

FORTY-FIFTH LEGISLATURE
FIRST SESSION, 2001

SB 348/a

March 8, 2001

Mr. President:

Your JUDICIARY COMMITTEE, to whom has been referred

SENATE BILL 348

has had it under consideration and reports same with recommendation that it DO PASS, amended as follows:

1. On page 1, line 11, strike "NEUTRAL CORNER" and insert in lieu thereof "SUPERVISED VISITATION".

2. On page 1, between lines 14 and 15, insert the following sections:

"Section 1. Section 10-12B-10 NMSA 1978 (being Laws 1992, Chapter 111, Section 10) is amended to read:

"10-12B-10. MEMBER CONTRIBUTIONS--TAX TREATMENT. --

A. Members, while in office, shall contribute [~~five~~] seven percent of salary to the member contribution fund.

B. Upon implementation, the state, acting as employer of members covered pursuant to the provisions of the Judicial Retirement Act, shall, solely for the purpose of compliance with Section 414(h) of the Internal Revenue Code of 1986, pick up for the purposes specified in that section member contributions required by this section for all annual salary earned by the member. Member contributions picked up pursuant to the provisions of this section shall be treated as employer contributions for purposes of determining income tax obligations under the Internal Revenue Code of 1986; however, such picked-up member contributions shall be included in the determination of the member's gross annual salary for all other purposes under federal and state laws. Member contributions picked up pursuant to the provisions of this section shall continue to be designated member contributions for all purposes of the Judicial Retirement Act and shall be considered as

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part of the member's annual salary for purposes of determining the amount of the member's contribution. The provisions of this section are mandatory, and the member shall have no option concerning the pickup or to the receipt of the contributed amounts directly instead of having the amounts paid by the employer to the retirement system. Implementation occurs upon authorization by the board. In no event may implementation occur other than at the beginning of a pay period applicable to the member."

3. Renumber the succeeding sections accordingly.
4. On page 1, line 23, strike "neutral corner" and insert in lieu thereof "supervised visitation".
5. On page 2, line 2, after "1978" insert ", distributions pursuant to Section 34-6-40 NMSA 1978".
6. On page 2, line 8, strike "NEUTRAL CORNER" and insert in lieu thereof "SUPERVISED VISITATION".
7. On page 2, lines 9 and 10, strike "neutral corner" and insert in lieu thereof "supervised visitation".
8. On page 2, line 10, after the first use of "by" insert "local".
9. On page 2, line 11, strike "neutral corner" and insert in lieu thereof "supervised visitation".
10. On page 2, line 14, strike "or supervised. In a neutral corner" and insert in lieu thereof "during exchanges of custody or if contact between a parent and a child should be supervised. In a supervised visitation".
11. On page 2, line 21, strike "of the court".

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12. On page 2, line 22, strike "neutral corner" and insert in lieu thereof "supervised visitation".

13. On page 3, lines 4 through 13, strike Section 3 in its entirety. ,

and thence referred to the FINANCE COMMITTEE.

Respectfully submitted,

Michael S. Sanchez, Chairman

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date _____

The roll call vote was 7 For 0 Against

Yes: 7

No: 0

Excused: Gorham, Lopez, Martinez

Absent: None

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