Sect. 2: act sunsets 1/1/2009; Sect. 3: act applies to tax years starting 1/1/2005
SB 0432	61	Dangerous Dog Act, Grubestic		6/17/2005	
SB 0435	64	Children's Cabinet Act, Ortiz y Pino		6/17/2005	
SB 0438	153	Private Activity Bond Allocation and Fees, J.G. Taylor		6/17/2005	
SB 0439	16	Vehicle Temporary Demonstration Plate Display, J.G. Taylor		6/17/2005	
SB 0440	351	Municipal Event Center Fees and Funding, J. G. Taylor	Yes	4/8/2005	
SB 0441	324	Salvage and Unrepairable Vehicle Sales, J. G. Taylor		1/1/2006	Sect. 14 E: wrecker of vehicle licenses shall be renewed as auto recycler licenses starting 7/1/2005
SB 0443	194	Mortgage Authority Investment Council Service, Griego		6/17/2005	
SB 0445	53	Health Facility Licensure Fees, Robinson		7/1/2005	
SB 0447	30	Domestic Violence Hearing Officer Project, McSorley		7/1/2005	
SB 0456	54	Expand Primary Care Capital Funding Act, Beffort		6/17/2005	
SB 0457	17	State Employee Transportation Fringe Benefit, Lopez		6/17/2005	
SB 0468	154	Acquire Land Near State Parks, Cisneros		6/17/2005	
SB 0473	55	New Mexico Telehealth Commission Act, Komadina		6/17/2005	
SB 0482	155	Native American Resident Student Definition, Tsosie		6/17/2005	
SB 0483	56	Amyotrophic Lateral Sclerosis Research Fund, Kernan		6/17/2005	applies to tax years beginning 1/1/2005

<i>Bill</i>	<i>Chapter</i>	<i>Title</i>	<i>Emergency Clause</i>	<i>Effective Date of Law</i>	<i>Other Dates, Notes</i>
SB 0497	62	Bittering Agent in Antifreeze, Ortiz y Pino		6/17/2005	applies to coolant or antifreeze manufactured after 7/1/2005 and sold in New Mexico after 1/1/2006
SB 0509	90	Lower State Bank Diversification, Fidel		6/17/2005	
SB 0516	268	Revise Definition of Ignition Interlock, R. Martinez		6/17/2005	
SB 0518	156	Cumbres and Toltec Railroad Commission Funding, R. Martinez		6/17/2005	
SB 0529	31	Funding Intent of Rio Grande State Park Act, J.G. Taylor		6/17/2005	
SB 0534	91	Nursing Home Receipt Gross Receipts,		6/17/2005	Sect. 1 C and D: graduated schedule of deductions
SB 0538	190	Require Public Toilet Hand Washing Facilities, Rodriguez		6/17/2005	
SB 0541	92	Special Hospital District Agreements, Ingle		6/17/2005	
SB 0582	348	Denial of College Benefits to Immigrants, Nava		6/17/2005	
SB 0586	298	Require Child Car Booster Seats, Grubestic		6/17/2005	
SB 0589	157	Family, Infant, Toddler Program Insurance, Ortiz y Pino		7/1/2005	
SB 0594	304	Northern New Mexico School Names and Mission, R. Martinez		6/17/2005	
SB 0604	338	Gross Receipt Distribution for Hospitals, Fidel		7/1/2005	
SB 0605	43	Umbilical Cord Blood Banking Act,			Sects. 1-3, 5, 7 effective 1/7/2005; Sects. 4, 6 effective 1/1/2006
SB 0614	65	Create Next Generation Fund and Council, Nava		6/17/2005	
SB 0617	66	Change Youth Council to Youth Alliance, Nava		6/17/2005	
SB 0619	342	New Mexico Exposition Center Authority Act, Ortiz y Pino	Yes	4/7/2005	
SB 0626	32	Technical or Vocational Institute Name Change, Lopez		6/17/2005	
SB 0637	343	Housing Authority Joint Jurisdiction, Altamirano		6/17/2005	
SB 0639	93	Automatic Direct Deposit for State Employees, Smith		6/17/2005	
SB 0644	341	Efficient Use of Energy Act, Cisneros	Yes	4/7/2005	

<i>Bill</i>	<i>Chapter</i>	<i>Title</i>	<i>Emergency Clause</i>	<i>Effective Date of Law</i>	<i>Other Dates, Notes</i>
SB 0652	191	Real Estate Transaction Fund Deadlines, Rawson		1/1/2006	
SB 0657	94	Independent Contractor Status, McSorley		6/17/2005	
SB 0662	316	School Personnel Level 1 and 2 Licenses, Kernan	Yes	4/7/2005	
SB 0663	95	Public Works Apprentice and Training Fund, J. G. Taylor		6/17/2005	
SB 0669	192	College Affordability Act, M. Sanchez		6/17/2005	
SB 0670	158	Sale of GO Bonds to State of New Mexico, Grubestic		6/17/2005	Sect. 3 H: certain subsections of Sect. 2 also apply to bonds that mature after two years
SB 0671	18	Cotton Boll Weevil Act District Monitoring, Ingle		6/17/2005	
SB 0678	280	Third-Party Election Registration Agents, Lopez		6/17/2005	Sects. 1-74, 76-80 effective 7/1/2005; Sect. 75 effective 7/1/2007
SB 0689	160	Prescription Drug Discount Card Program, Feldman		6/17/2005	
SB 0713	346	Revise Athletic Competition Privilege Tax, Griego		6/17/2005	
SB 0720	296	Electronic Identity Theft, Cisneros		7/1/2005	
SB 0740	96	County Commission Property Leases, Ortiz y Pino		6/17/2005	
SB 0746	161	NM Military Institute Scholarship Fund Transfers, Jennings		6/17/2005	
SB 0747	162	NM Military Institute Public Safety Officer Education, Jennings		6/17/2005	
SB 0748	163	NM Military Institute Career in Corrections Program, Jennings		6/17/2005	
SB 0786	322	Health Disparities and Data Collection, B. Sanchez		6/17/2005	
SB 0789	97	Program Units for Extracurricular Activities, Beffort		6/17/2005	
SB 0799	164	UNM El Centro De La Raza, Nava		6/17/2005	
SB 0800	165	Lower Pecos River Water Bank Law Repeal, Beffort		6/17/2005	
SB 0806	98	Public Works Contractor and Bid Requirements, Snyder		6/17/2005	
SB 0814	99	Procurement Code Subcontractor Bonding, J. G. Taylor		6/17/2005	

<i>Bill</i>	<i>Chapter</i>	<i>Title</i>	<i>Emergency Clause</i>	<i>Effective Date of Law</i>	<i>Other Dates, Notes</i>
SB 0820	344	Emergency Medical Technician License Plates, J. G. Taylor		6/17/2005	
SB 0831	297	Dona Ana Court Consolidation Study,		6/17/2005	
SB 0837	350	Racetrack Gaming Machine Operating Hours, Altamirano		7/1/2005	
SB 0838	166	Uniform Interstate Family Support Act, McSorley		6/17/2005	
SB 0839	100	Per Diem for Certain Legislative Meetings, Jennings		6/17/2005	
SB 0847	340	Utility Construction and Location, Cisneros		7/1/2005	
SB 0855	339	Public Regulation Commission Clean-Up, Ryan		7/1/2005	
SB 0863	167	Water and Sanitation District Changes, Jennings		6/17/2005	
SB 0879	345	Albuquerque-Bernalillo Water Authority Powers, J. G. Taylor		6/17/2005	
SB 0883	313	New Mexico State Hospital Name Change, Campos		6/17/2005	
SB 0884	193	Luna Vocational Institute Name Change, P. Campos		6/17/2005	
SB 0916	106	State Investments in Film Projects and Funds, Robinson		6/17/2005	
SB 0921	168	In-State Tuition for National Guard Families, Rawson		6/17/2005	
SB 0935	319	New Mexico Finance Authority Funding for UNM Hospital and Cancer Center, Nava	Yes	4/7/2005	
SB 0986	169	State Property Purchase Gross Receipts, Altamirano		6/17/2005	
SB 1055	317	Fort Bayard Medical Center Contractor, Altamirano	Yes	4/7/2005	

NAME CHANGES IN LAWS 2005

Old Name	New Name
<i>Entities</i>	
Eastern New Mexico Off-Campus Instruction Center/ENMU-Ruidoso	Ruidoso Branch Community College HB 405 (Ch 40)
Luna Vocational-Technical Institute	Luna Community College SB 884 (Ch 193)
Mesa Technical College	Mesa Community College SB 884 (Ch 193)
New Mexico Insane Asylum at Las Vegas/Las Vegas State Hospital	New Mexico Behavioral Health Institute at Las Vegas SB 883 (Ch 313)
Northern New Mexico State School	Northern New Mexico State College HB 461 (Ch 308) SB 594 (Ch 304)
<i>Acts</i>	
Automated Voter Records System Act	Voter Records System Act SB 678 (Ch 270)
Family Preservation Act	Family Support Act HB 97 (Ch 68)
New Mexico Children's and Juvenile Facility Criminal Records Screening Act	New Mexico Children's and Juvenile Facility and Program Criminal Records Screening Act SB 233 (Ch 189)
Youth Council Act	Youth Alliance Act SB 617 (Ch 66)

SUBJECT INDEX WITH LOCATOR TITLES
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WATER

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STRATEGIC WATER RESERVE

PROSECUTION FOR VARIOUS MISUSES OF WATER
CREATE INDIAN RIGHTS WATER SETTLEMENT FUND

CONCORDANCE
Forty-seventh Legislature, First Session, 2005

Chapter	Date Signed	Bill No.	Short Title/Sponsor
(An asterisk indicates a bill with an emergency clause.)			
1	Jan.21	*H 1	FEED BILL, Martinez
2	Feb.2	*H 10	NATIONAL GUARD LIFE INSURANCE REIMBURSEMENT, Lujan, B.
3	Feb.8	*H 9	UNEMPLOYMENT COMPENSATION CHANGES, Stewart
4	Mar.5	S 13	HOT AIR BALLOONS AS OFFICIAL STATE AIRCRAFT, Komadina
5	Mar.5	S 313	CREATE GOVERNOR'S HIV & AIDS COMMISSION, Griego
6	Mar.5	S 314	BILLY GRIEGO HIV & AIDS ACT, Griego
7	Mar.11	H 259	NATIVE AMERICAN BEHAVIORAL HEALTH COMMITTEE, Sandoval
8	Mar.11	H 307	MILITARY BASE PLANNING COMMISSION MEMBERS, Wallace
9	Mar.11	*H 322	"PROJECT" IN INDUSTRIAL REVENUE BOND ACT, Heaton
10	Mar.11	H 71	MOTORISTS MOVING ASIDE FOR EMERGENCY VEHICLES, Wallace
11	Mar.11	S 198	HIGH SCHOOL DIPLOMAS FOR CERTAIN VETERANS, Sanchez, B.
12	Mar.16	*H 234	NONTAXABLE TRANSACTION CERTIFICATE REISSUANCE, Lujan, B.
13	Mar.16	H 272	OPTIONAL LICENSE PLATE COUNTY NAME STICKERS, Moore
14	Mar.16	H 751	COTTON BOLL WEEVIL ACT DISTRICT MONITORING, Nunez
15	Mar.16	S 282	RECREATIONAL VEHICLE SPECIAL EVENT LICENSES, Smith
16	Mar.16	S 439	VEHICLE TEMPORARY DEMONSTRATION PLATE DISPLAY, Taylor
17	Mar.16	S 457	STATE EMPLOYEE TRANSPORTATION FRINGE BENEFIT, Lopez
18	Mar.16	S 671	COTTON BOLL WEEVIL ACT DISTRICT MONITORING, Ingle
19	Mar.17	H 103	ADDITIONAL SEX OFFENDER BOARD MEMBER, Park
20	Mar.17	H 201	INCREASE MOTOR VEHICLE ADMINISTRATION FEES, Hanosh
21	Mar.17	H 394	HEALTH INSURANCE RATES & ALLIANCE MEMBERSHIP, Martinez
22	Mar.17	H 467	EMERGENCY POWERS CODE, Heaton

23	Mar.17	S	68	CHANGE CORRECTIONS COMMISSION COMPOSITION, Papen
24	Mar.17	S	175	COUNTY CLERK RECORDING OF PROPERTY TRANSFERS, Smith
25	Mar.17	S	185	GIFTED EDUCATION PROGRAM ADVISORY COMMITTEES, Nava
26	Mar.17	S	225	CLARIFY SAFE HAVEN FOR INFANTS ACT, Tsosie
27	Mar.17	S	230	EMERGENCY DRILLS IN PUBLIC & PRIVATE SCHOOLS, Sharer
28	Mar.17	S	241	REPEAL DNA EVIDENCE PROCEDURES SUNSET, Sanchez, M.
29	Mar.17	CS/S	400	TEMPORARY LICENSE NIGHT DRIVING REQUIREMENTS
30	Mar.17	CS/S	447	DOMESTIC VIOLENCE HEARING OFFICER PROJECT
31	Mar.17	S	529	FUNDING INTENT OF RIO GRANDE STATE PARK ACT, Taylor
32	Mar.17	S	626	TECHNICAL OR VOCATIONAL INSTITUTE NAME CHANGE, Lopez
33(pv)	Mar.17	CS/H	2	GENERAL APPROPRIATION ACT OF 2005
			et al.	
34(pv)	Mar.17	CS/S	190	GENERAL APPROPRIATION ACT OF 2005
35	Mar.18	S	267	REAL ESTATE BROKER LICENSING REQUIREMENTS, Fidel
36	Mar.18	*H	95	PUBLIC PROJECT REVOLVING FUND AUTHORIZATIONS, Varela
37	Mar.18	H	193	CREATE WATER RESOURCES RESEARCH INSTITUTE, Nunez
38	Mar.18	H	203	GAME & FISH LIABILITY SUSPENSE ACCOUNT, Hanosh
39	Mar.18	H	273	VOLUNTEER OPERATION OF STATE PARKS, Moore
40	Mar.18	H	405	ENMU RUIDOSO BRANCH COMMUNITY COLLEGE, Williams
41	Mar.18	H	335	HEALTH COVERAGE FOR UNMARRIED DEPENDENTS, Picraux
42	Mar.18	H	289	PART-TIME EMPLOYEE INSURANCE COVERAGE, Wirth
43	Mar.19	S	605	UMBILICAL CORD BLOOD BANKING ACT, Rodriguez
44	Mar.28	H	59	CREATE NEW MEXICO COIN COMMISSION, Irwin
45	Mar.28	H	180	IMMUNIZATION INFO FOR PHARMACISTS, Picraux
46	Mar.28	H	532	REVISE CONSTRUCTION INDUSTRIES LICENSING, Stapleton
47	Mar.28	H	693	SCHOOL DISTRICT ADDITIONS TO OTHER DISTRICTS, Stapleton
48	Mar.28	S	1	EMERGENCY FUND GRANTS TO INDIAN TRIBES, Campos
49	Mar.28	S	125	FUNDING FORMULA STUDY TASK FORCE, Nava
50	Mar.28	S	134	CULTURAL PROPERTIES REVIEW COMMITTEE MEMBERS, Garcia
51	Mar.28	S	191	CHILD SUPPORT ENFORCEMENT JUDGEMENT CHANGES, Griego

52	Mar.28	S	228	HOISTING OPERATOR LICENSING REQUIREMENTS, Grubestic
53	Mar.28	S	445	HEALTH FACILITY LICENSURE FEES, Robinson
54	Mar.28	S	456	EXPAND PRIMARY CARE CAPITAL FUNDING ACT, Beffort
55	Mar.28	S	473	NEW MEXICO TELEHEALTH COMMISSION ACT, Komadina
56	Mar.28	S	483	AMYOTROPHIC LATERAL SCLEROSIS RESEARCH FUND, Kernan
57	Mar.30	S	35	CREATE DIVISION OF INTERNATIONAL TRADE, Garcia
58	Mar.30	CS/S	52	CIGARETTE TAX REVENUE DISTRIBUTIONS
59	Mar.30	CS/S	166	LIFE SENTENCE FOR DEADLY CHILD ABUSE
60	Mar.30	S	275	ASTHMA MEDICATION FOR CERTAIN STUDENTS, Nava
61	Mar.31	S	432	DANGEROUS DOG ACT, Grubestic
62	Mar.31	S	497	BITTERING AGENT IN ANTIFREEZE, Ortiz y Pino
63	Apr.1	H	466	SMALL BUSINESS INVESTMENT CORPORATION FUNDS, Salazar
64	Apr.1	S	435	CHILDREN'S CABINET ACT, Ortiz y Pino
65	Apr.1	S	614	CREATE NEXT GENERATION FUND & COUNCIL, Nava
66	Apr.1	S	617	CHANGE YOUTH COUNCIL TO YOUTH ALLIANCE, Nava
67	Apr.4	H	54	CONDITIONS FOR BUSINESS INCUBATORS, Heaton
68	Apr.4	H	97	FAMILY PRESERVATION ACT, Varela
69	Apr.4	H	99	ENGINEER & SURVEYOR LICENSURE REQUIREMENTS, Garcia, M.P.
70	Apr.4	*H	123	DRINKING WATER SYSTEM FINANCING, Gonzales
71	Apr.4	H	149	EXPAND MUSEUM BOARD OF REGENTS MEMBERSHIP, Wirth
72	Apr.4	H	374	HEALTH POLICY COMMISSION MEMBERSHIP, Heaton
73	Apr.4	H	591	SANDOVAL ARROYO FLOOD CONTROL AUTHORITY, Youngberg
74	Apr.4	CS/S	16	RAISE NONRESIDENT GAME & FISH LICENSE FEES et al.
75	Apr.4	S	51	LAND GRANT BOARD OF TRUSTEES AUTHORITY, Sanchez, B.
76	Apr.4	*S	54	NMFA WATER & WASTEWATER PROJECT GRANTS, Papen
77	Apr.4	CS/S	57	COMPENSATION FOR AUCTIONEERS
78	Apr.4	S	69	REQUIRE HONORS CLASSES IN CERTAIN SCHOOLS, Beffort
79	Apr.4	S	92	TIME PERIOD FOR ACCESS TO PUBLIC RECORDS, Sanchez, M.
80	Apr.4	*S	128	INSTRUCTIONAL MATERIAL ALLOCATION CALCULATION, Nava
81	Apr.4	S	169	CREATE TECHNOLOGY RESEARCH COLLABORATIVE, Cisneros
82	Apr.4	*S	242	EXTEND TEMPORARY PLACEMENT OF CHILDREN TIMES, Sanchez, M.
83	Apr.4	S	258	LEGAL EDUCATION LOAN REPAYMENT PROGRAM, Sanchez, M.

84	Apr.4	S	262	PUBLIC ACCOUNTANT CERTIFICATES RENEWAL, Jennings
85	Apr.4	S	263	CREATE JUDICIAL COMPENSATION COMMISSION, Snyder
86	Apr.4	S	296	EXPAND RETIREE HEALTH CARE ACT ELIGIBILITY, Neville
87	Apr.4	S	310	INCOME TAX CONTRIBUTIONS TO PARKS DIVISION, Griego
88	Apr.4	S	352	YOUTH CONSERVATION CORPS TUITION VOUCHERS, Altamirano
89	Apr.4	S	375	COUNTY HEALTH MILL LEVY ELECTION CONDITIONS, Martinez
90	Apr.4	S	509	LOWER STATE BANK DIVERSIFICATION, Fidel
91	Apr.4	S	534	NURSING HOME RECEIPT GROSS RECEIPTS, Papen
92	Apr.4	S	541	SPECIAL HOSPITAL DISTRICT AGREEMENTS, Ingle
93	Apr.4	S	639	AUTOMATIC DIRECT DEPOSIT FOR STATE EMPLOYEES, Smith
94	Apr.4	CS/S	657	INDEPENDENT CONTRACTOR STATUS
95	Apr.4	S	663	PUBLIC WORKS APPRENTICE & TRAINING FUND, Taylor
96	Apr.4	S	740	COUNTY COMMISSION PROPERTY LEASES, Ortiz y Pino
97	Apr.4	S	789	PROGRAM UNITS FOR EXTRACURRICULAR ACTIVITIES, Beffort
98	Apr.4	S	806	PUBLIC WORKS CONTRACTOR & BID REQUIREMENTS, Snyder
99	Apr.4	S	814	PROCUREMENT CODE SUBCONTRACTOR BONDING, Taylor
100	Apr.4	S	839	PER DIEM FOR CERTAIN LEGISLATIVE MEETINGS, Jennings
101	Apr.4	H	122	FILM PRODUCTION TAX CREDIT LOANS, Gonzales
102	Apr.4	*H	517	DEVELOPMENT TRAINING PROGRAM FUNDING, Lujan, B.
103	Apr.4	*H	518	NMFA ECONOMIC DEVELOPMENT LOANS, Silva
104	Apr.4	CS/H	410	INCOME TAX EXEMPTION FOR CERTAIN TAXPAYERS et al.
105	Apr.4	S	115	NEW MEXICO HOUSING TRUST FUND ACT, Rodriguez
106	Apr.4	S	916	STATE INVESTMENTS IN FILM PROJECTS & FUNDS, Robinson
107	Apr.4	CS/S	240 & 461	EXPAND JURY SELECTION POOL
108	Apr.4	H	411	CREATE TAX FRAUD INVESTIGATION DIVISION, Lujan, B.
109	Apr.4	H	424	GAS & SPECIAL FUELS REQUIREMENTS, Silva
110	Apr.4	H	747	CREATE STATE INFORMATION TECHNOLOGY DIVISIONS, Heaton
111	Apr.4	*H	98	OFFICE OF WORKFORCE TRAINING & DEVELOPMENT, Varela
112	Apr.4	CS/S	284	ORGAN DONOR LICENSE PLATES

113	Apr.4	H	105	INCOME TAX DEDUCTION FOR ORGAN DONATION, Park
114	Apr.4	H	31	GAME PROTECTION FUND APPROPRIATIONS, Stewart
115	Apr.4	CS/H	61	SCHOOL MEAL NUTRITION RULES
116	Apr.4	H	64	FELONY CONVICT VOTING REQUIREMENTS, Beam
117	Apr.4	H	67	BRANCH COMMUNITY COLLEGE BOARD AUTHORITY, Lundstrom
118	Apr.4	H	130	REAL ESTATE APPRAISER QUALIFICATIONS, Miera
119	Apr.4	H	142	VOLUNTEER FIREFIGHTER RETIREMENT CREDITS, Rodella
120	Apr.4	H	147	RECOVERY OF ATTORNEY FEES IN LIEN ACTIONS, Wirth
121	Apr.4	H	148	CREATE MUSEUM COLLECTIONS FUND, Wirth
122	Apr.4	CS/H	152	COMMERCIAL GOODS ON PUBLICLY OWNED FACILITIES
123	Apr.4	CS/H	248	CHILDREN'S ARTWORK MOTORCYCLE LICENSE PLATES
124	Apr.4	H	303	EXTEND MILITARY DRIVER'S LICENSE EXPIRATIONS, Hamilton
125	Apr.4	H	309	ATHLETIC TRAINER LICENSING & REQUIREMENTS, Wallace
126	Apr.4	H	353	MILITARY DISCHARGE PUBLIC RECORDS EXCEPTION, Sandoval
127	Apr.4	CS/H	363	SOCIAL SECURITY NUMBER CONFIDENTIALITY ACT
128	Apr.4	H	419	SPACEPORT DEVELOPMENT ACT, Boykin
129	Apr.4	*H	433	LOCAL GOVERNMENT GROSS RECEIPTS TIME LIMITS, Whitaker
130	Apr.4	H	434	SUBJECT HELIUM TO VARIOUS SEVERANCE TAXES, Whitaker
131	Apr.4	H	437	RAISE STATE FAIR CONCESSION CONTRACT AMOUNT, Park
132	Apr.4	CS/H	444	HEALTH INSURANCE PREMIUM SURTAX
133	Apr.4	H	477	MANDATE HUMAN PAPILLOMAVIRUS SCREENING, Stewart
134	Apr.4	H	479	NEWBORN CHILD MEDICAL TEST REQUIREMENTS, King
135	Apr.4	H	495	STRUCTURED SETTLEMENT PROTECTION ACT, Cervantes
136	Apr.4	H	509	CREATE NURSE EDUCATORS FUND, Varela
137	Apr.4	H	529	EMPLOYEE LABOR RELATIONS BOARD MEETINGS, Stapleton
138	Apr.4	H	562	ELIGIBILITY FOR FOOD STAMP NOTIFICATION, Garcia, M.P.
139	Apr.5	CS/H	723	CLASS A COUNTY SUBDIVISION APPROVAL AUTHORITY
140	Apr.5	H	727	PAIN MANAGEMENT & TREATMENT CONDITIONS, Picraux
141	Apr.5	H	752	SOIL & WATER CONSERVATION DISTRICT ELECTIONS, Nunez
142	Apr.5	H	828	AMBER ALERTS AS CELL PHONE TEXT MESSAGES, Vigil

143	Apr.5	H	829	UNIFORM ESTATE TAX APPORTIONMENT ACT, Wirth
144	Apr.5	H	834	UNIFORM COMMERCIAL CODE REVISIONS, Park
145	Apr.5	H	848	REPEAL IMITATION HONEY ACT, Gutierrez
146	Apr.5	H	868	TRIBAL INFRASTRUCTURE ACT, Lujan, B.
147	Apr.5	*H	1045	NEW PERA OFFICE BUILDING, Lujan, B.
148	Apr.5	CS/H	1104	STATE RAILROAD OPERATION INSURANCE, Martinez
149	Apr.5	S	39	GOULD'S TURKEY ENHANCEMENT PERMITS, Rawson
150	Apr.5	S	45	WORKERS' COMP INDEPENDENT MEDICAL EXAM, Leavell
151	Apr.5	S	114	WORKERS' COMP ELIGIBILITY REQUIREMENTS, Leavell
152	Apr.5	S	413	AMEND DRUG, DEVICE & COSMETIC & PHARMACY ACTS, Fidel
153	Apr.5	S	438	PRIVATE ACTIVITY BOND ALLOCATION & FEES, Taylor
154	Apr.5	S	468	ACQUIRE LAND NEAR STATE PARKS, Cisneros
155	Apr.5	S	482	NATIVE AMERICAN RESIDENT STUDENT DEFINITION, Tsosie
156	Apr.5	S	518	CUMBRES & TOLTEC RAILROAD COMMISSION FUNDING, Martinez
157	Apr.5	S	589	FAMILY, INFANT, TODDLER PROGRAM INSURANCE, Ortiz y Pino
158	Apr.5	S	670	SALE OF GO BONDS TO STATE OF NEW MEXICO, Grubestic
159	Apr.5	*CS/S	297	CIRCUMSTANCES FOR PHYSICIAN LICENSURE
			& 341	
160	Apr.5	S	689	PRESCRIPTION DRUG DISCOUNT CARD PROGRAM, Feldman
161	Apr.5	S	746	NMMI LEGISLATIVE SCHOLARSHIP FUND TRANSFERS, Jennings
162	Apr.5	S	747	NMMI PUBLIC SAFETY OFFICER EDUCATION, Jennings
163	Apr.5	S	748	NMMI CAREER IN CORRECTIONS PROGRAM, Jennings
164	Apr.5	S	799	UNM EL CENTRO DE LA RAZA, Nava
165	Apr.5	S	800	LOWER PECOS RIVER WATER BANK LAW REPEAL, Beffort
166	Apr.5	S	838	UNIFORM INTERSTATE FAMILY SUPPORT ACT, McSorley
167	Apr.5	S	863	WATER & SANITATION DISTRICT CHANGES, Jennings
168	Apr.5	S	921	IN-STATE TUITION FOR NATIONAL GUARD FAMILIES, Rawson
169	Apr.5	S	986	STATE PROPERTY PURCHASE GROSS RECEIPTS, Altamirano
170	Apr.5	CS/H	337	PRE-KINDERGARTEN ACT
171	Apr.5	FL/CS/S	142	RECYCLING & ILLEGAL DUMPING ACT
172	Apr.5	S	172	CREATE INDIAN RIGHTS WATER SETTLEMENT FUND, Cisneros
173	Apr.5	S	145	GAINING ACCESS INTO NATURE PROGRAM, Feldman
174	Apr.5	S	192	STATE PARK PASS SALES BY PRIVATE VENDORS, Griego
175	Apr.5	CS/S	123	STRATEGIC WATER RESERVE

176	Apr.5	H	32	ENERGY EFFICIENCY & RENEWABLE ENERGY BONDING, Stewart
177	Apr.5	CS/H	78	GAME COMMISSION HABITAT ACQUISITION & FEES
178	Apr.5	H	720	NATURAL RESOURCE CONSERVATION BIDS, Lujan, B.
179	Apr.5	H	995	BIOMASS-RELATED EQUIPMENT TAX DEDUCTION, Balderas
180	Apr.5	H	304	WATER & WASTEWATER GRANT ELIGIBILITY, Sandoval
181	Apr.5	CS/CS/H	950	EXPAND RENEWABLE ENERGY PRODUCTION TAX CREDIT
182	Apr.5	CS/H	195	CREATE STRATEGIC WATER RESERVE
183	Apr.5	H	432	SMALL COUNTIES ASSISTANCE ACT ELIGIBILITY, Whitaker
184	Apr.5	H	1053	REPEAL BUSINESS DEVELOPMENT CORPORATION ACT, Lujan, B.
185	Apr.6	S	30	PARTNERSHIP INFO FILING REQUIREMENT EXEMPTION, Leavell
186	Apr.6	CS/S	102	PROSECUTION FOR VARIOUS MISUSES OF WATER
187	Apr.6	CS/S	118	UNFAIR TRADE PRACTICE MEDIATION REQUIREMENTS
188	Apr.6	CS/S	214	CULTURAL NEEDS FOR INDIAN CHILD PLACEMENT
189	Apr.6	S	233	CHILDREN'S CODE REVISIONS, Sanchez, M.
190	Apr.6	S	538	REQUIRE PUBLIC TOILET HAND WASHING FACILITIES, Rodriguez
191	Apr.6	S	652	REAL ESTATE TRANSACTION FUNDING DEADLINES, Rawson
192	Apr.6	S	669	COLLEGE AFFORDABILITY ACT, Sanchez, M.
193	Apr.6	CS/S	884	LUNA VOCATIONAL INSTITUTE NAME CHANGE
194	Apr.6	S	443	MORTGAGE AUTHORITY INVESTMENT COUNCIL SERVICE, Griego
195	Apr.6	H	35	ELIMINATE DE NOVO WATER HEARINGS, Heaton
196	Apr.6	H	40	"PUBLIC EMPLOYER" IN EMPLOYEE RETIREMENT ACT, Heaton
197	Apr.6	H	58	NEW MEXICO SPORTS AUTHORITY ACT, Saavedra
198	Apr.6	CS/H	66	DETOXIFICATION REFORM ACT CHANGES
199	Apr.6	H	79	EXPAND OCCUPATIONAL THERAPY BOARD, Stewart
200	Apr.6	H	93	AMEND PESTICIDE CONTROL ACT, Nunez
201	Apr.6	H	132	EDUCATIONAL ASSISTANCE FOUNDATION LOANS, Miera
202	Apr.6	H	173	TEACHER PREPARATION PROGRAM LOANS, Hamilton
203	Apr.6	H	174	911 SURCHARGE AND FUND, Stell
204	Apr.6	CS/H	183	PROTECTION OF GENETIC PRIVACY
205	Apr.6	H	209	OFFICIAL COMMUNITY LAND GRANT REGISTRY, Rodella
206	Apr.6	H	249	SCHOOL PROGRAM COST CALCULATION CHANGES, King
207	Apr.6	H	268	CREATE NEW MEXICO GOVERNMENT EDUCATION FUND, Luna
208	Apr.6	H	306	BOARD & COMMISSION SUNSET DATE CHANGES, Wallace

209	Apr.6	H	311	SURFACE MINING ACT APPEAL PROVISIONS, Wallace
210	Apr.6	CS/H	314	COUNSELING & THERAPY LICENSES & PRACTICE
211	Apr.6	H	332	LAND GRANT LAND PURCHASES AT TAX AUCTIONS, Garcia, M.P.
212	Apr.6	H	336	LOCAL OPTION QUALITY OF LIFE GROSS RECEIPTS, Picraux
213	Apr.6	H	349	SCHOOL LIBRARY FUND ALLOCATIONS, Cordova
214	Apr.6	H	368	RAISE PROCUREMENT CODE SMALL PURCHASE LIMIT, Sandoval
215	Apr.6	H	392	AMEND CONTINUING CARE ACT DISCLOSURES, Gonzales
216	Apr.6	H	425	INTRASTATE WINE SHIPPING & SALES, Silva
217	Apr.6	CS/H	449	LOCAL GOVERNMENT DATABASES AS PUBLIC RECORDS
218	Apr.6	H	455	RAISE FOOD SANITATION ACT PERMIT FEES, Nunez
219	Apr.6	*H	481	INTERTRIBAL CEREMONIAL ACT, Harrison
220	Apr.6	H	484	INCOME TAX CONTRIBUTION TO NATIONAL GUARD, Sandoval
221	Apr.6	CS/H	510	CHARTER SCHOOL STANDARDS
222	Apr.6	H	511	CORRECT EDUCATIONAL TECHNOLOGY DEFICIENCIES, Miera
223	Apr.6	H	541	AMEND POST-SECONDARY EDUCATIONAL ACT, Nunez
224	Apr.6	H	561	MEND ASSISTANCE ANIMAL ACT, Lundstrom
225	Apr.6	H	575	STREAMLINED SALES TAX AGREEMENT PARTICIPATION, Whitaker
226	Apr.6	CS/H	627	AMEND CAREGIVER CRIMINAL SCREENING ACT
227	Apr.6	H	695	INCREASE PAROLE BOARD MEMBERSHIP, Chavez
228	Apr.6	H	696	STATE PARK & RECREATION ADVISORY COMMITTEE, Chavez
229	Apr.6	H	740	PRC CONSIDERATION OF MOTOR CARRIER PERMITS, Lujan, B.
230	Apr.6	*CS/H	743	VETERANS' PROPERTY TAX EXEMPTION & REBATES
231	Apr.6	*H	867	CLARIFY PROPERTY TAX ON AGRICULTURAL LANDS, Lujan, B.
232	Apr.6	H	997	SCHOOL BUS FUEL EXCISE TAX DEDUCTION, Gonzales
233	Apr.6	H	1021	INCREASE PROTECTED ANIMAL LEVY, Ezzell
234	Apr.6	H	1028	JUVENILE CORRECTIONS GRANT REVIEW BOARD, Swisstack
235	Apr.6	H	1035	ELIMINATE PESTICIDE ADVISORY REVIEW BOARD, Lujan, B.
236	Apr.6	CS/H	1043	HORSE RESCUE & RETIREMENT FACILITIES
237	Apr.6	H	1074	VALUE OF STATE PROPERTY TO BE INVENTORIED, Sandoval
238	Apr.6	H	380	COUNTY INVESTMENTS IN FEDERAL HOME BANKS, Hall
239	Apr.6	H	388	BROADEN SCOPE FOR SECURITIES LENDERS, Varela
240	Apr.6	H	389	PERMANENT FUND INVESTMENT LIMITATIONS, Varela
241	Apr.6	CS/H	282	INTERLOCKS FOR ALL DWI OFFENDER et al.

242	Apr.6	CS/H	641	CONCEALED HANDGUN LICENSE CHANGES
243	Apr.6	*H	318	MEDICAID SERVICES FOR BRAIN INJURIES, Beam
244	Apr.6	H	869	SMALL BUSINESS REGULATORY RELIEF ACT, Lujan, B.
245	Apr.6	H	76	INSURANCE FRAUD INVESTIGATOR POWERS, King
246	Apr.6	H	205	JUDICIAL RETIREMENT CONTRIBUTIONS, Varela
247	Apr.6	H	216	MAGISTRATE RETIREMENT EMPLOYER CONTRIBUTIONS, Varela
248	Apr.6	H	250	UNAUTHORIZED RECORDING ACT VIOLATIONS, Sandoval
249	Apr.6	H	275	PROHIBIT ALCOHOL ON SCHOOL PREMISES, Moore
250	Apr.6	H	308	SPEECH-LANGUAGE PATHOLOGY SCOPE OF PRACTICE, Wallace
251	Apr.6	H	331	LAND GRANT PURCHASE OF STATE LANDS, Garcia, M.P.
252	Apr.6	CS/H	382	ELECTRONIC RECORDING OF CUSTODIAL INTERVIEWS
253	Apr.6	H	442	MINIMUM WAGE ON PUBLIC WORKS CONTRACT VALUE, Ruiz
254	Apr.6	H	447	CUMBRES & TOLTEC AS OFFICIAL SCENIC RAILROAD, Rodella
255	Apr.6	CS/H	520	UNEMPLOYMENT EXPERIENCE HISTORY TRANSFERS
256	Apr.6	CS/H	626	EMPLOYEE ABUSE REGISTRY ACT
257	Apr.6	CS/H	672	DAY LABORER ACT
258	Apr.6	*H	806	MOTOR VEHICLE TAX & FEE ADJUSTMENTS, Silva
259	Apr.6	*CS/H	835	BAIL BONDSMAN LICENSING REQUIREMENTS
260	Apr.6	H	955	SCHOOL DISTRICT ATTENDANCE POLICIES, Swisstack
261	Apr.6	H	977	OBSERVANCE OF AMERICAN INDIAN DAY, Madalena
262	Apr.6	CS/H	979	NMFA LOCAL TRANSPORTATION INFRASTRUCTURE FUND
263	Apr.6	CS/H	987	DECEASED NATIVE AMERICAN REMAINS DISPOSITION
264	Apr.6	H	993	CONTRACTOR LICENSE REISSUANCE, Cervantes
265	Apr.6	H	1007	SECOND SEMESTER IN EDUCATION WORKS PROGRAM, Beam
266	Apr.6	*CS/H	1097	2005 PUBLIC SECURITIES VALIDATION, Lujan, B.
267	Apr.6	CS/H	1102	MEDICAL CARE PLAN & TAX CREDIT, Martinez
268	Apr.6	S	516	REVISE DEFINITION OF IGNITION INTERLOCK, Martinez
269	Apr.6	CS/S	109	INTERLOCKS FOR JUVENILE DWI OFFENDERS
			et al.	
270	Apr.6	CS/CS/S	678	THIRD-PARTY ELECTION REGISTRATION AGENTS
			et al.	
271	Apr.6	S	91	CYFD EMPLOYEE CRIMINAL & BACKGROUND CHECKS, Harden
272	Apr.6	S	161	COMMON LOWER-DIVISION COLLEGE COURSE NUMBERS, Nava
273	Apr.6	S	181	EDUCATIONAL RETIREMENT EMPLOYER CONTRIBUTION, Smith
274	Apr.6	*CS/S	455	PUBLIC SCHOOL CAPITAL OUTLAY AMENDMENTS
275	Apr.6	S	560	PERSONAL INSURANCE CREDIT INFORMATION ACT, Leavell

276	Apr.6	S	688	PRC ABANDONMENT OF SERVICE IMPACT STUDY, Ingle
277	Apr.6	CS/S	905	CREATE STATE MUSEUM EXHIBIT FUND
278	Apr.6	S	975	NMFA COMMUNICATION EQUIPMENT BONDS, Fidel
279	Apr.7	CS/H	165	SEX OFFENDER REGISTRATION REQUIREMENTS
280	Apr.7	H	713	DISTRIBUTION OF RAPE DRUGS, Youngberg
281	Apr.7	H	440	MEDICAL PERSONNEL TO DOCUMENT DOMESTIC ABUSE, Picraux
282	Apr.7	H	555	CRIME VICTIM RESTITUTION AS PERMISSIBLE LIEN, Beam
283	Apr.7	H	692	CRIME VICTIM STATEMENTS AT COURT PROCEEDINGS, Stapleton
284	Apr.7	H	901	ADDITIONAL JUDGESHIPS, Saavedra
285	Apr.7	H	153	UTILITY OPERATOR REGULATION AND FEES, King
286	Apr.7	H	218	PUBLIC EDUCATION DEPARTMENT DIVISIONS, Stewart
287	Apr.7	*H	271	NMFA WATER PROJECT FUND PROJECTS, Crook
288	Apr.7	H	739	INCIDENTAL CAR INSURANCE CARRIER PROOF TO PRC, Lujan, B.
289	Apr.7	*CS/H	745	HIGHER EDUCATION AS CABINET DEPARTMENT
290	Apr.7	H	793	COUNTY SHERIFF APPOINTMENT OF DEPUTIES, Madalena
291	Apr.7	CS/H	1091	CHANGE SCHOOL CALCULATION OF MEM
292	Apr.7	CS/H	1101	2005 CHARTER SCHOOL DISTRICT ACT, Martinez
293	Apr.7	CS/H	1110	WATER PROJECT FUND DISTRIBUTION, Hobbs
294	Apr.7	CS/H	610	INSURANCE TAX CREDIT & ELIGIBILITY
295	Apr.7	S	415	CREATE CHILD SOLICITATION BY COMPUTER OFFENSE, Garcia
296	Apr.7	S	720	ELECTRONIC IDENTITY THEFT, Cisneros
297	Apr.7	S	831	DONA ANA COURT CONSOLIDATION STUDY, Rawson
298	Apr.7	S	586	REQUIRE CHILD CAR BOOSTER SEATS, Grubestic
299	Apr.7	S	215	AMERICAN INDIAN ADVANCED SCHOOL CURRICULUM, Tsosie
300	Apr.7	S	138	CORE SCHOOL CURRICULUM FRAMEWORK, Kernan
301	Apr.7	S	271	SMALL EMPLOYER HEALTH CARE COVERAGE ACCESS, Feldman
302	Apr.7	S	250	CLARIFY MINIMUM WAGE FOR TIPPED EMPLOYEES, Papen
303	Apr.7	*S	119	UNIFY NURSING MEDICATION AIDES PROGRAMS, Nava
304	Apr.7	S	594	NORTHERN NEW MEXICO SCHOOL NAME & MISSION, Martinez
305	Apr.7	H	523	SMALL EMPLOYER HEALTH CARE COVERAGE ACCESS, Lujan, B.
306	Apr.7	H	178	CLARIFY MINIMUM WAGE FOR TIPPED EMPLOYEES, Park
307	Apr.7	*H	639	PERMANENT NURSING PRACTICE PROGRAMS, Picraux
308	Apr.7	H	461	NORTHERN NM STATE SCHOOL NAME & MISSION, Salazar
309	Apr.7	H	254	COURT OF REVIEW FOR HUMAN RIGHTS APPEALS, Wirth

310	Apr.7	CS/H	785	COMMERCIAL DRIVER'S LICENSE BACKGROUND CHECKS
311	Apr.7	S	174	TIME LIMIT FOR HUMAN RIGHTS ACT APPEALS, Grubestic
312	Apr.7	S	243	COMMERCIAL DRIVER'S CHANGES, Grubestic
313	Apr.7	S	883	NM STATE HOSPITAL NAME CHANGE, Campos
314	Apr.7	H	139	NM HISTORY FOR PUBLIC SCHOOL GRADUATION, Miera
315	Apr.7	*CS/H	84	PUBLIC SCHOOL CODE CLEAN-UP
316	Apr.7	*S	662	SCHOOL PERSONNEL LEVEL 1 & 2 LICENSES, Kernan
317	Apr.7	*CS/S	1055	FORT BAYARD MEDICAL CENTER CONTRACTOR
318	Apr.7	S	61	FINANCIAL ADVISOR PROCUREMENT CODE EXEMPTION, Carraro
319	Apr.7	*CS/S	935	NMFA FUNDING FOR UNM HOSPITAL & CANCER CENTER
320	Apr.7	S	289	BONDS FOR SANTA FE PARKING STRUCTURE, Fidel
321	Apr.7	H	1008	ELIMINATE VARIOUS HEALTH CARE COMMITTEES, Lujan, B.
322	Apr.7	S	786	HEALTH DISPARITIES & DATA COLLECTION, Sanchez, B.
323	Apr.7	H	774	COLLEGE LOAN INTEREST CHARGE CALCULATION, Varela
324	Apr.7	CS/S	441	SALVAGE & UNREPAIRABLE VEHICLE SALES
325	Apr.7	S	252	OFF-HIGHWAY VEHICLE SAFETY & FEE REQUIREMENTS, Feldman
326	Apr.7	H	37	GAME & FISH LICENSES OVER INTERNET, Heaton
327	Apr.7	H	255	CRIME OF SIMULATING LEGAL PROCESS, Wirth
328	Apr.7	CS/H	176	VOCATIONAL EDUCATION UNDER PUBLIC COMMISSION
329	Apr.7	H	659	UNIFORM PRINCIPAL & INCOME ACT CHANGES, Park
330	Apr.7	H	660	ELECTRONIC LOBBYIST REGISTRATION, Arnold-Jones
331	Apr.7	H	684	GAMBLING ADDICTION STUDY INCLUDING SUICIDE, Cordova
332	Apr.7	H	704	GAME COMMISSION ADVISORY COMMITTEES, Nunez
333	Apr.7	H	1080	PUBLIC EMPLOYER AS AFFILIATED PUBLIC EMPLOYER, Miera
334	Apr.7	H	498	STATE USE ACT FOR PERSONS WITH DISABILITIES, Picraux
335	Apr.7	H	776	RURAL UNIVERSAL TELECOMMUNICATIONS FUND, Rodella
336	Apr.7	S	178	CUSTOMER UTILITY DEPOSIT INTEREST RATES, Cisneros
337	Apr.7	*CS/CS/S	416	LOW-INCOME COUNTY FILM PRODUCTION TAX CREDIT
338	Apr.7	S	604	GROSS RECEIPT DISTRIBUTION FOR HOSPITALS, Fidel
339	Apr.7	CS/S	855	PRC CLEAN-UP
340	Apr.7	S	847	UTILITY CONSTRUCTION & LOCATION, Cisneros
341	Apr.7	*S	644	EFFICIENT USE OF ENERGY ACT, Cisneros
342	Apr.7	*S	619	NM EXPOSITION CENTER AUTHORITY ACT, Ortiz y Pino
343	Apr.7	CS/S	637	HOUSING AUTHORITY JOINT JURISDICTION
344	Apr.7	S	820	EMERGENCY MEDICAL TECHNICIAN LICENSE PLATES, Taylor

345	Apr.7	S	879	ALBUQUERQUE-BERNALILLO WATER AUTHORITY POWERS, Taylor
346	Apr.7	S	713	REVISE ATHLETIC COMPETITION PRIVILEGE TAX, Griego
347(pv)	Apr.8	*CS/H	885	SEVERANCE TAX BOND PROJECTS
348	Apr.8	S	582	DENIAL OF COLLEGE BENEFITS TO IMMIGRANTS, Nava
349	Apr.8	S	370	GAMING BOARD REGULATION OF BINGO & RAFFLES, Griego
350	Apr.8	S	837	RACETRACK GAMING MACHINE OPERATING HOURS, Altamirano
351	Apr.8	*CS/S	440	MUNICIPAL EVENT CENTER FEES & FUNDING

Constitutional Amendments

Bill No.	C.A.	Short Title/Sponsor
SJR 10	1	PROTECTION OF RIGHT TO OWN PROPERTY, CA, McSorley
HJR 9	2	BUILDING LEASE AGREEMENTS FOR STATE, CA, Lujan, B.

VETOED BILLS

Bill No.	Short Title/Sponsor
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(An asterisk indicates a bill with an emergency clause.)

H 56	CHILD SUPPORT ENFORCEMENT JUDGEMENT CHANGES, Saavedra
H 128	CREATE TECHNOLOGY RESEARCH COLLABORATIVE, Salazar
H 154	ALLOW SELLING OF BONDS AT NEGOTIATED SALES, Ruiz
H 170	EXPAND CULTURAL PROPERTIES REVIEW COMMITTEE, Madalena
H 207	PUBLIC RETIREES RETURNING TO WORK, Varela
CS/H 223	CULTURAL NEEDS IN INDIAN CHILD PLACEMENT
CS/H 256	TERMINATE RURAL EXTENSION FUNDS
*H 294	NMFA WATER & WASTEWATER PROJECT GRANTS, Cervantes
H 310	LEGISLATIVE APPROPRIATION OF CERTAIN FUNDS, Wallace
H 313	INTERIOR DESIGN LICENSES & BOARD MEMBERS, Moore
CS/H 360	UNFAIR TRADE PRACTICE MEDIATION REQUIREMENTS
H 404	BIENNIAL STATE BUDGETS, Moore
H 409	NEW MEXICO HOUSING TRUST FUND ACT, Lujan, B.
H 468	COUNTY HEALTH MILL LEVY ELECTION CONDITIONS, Salazar
H 482	BITTERING AGENT IN ANTIFREEZE, McCoy
H 550	PUBLIC EMPLOYEE WORK PAYMENT TRANSFERS, Lujan, A.
H 565	REVISE DEFINITION OF IGNITION INTERLOCK, Martinez
CS/H 581	LOCAL OPTION COMPENSATING TAXES
H 604	TECHNICAL & VOCATIONAL INSTITUTE NAME CHANGES, Stapleton
H 613	ALLOW EMERGENCY PRESCRIPTIVE DISPENSING, Swisstack
H 624	PRC REVIEW OF PATIENT PROTECTION ACT APPEALS, King
H 638	REIMBURSEMENT FOR PHARMACIST SERVICES, Picraux
H 697	THERAPEUTIC INTERCHANGE OF PRESCRIPTION DRUGS, Heaton
H 784	SEVERE MOBILITY IMPAIRMENT LICENSE PLATES, Crook
H 816	CLARIFY LAND CONSERVATION INCENTIVES ACT, King
*H 858	CREATE UNEMPLOYMENT INSURANCE TASK FORCE, Stewart
H 873	CHANGE PUBLIC SCHOOL BUDGET REQUESTS DUE DATE, Salazar
H 874	WATER & SANITATION DISTRICT GROSS RECEIPTS, Gonzales
H 891	CREATE OFFICE OF HOMELAND SECURITY, Varela
H 903	UTILITY CONSTRUCTION & LOCATION, Cervantes
H 917	PROSECUTION FOR VARIOUS MISUSES OF WATER, Lujan, B.
H 970	SMALL BUSINESS REGULATORY RELIEF ACT, Marquardt
S 49	BROADEN SCOPE FOR SECURITIES LENDERS, Carraro
CS/S 75	AVIATION FUND DISTRIBUTIONS TO AIRPORTS
S 103	LOCAL ENFORCEMENT OF FEDERAL IMMIGRATION LAWS, Martinez
S 108	SET PRIMARY ELECTION DATE, Duran
S 117	WATER RESOURCES RESEARCH INSTITUTE, Papen
*S 140	DRINKING WATER SYSTEM FINANCING, Snyder
CS/S 141	STATE INVESTMENTS IN FINE ART
*S 152	NMFA PUBLIC PROJECT REVOLVING FUND PROJECTS, Garcia
S 155	PER DIEM & MILEAGE FOR LEGISLATORS-ELECT, Rawson
S 157	NATIVE AMERICAN BEHAVIORAL HEALTH COMMITTEE, Komadina
S 216	EDUCATIONAL RETIREES RETURNING TO WORK, Smith

S 235	UTILITY RIGHT-OF-WAY WIDTH REQUIREMENTS, Griego
S 269	HEALTH COVERAGE FOR UNMARRIED DEPENDENTS, Feldman
S 308	SCHOOL DISTRICT ADDITIONS TO OTHER DISTRICTS, Lopez
S 311	REGIONAL HOUSING DEFINITIONS & BOND SALES, Griego
S 350	RAISE PROCUREMENT CODE SMALL PURCHASE LIMIT, Altamirano
S 371	HEALTH & DENTAL INSURANCE CLAIM ASSIGNMENTS, Griego
S 384	GAMING CONTROL BOARD POWERS & DUTIES, Griego
S 392	PERMANENT FUND INVESTMENT CRITERIA, Carraro
S 410	TEACH EFFECTS OF ALCOHOL & DRUGS IN SCHOOLS, Carraro
S 420	REPEAL CERTAIN PROPERTY USE TAXATION STATUTES, Cisneros
S 424	FINANCIAL ASSURANCE TO PLUG OIL & GAS WELLS, Leavell
CS/S 427	HEALTH FACILITY & CARE PROVIDER INSURANCE
CS/S 478	EXEMPT JET FUEL FROM GROSS RECEIPTS TAX
S 564	DEED OF TRUST ACT CHANGES, Robinson
S 610	ENMU RUIDOSO BRANCH COMMUNITY COLLEGE, Jennings
S 634	MINIMUM WAGE ON PUBLIC WORKS CONTRACT VALUE, Cisneros
CS/S 677	HIGHER EDUCATION AS CABINET DEPARTMENT
S 691	SECOND SEMESTER FOR EDUCATION WORKS PROGRAM, Lopez
S 706	TAX CREDIT DEFINITION OF PRODUCED WATER, Jennings
CS/S 724	ACTUARIAL SOUNDNESS OF CERTAIN PUBLIC FUNDS
S 875	PUBLIC RETIREES RETURNING TO WORK, Altamirano
S 920	UNEMPLOYMENT BENEFITS FOR MILITARY RELOCATION, Rawson
S 941	COUNTY SHERIFF APPOINTMENT OF DEPUTIES, Cisneros
S 973	EXPAND NM LOTTERY GAMES, Leavell
CS/S1006	NET METERING OF RENEWABLE ENERGY RESOURCES
CS/S1015	TRIBAL INFRASTRUCTURE ACT

CONCORDANCE
Forty-seventh Legislature, First Session, 2005

HOUSE BILLS

Bill No.	Chapter	Short Title/Sponsor	
(An asterisk indicates a bill with an emergency clause.)			
*H	1	1	FEED BILL, Martinez
CS/H	2	33(pv)	GENERAL APPROPRIATION ACT OF 2005
		et al.	
*H	9	3	UNEMPLOYMENT COMPENSATION CHANGES, Stewart
*H	10	2	NATIONAL GUARD LIFE INSURANCE REIMBURSEMENT, Lujan, B.
H	31	114	GAME PROTECTION FUND APPROPRIATIONS, Stewart
H	32	176	ENERGY EFFICIENCY & RENEWABLE ENERGY BONDING, Stewart
H	35	195	ELIMINATE DE NOVO WATER HEARINGS, Heaton
H	37	326	GAME & FISH LICENSES OVER INTERNET, Heaton
H	40	196	"PUBLIC EMPLOYER" IN EMPLOYEE RETIREMENT ACT, Heaton
H	54	67	CONDITIONS FOR BUSINESS INCUBATORS, Heaton
H	56	Pk Veto	CHILD SUPPORT ENFORCEMENT JUDGMENT CHANGES, Saavedra
H	58	197	NEW MEXICO SPORTS AUTHORITY ACT, Saavedra
H	59	44	CREATE NEW MEXICO COIN COMMISSION, Irwin
CS/H	61	115	SCHOOL MEAL NUTRITION RULES
H	64	116	FELONY CONVICT VOTING REQUIREMENTS, Beam
CS/H	66	198	DETOXIFICATION REFORM ACT CHANGES
H	67	117	BRANCH COMMUNITY COLLEGE BOARD AUTHORITY, Lundstrom
H	71	10	MOTORISTS MOVING ASIDE FOR EMERGENCY VEHICLES, Wallace
H	76	245	INSURANCE FRAUD INVESTIGATOR POWERS, King
CS/H	78	177	GAME COMMISSION HABITAT ACQUISITION & FEES
H	79	199	EXPAND OCCUPATIONAL THERAPY BOARD, Stewart
*CS/H	84	315	PUBLIC SCHOOL CODE CLEAN-UP
H	93	200	AMEND PESTICIDE CONTROL ACT, Nunez
*H	95	36	PUBLIC PROJECT REVOLVING FUND AUTHORIZATIONS, Varela
H	97	68	FAMILY PRESERVATION ACT, Varela
*H	98	111	OFFICE OF WORKFORCE TRAINING & DEVELOPMENT, Varela
H	99	69	ENGINEER & SURVEYOR LICENSURE REQUIREMENTS, Garcia, M.P.
H	103	19	ADDITIONAL SEX OFFENDER BOARD MEMBER, Park
H	105	113	INCOME TAX DEDUCTION FOR ORGAN DONATION, Park
H	122	101	FILM PRODUCTION TAX CREDIT LOANS, Gonzales
*H	123	70	DRINKING WATER SYSTEM FINANCING, Gonzales

H	128	Pk Veto	CREATE TECHNOLOGY RESEARCH COLLABORATIVE, Salazar
H	130	118	REAL ESTATE APPRAISER QUALIFICATIONS, Miera
H	132	201	EDUCATIONAL ASSISTANCE FOUNDATION LOANS, Miera
H	139	314	NM HISTORY FOR PUBLIC SCHOOL GRADUATION, Miera
H	142	119	VOLUNTEER FIREFIGHTER RETIREMENT CREDITS, Rodella
H	147	120	RECOVERY OF ATTORNEY FEES IN LIEN ACTIONS, Wirth
H	148	121	CREATE MUSEUM COLLECTIONS FUND, Wirth
H	149	71	EXPAND MUSEUM BOARD OF REGENTS MEMBERSHIP, Wirth
CS/H	152	122	COMMERCIAL GOODS ON PUBLICLY OWNED FACILITIES
H	153	285	UTILITY OPERATOR REGULATION AND FEES, King
H	154	Pk Veto	ALLOW SELLING OF BONDS AT NEGOTIATED SALES, Ruiz
CS/H	165	279	SEX OFFENDER REGISTRATION REQUIREMENTS
H	170	Pk Veto	EXPAND CULTURAL PROPERTIES REVIEW COMMITTEE, Madalena
H	173	202	TEACHER PREPARATION PROGRAM LOANS, Hamilton
H	174	203	911 SURCHARGE AND FUND, Stell
CS/H	176	328	VOCATIONAL EDUCATION UNDER PUBLIC COMMISSION
H	178	306	CLARIFY MINIMUM WAGE FOR TIPPED EMPLOYEES, Park
H	180	45	IMMUNIZATION INFO FOR PHARMACISTS, Picraux
CS/H	183	204	PROTECTION OF GENETIC PRIVACY
H	193	37	CREATE WATER RESOURCES RESEARCH INSTITUTE, Nunez
CS/H	195	182	CREATE STRATEGIC WATER RESERVE
H	201	20	INCREASE MOTOR VEHICLE ADMINISTRATION FEES, Hanosh
H	203	38	GAME & FISH LIABILITY SUSPENSE ACCOUNT, Hanosh
H	205	246	JUDICIAL RETIREMENT CONTRIBUTIONS, Varela
H	207	Veto	PUBLIC RETIREES RETURNING TO WORK, Varela
H	209	205	OFFICIAL COMMUNITY LAND GRANT REGISTRY, Rodella
H	216	247	MAGISTRATE RETIREMENT EMPLOYER CONTRIBUTIONS, Varela
H	218	286	PUBLIC EDUCATION DEPARTMENT DIVISIONS, Stewart
CS/H	223	Pk Veto	CULTURAL NEEDS IN INDIAN CHILD PLACEMENT
*H	234	12	NONTAXABLE TRANSACTION CERTIFICATE REISSUANCE, Lujan, B.
CS/H	248	123	CHILDREN'S ARTWORK MOTORCYCLE LICENSE PLATES
H	249	206	SCHOOL PROGRAM COST CALCULATION CHANGES, King
H	250	248	UNAUTHORIZED RECORDING ACT VIOLATIONS, Sandoval
H	254	309	COURT OF REVIEW FOR HUMAN RIGHTS APPEALS, Wirth
H	255	327	CRIME OF SIMULATING LEGAL PROCESS, Wirth
CS/H	256	Veto	TERMINATE RURAL EXTENSION FUNDS
H	259	7	NATIVE AMERICAN BEHAVIORAL HEALTH COMMITTEE, Sandoval
H	268	207	CREATE NEW MEXICO GOVERNMENT EDUCATION FUND, Luna

*H	271	287	NMFA WATER PROJECT FUND PROJECTS, Crook
H	272	13	OPTIONAL LICENSE PLATE COUNTY NAME STICKERS, Moore
H	273	39	VOLUNTEER OPERATION OF STATE PARKS, Moore
H	275	249	PROHIBIT ALCOHOL ON SCHOOL PREMISES, Moore
CS/H	282	241	INTERLOCKS FOR ALL DWI OFFENDERS
	et al.		
H	289	42	PART-TIME EMPLOYEE INSURANCE COVERAGE, Wirth
*H	294	Pk Veto	NMFA WATER & WASTEWATER PROJECT GRANTS, Cervantes
H	303	124	EXTEND MILITARY DRIVER'S LICENSE EXPIRATIONS, Hamilton
H	304	180	WATER & WASTEWATER GRANT ELIGIBILITY, Sandoval
H	306	208	BOARD & COMMISSION SUNSET DATE CHANGES, Wallace
H	307	8	MILITARY BASE PLANNING COMMISSION MEMBERS, Wallace
H	308	250	SPEECH-LANGUAGE PATHOLOGY SCOPE OF PRACTICE, Wallace
H	309	125	ATHLETIC TRAINER LICENSING & REQUIREMENTS, Wallace
H	310	Pk Veto	LEGISLATIVE APPROPRIATION OF CERTAIN FUNDS, Wallace
H	311	209	SURFACE MINING ACT APPEAL PROVISIONS, Wallace
H	313	Pk Veto	INTERIOR DESIGN LICENSES & BOARD MEMBERS, Moore
CS/H	314	210	COUNSELING & THERAPY LICENSES & PRACTICE
*H	318	243	MEDICAID SERVICES FOR BRAIN INJURIES, Beam
*H	322	9	"PROJECT" IN INDUSTRIAL REVENUE BOND ACT, Heaton
H	331	251	LAND GRANT PURCHASE OF STATE LANDS, Garcia, M.P.
H	332	211	LAND GRANT LAND PURCHASES AT TAX AUCTIONS, Garcia, M.P.
H	335	41	HEALTH COVERAGE FOR UNMARRIED DEPENDENTS, Picraux
H	336	212	LOCAL OPTION QUALITY OF LIFE GROSS RECEIPTS, Picraux
CS/H	337	170	PRE-KINDERGARTEN ACT
H	349	213	SCHOOL LIBRARY FUND ALLOCATIONS, Cordova
H	353	126	MILITARY DISCHARGE PUBLIC RECORDS EXCEPTION, Sandoval
CS/H	360	Pk Veto	UNFAIR TRADE PRACTICE MEDIATION REQUIREMENTS
CS/H	363	127	SOCIAL SECURITY NUMBER CONFIDENTIALITY ACT
H	368	214	RAISE PROCUREMENT CODE SMALL PURCHASE LIMIT, Sandoval
H	374	72	HEALTH POLICY COMMISSION MEMBERSHIP, Heaton
H	380	238	COUNTY INVESTMENTS IN FEDERAL HOME BANKS, Hall
CS/H	382	252	ELECTRONIC RECORDING OF CUSTODIAL INTERVIEWS
H	388	239	BROADEN SCOPE FOR SECURITIES LENDERS, Varela
H	389	240	PERMANENT FUND INVESTMENT LIMITATIONS, Varela
H	392	215	AMEND CONTINUING CARE ACT DISCLOSURES, Gonzales
H	394	21	HEALTH INSURANCE RATES & ALLIANCE MEMBERSHIP, Martinez
H	404	Pk Veto	BIENNIAL STATE BUDGETS, Moore
H	405	40	ENMU RUIDOSO BRANCH COMMUNITY COLLEGE, Williams
H	409	Pk Veto	NEW MEXICO HOUSING TRUST FUND ACT, Lujan, B.
CS/H	410	104	INCOME TAX EXEMPTION FOR CERTAIN TAXPAYERS
	et al.		

H	411	108	CREATE TAX FRAUD INVESTIGATION DIVISION, Lujan, B.
H	419	128	SPACEPORT DEVELOPMENT ACT, Boykin
H	424	109	GAS & SPECIAL FUELS REQUIREMENTS, Silva
H	425	216	INTRASTATE WINE SHIPPING & SALES, Silva
H	432	183	SMALL COUNTIES ASSISTANCE ACT ELIGIBILITY, Whitaker
*H	433	129	LOCAL GOVERNMENT GROSS RECEIPTS TIME LIMITS, Whitaker
H	434	130	SUBJECT HELIUM TO VARIOUS SEVERANCE TAXES, Whitaker
H	437	131	RAISE STATE FAIR CONCESSION CONTRACT AMOUNT, Park
H	440	281	MEDICAL PERSONNEL TO DOCUMENT DOMESTIC ABUSE, Picraux
H	442	253	MINIMUM WAGE ON PUBLIC WORKS CONTRACT VALUE, Ruiz
CS/H	444	132	HEALTH INSURANCE PREMIUM SURTAX
H	447	254	CUMBRES & TOLTEC AS OFFICIAL SCENIC RAILROAD, Rodella
CS/H	449	217	LOCAL GOVERNMENT DATABASES AS PUBLIC RECORDS
H	455	218	RAISE FOOD SANITATION ACT PERMIT FEES, Nunez
H	461	308	NORTHERN NM STATE SCHOOL NAME & MISSION, Salazar
H	466	63	SMALL BUSINESS INVESTMENT CORPORATION FUNDS, Salazar
H	467	22	EMERGENCY POWERS CODE, Heaton
H	468	Pk Veto	COUNTY HEALTH MILL LEVY ELECTION CONDITIONS, Salazar
H	477	133	MANDATE HUMAN PAPILOMAVIRUS SCREENING, Stewart
H	479	134	NEWBORN CHILD MEDICAL TEST REQUIREMENTS, King
*H	481	219	INTERTRIBAL CEREMONIAL ACT, Harrison
H	482	Pk Veto	BITTERING AGENT IN ANTIFREEZE, McCoy
H	484	220	INCOME TAX CONTRIBUTION TO NATIONAL GUARD, Sandoval
H	495	135	STRUCTURED SETTLEMENT PROTECTION ACT, Cervantes
H	498	334	STATE USE ACT FOR PERSONS WITH DISABILITIES, Picraux
H	509	136	CREATE NURSE EDUCATORS FUND, Varela
CS/H	510	221	CHARTER SCHOOL STANDARDS
H	511	222	CORRECT EDUCATIONAL TECHNOLOGY DEFICIENCIES, Miera
*H	517	102	DEVELOPMENT TRAINING PROGRAM FUNDING, Lujan, B.
*H	518	103	NMFA ECONOMIC DEVELOPMENT LOANS, Silva
CS/H	520	255	UNEMPLOYMENT EXPERIENCE HISTORY TRANSFERS
H	523	305	SMALL EMPLOYER HEALTH CARE COVERAGE ACCESS, Lujan, B.

H	529	137	EMPLOYEE LABOR RELATIONS BOARD MEETINGS, Stapleton
H	532	46	REVISE CONSTRUCTION INDUSTRIES LICENSING, Stapleton
H	541	223	AMEND POST-SECONDARY EDUCATIONAL ACT, Nunez
H	550	Pk Veto	PUBLIC EMPLOYEE WORK PAYMENT TRANSFERS, Lujan, A.
H	555	282	CRIME VICTIM RESTITUTION AS PERMISSIBLE LIEN, Beam
H	561	224	AMEND ASSISTANCE ANIMAL ACT, Lundstrom
H	562	138	ELIGIBILITY FOR FOOD STAMP NOTIFICATION, Garcia, M.P.
H	565	Pk Veto	REVISE DEFINITION OF IGNITION INTERLOCK, Martinez
H	575	225	STREAMLINED SALES TAX AGREEMENT PARTICIPATION, Whitaker
CS/H	581	Veto	LOCAL OPTION COMPENSATING TAXES
H	591	73	SANDOVAL ARROYO FLOOD CONTROL AUTHORITY, Youngberg
H	604	Pk Veto	TECHNICAL & VOCATIONAL INSTITUTE NAME CHANGES, Stapleton
CS/H	610	294	INSURANCE TAX CREDIT & ELIGIBILITY
H	613	Pk Veto	ALLOW EMERGENCY PRESCRIPTIVE DISPENSING, Swisstack
H	624	Pk Veto	PRC REVIEW OF PATIENT PROTECTION ACT APPEALS, King
CS/H	626	256	EMPLOYEE ABUSE REGISTRY ACT
CS/H	627	226	AMEND CAREGIVER CRIMINAL SCREENING ACT
H	638	Pk Veto	REIMBURSEMENT FOR PHARMACIST SERVICES, Picraux
*H	639	307	PERMANENT NURSING PRACTICE PROGRAMS, Picraux
CS/H	641	242	CONCEALED HANDGUN LICENSE CHANGES
H	659	329	UNIFORM PRINCIPAL & INCOME ACT CHANGES, Park
H	660	330	ELECTRONIC LOBBYIST REGISTRATION, Arnold-Jones
CS/H	672	257	DAY LABORER ACT
H	684	331	GAMBLING ADDICTION STUDY INCLUDING SUICIDE, Cordova
H	692	283	CRIME VICTIM STATEMENTS AT COURT PROCEEDINGS, Stapleton
H	693	47	SCHOOL DISTRICT ADDITIONS TO OTHER DISTRICTS, Stapleton
H	695	227	INCREASE PAROLE BOARD MEMBERSHIP, Chavez
H	696	228	STATE PARK & RECREATION ADVISORY COMMITTEE, Chavez
H	697	Pk Veto	THERAPEUTIC INTERCHANGE OF PRESCRIPTION DRUGS, Heaton
H	704	332	GAME COMMISSION ADVISORY COMMITTEES, Nunez
H	713	280	DISTRIBUTION OF RAPE DRUGS, Youngberg
H	720	178	NATURAL RESOURCE CONSERVATION BIDS, Lujan, B.
CS/H	723	139	CLASS A COUNTY SUBDIVISION APPROVAL AUTHORITY
H	727	140	PAIN MANAGEMENT & TREATMENT CONDITIONS, Picraux
H	739	288	INCIDENTAL CAR INSURANCE CARRIER PROOF TO PRC, Lujan, B.

H	740	229	PRC CONSIDERATION OF MOTOR CARRIER PERMITS, Lujan, B.
*CS/H	743	230	VETERANS' PROPERTY TAX EXEMPTION & REBATES
*CS/H	745	289	HIGHER EDUCATION AS CABINET DEPARTMENT
H	747	110	CREATE STATE INFORMATION TECHNOLOGY DIVISIONS, Heaton
H	751	14	COTTON BOLL WEEVIL ACT DISTRICT MONITORING, Nunez
H	752	141	SOIL & WATER CONSERVATION DISTRICT ELECTIONS, Nunez
H	774	323	COLLEGE LOAN INTEREST CHARGE CALCULATION, Varela
H	776	335	RURAL UNIVERSAL TELECOMMUNICATIONS FUND, Rodella
H	784	Pk Veto	SEVERE MOBILITY IMPAIRMENT LICENSE PLATES, Crook
CS/H	785	310	COMMERCIAL DRIVER'S LICENSE BACKGROUND CHECKS
H	793	290	COUNTY SHERIFF APPOINTMENT OF DEPUTIES, Madalena
*H	806	258	MOTOR VEHICLE TAX & FEE ADJUSTMENTS, Silva
H	816	Pk Veto	CLARIFY LAND CONSERVATION INCENTIVES ACT, King
H	828	142	AMBER ALERTS AS CELL PHONE TEXT MESSAGES, Vigil
H	829	143	UNIFORM ESTATE TAX APPORTIONMENT ACT, Wirth
H	834	144	UNIFORM COMMERCIAL CODE REVISIONS, Park
*CS/H	835	259	BAIL BONDSMAN LICENSING REQUIREMENTS
H	848	145	REPEAL IMITATION HONEY ACT, Gutierrez
*H	858	Pk Veto	CREATE UNEMPLOYMENT INSURANCE TASK FORCE, Stewart
*H	867	231	CLARIFY PROPERTY TAX ON AGRICULTURAL LANDS, Lujan, B.
H	868	146	TRIBAL INFRASTRUCTURE ACT, Lujan, B.
H	869	244	SMALL BUSINESS REGULATORY RELIEF ACT, Lujan, B.
H	873	Pk Veto	CHANGE PUBLIC SCHOOL BUDGET REQUESTS DUE DATE, Salazar
H	874	Pk Veto	WATER & SANITATION DISTRICT GROSS RECEIPTS, Gonzales
*CS/H	885	347 (pv)	SEVERANCE TAX BOND PROJECTS
H	891	Veto	CREATE OFFICE OF HOMELAND SECURITY, Varela
H	901	284	ADDITIONAL JUDGESHIPS, Saavedra
H	903	Pk Veto	UTILITY CONSTRUCTION & LOCATION, Cervantes
H	917	Pk Veto	PROSECUTION FOR VARIOUS MISUSES OF WATER, Lujan, B.
CS/CS/H	950	181	EXPAND RENEWABLE ENERGY PRODUCTION TAX CREDIT
H	955	260	SCHOOL DISTRICT ATTENDANCE POLICIES, Swisstack
H	970	Pk Veto	SMALL BUSINESS REGULATORY RELIEF ACT, Marquardt
H	977	261	OBSERVANCE OF AMERICAN INDIAN DAY, Madalena
CS/H	979	262	NMFA LOCAL TRANSPORTATION INFRASTRUCTURE FUND

CS/H	987	263	DECEASED NATIVE AMERICAN REMAINS DISPOSITION
H	993	264	CONTRACTOR LICENSE REISSUANCE, Cervantes
H	995	179	BIOMASS-RELATED EQUIPMENT TAX DEDUCTION, Balderas
H	997	232	SCHOOL BUS FUEL EXCISE TAX DEDUCTION, Gonzales
H	1007	265	SECOND SEMESTER IN EDUCATION WORKS PROGRAM, Beam
H	1008	321	ELIMINATE VARIOUS HEALTH CARE COMMITTEES, Lujan, B.
H	1021	233	INCREASE PROTECTED ANIMAL LEVY, Ezzell
H	1028	234	JUVENILE CORRECTIONS GRANT REVIEW BOARD, Swisstack
H	1035	235	ELIMINATE PESTICIDE ADVISORY REVIEW BOARD, Lujan, B.
CS/H	1043	236	HORSE RESCUE & RETIREMENT FACILITIES
*H	1045	147	NEW PERA OFFICE BUILDING, Lujan, B.
H	1053	184	REPEAL BUSINESS DEVELOPMENT CORPORATION ACT, Lujan, B.
H	1074	237	VALUE OF STATE PROPERTY TO BE INVENTORIED, Sandoval
H	1080	333	PUBLIC EMPLOYER AS AFFILIATED PUBLIC EMPLOYER, Miera
CS/H	1091	291	CHANGE SCHOOL CALCULATION OF MEM
*CS/H	1097	266	2005 PUBLIC SECURITIES VALIDATION, Lujan, B.
CS/H	1101	292	2005 CHARTER SCHOOL DISTRICT ACT, Martinez
CS/H	1102	267	MEDICAL CARE PLAN & TAX CREDIT, Martinez
CS/H	1104	148	STATE RAILROAD OPERATION INSURANCE, Martinez
CS/H	1110	293	WATER PROJECT FUND DISTRIBUTION, Hobbs

230 Total House Bills

Constitutional Amendments

Bill No.	C.A.	Short Title/Sponsor
HJR 9	2	BUILDING LEASE AGREEMENTS FOR STATE, CA, Lujan, B.

CONCORDANCE
Forty-seventh Legislature, First Session, 2005

SENATE BILLS

Bill No.	Chapter	Short Title/Sponsor
(An asterisk indicates a bill with an emergency clause.)		
S 1	48	EMERGENCY FUND GRANTS TO INDIAN TRIBES, Campos
S 13	4	HOT AIR BALLOONS AS OFFICIAL STATE AIRCRAFT, Komadina
CS/S 16 et al.	74	RAISE NONRESIDENT GAME & FISH LICENSE FEES
S 30	185	PARTNERSHIP INFO FILING REQUIREMENT EXEMPTION, Leavell
S 35	57	CREATE DIVISION OF INTERNATIONAL TRADE, Garcia
S 39	149	GOULD'S TURKEY ENHANCEMENT PERMITS, Rawson
S 45	150	WORKERS' COMP INDEPENDENT MEDICAL EXAM, Leavell
S 49	Pk Veto	BROADEN SCOPE FOR SECURITIES LENDERS, Carraro
S 51	75	LAND GRANT BOARD OF TRUSTEES AUTHORITY, Sanchez, B.
CS/S 52	58	CIGARETTE TAX REVENUE DISTRIBUTIONS
*S 54	76	NMFA WATER & WASTEWATER PROJECT GRANTS, Papen
CS/S 57	77	COMPENSATION FOR AUCTIONEERS
S 61	18	FINANCIAL ADVISER PROCUREMENT CODE EXEMPTION, Carraro
S 68	23	CHANGE CORRECTIONS COMMISSION COMPOSITION, Papen
S 69	78	REQUIRE HONORS CLASSES IN CERTAIN SCHOOLS, Beffort
CS/S 75	Pk Veto	AVIATION FUND DISTRIBUTIONS TO AIRPORTS
S 91	271	CYFD EMPLOYEE CRIMINAL & BACKGROUND CHECKS, Harden
S 92	79	TIME PERIOD FOR ACCESS TO PUBLIC RECORDS, Sanchez, M.
CS/S 102	186	PROSECUTION FOR VARIOUS MISUSES OF WATER
S 103	Veto	LOCAL ENFORCEMENT OF FEDERAL IMMIGRATION LAWS, Martinez
S 108	Pk Veto	SET PRIMARY ELECTION DATE, Duran
CS/S 109	269	INTERLOCKS FOR JUVENILE DWI OFFENDERS et al.
S 114	151	WORKERS' COMP ELIGIBILITY REQUIREMENTS, Leavell
S 115	05	NEW MEXICO HOUSING TRUST FUND ACT, Rodriguez
S 117	Pk Veto	WATER RESOURCES RESEARCH INSTITUTE, Papen
CS/S 118	187	UNFAIR TRADE PRACTICE MEDIATION REQUIREMENTS
*S 119	303	UNIFY NURSING MEDICATION AIDES PROGRAMS, Nava
CS/S 123	175	STRATEGIC WATER RESERVE
S 125	49	FUNDING FORMULA STUDY TASK FORCE, Nava

*S	128	80	INSTRUCTIONAL MATERIAL ALLOCATION CALCULATION, Nava
S	134	50	CULTURAL PROPERTIES REVIEW COMMITTEE MEMBERS, Garcia
S	138	300	CORE SCHOOL CURRICULUM FRAMEWORK, Kernan
*S	140	Pk Veto	DRINKING WATER SYSTEM FINANCING, Snyder
CS/S	141	Veto	STATE INVESTMENTS IN FINE ART
FL/CS/S	142	171	RECYCLING & ILLEGAL DUMPING ACT
S	145	173	GAINING ACCESS INTO NATURE PROGRAM, Feldman
*S	152	Pk Veto	NMFA PUBLIC PROJECT REVOLVING FUND PROJECTS, Garcia
S	155	Veto	PER DIEM & MILEAGE FOR LEGISLATORS-ELECT, Rawson
S	157	Pk Veto	NATIVE AMERICAN BEHAVIORAL HEALTH COMMITTEE, Komadina
S	161	272	COMMON LOWER-DIVISION COLLEGE COURSE NUMBERS, Nava
CS/S	166	59	LIFE SENTENCE FOR DEADLY CHILD ABUSE
S	169	81	CREATE TECHNOLOGY RESEARCH COLLABORATIVE, Cisneros
S	172	172	CREATE INDIAN RIGHTS WATER SETTLEMENT FUND, Cisneros
S	174	311	TIME LIMIT FOR HUMAN RIGHTS ACT APPEALS, Grubestic
S	175	24	COUNTY CLERK RECORDING OF PROPERTY TRANSFERS, Smith
S	178	336	CUSTOMER UTILITY DEPOSIT INTEREST RATES, Cisneros
S	181	273	EDUCATIONAL RETIREMENT EMPLOYER CONTRIBUTION, Smith
S	185	25	GIFTED EDUCATION PROGRAM ADVISORY COMMITTEES, Nava
CS/S	190	34(pv)	GENERAL APPROPRIATION ACT OF 2005
S	191	51	CHILD SUPPORT ENFORCEMENT JUDGEMENT CHANGES, Griego
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