

FORTY-FIFTH LEGISLATURE  
FIRST SESSION, 2001

SB 755/a

February 28, 2001

Mr. President:

Your JUDICIARY COMMITTEE, to whom has been referred

SENATE BILL 755

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

1. On page 1, line 14, strike the period and insert in lieu thereof "; AMENDING AND ENACTING SECTIONS OF THE NMSA 1978."

2. On page 1, line 17, strike "This" and insert in lieu thereof "Sections 1 through 27 of this".

3. On page 48, between lines 5 and 6, insert the following new section:

"Section 28. Section 13-1-98 NMSA 1978 (being Laws 1984, Chapter 65, Section 71, as amended) is amended to read:

"13-1-98. EXEMPTIONS FROM THE PROCUREMENT CODE. -- The provisions of the Procurement Code shall not apply to:

A. procurement of items of tangible personal property or services by a state agency or a local public body from a state agency, a local public body or external procurement unit except as otherwise provided in Sections 13-1-135 through 13-1-137 NMSA 1978;

B. procurement of tangible personal property or services for the governor's mansion and grounds;

C. printing and duplicating contracts involving materials [which] that are required to be filed in connection with proceedings before administrative agencies or state or federal courts;

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D. purchases of publicly provided or publicly regulated gas, electricity, water, sewer and refuse collection services;

E. purchases of books and periodicals from the publishers or copyright holders thereof;

F. travel or shipping by common carrier or by private conveyance or to meals and lodging;

G. purchase of livestock at auction rings or to the procurement of animals to be used for research and experimentation or exhibit;

H. contracts with businesses for public school transportation services;

I. procurement of tangible personal property or services, as defined by Sections 13-1-87 and 13-1-93 NMSA 1978, by the corrections industries division of the corrections department pursuant to regulations adopted by the corrections commission, which shall be reviewed by the purchasing division of the general services department prior to adoption;

J. minor purchases not exceeding five thousand dollars (\$5,000) consisting of magazine subscriptions, conference registration fees and other similar purchases where prepayments are required;

K. municipalities having adopted home rule charters and having enacted their own purchasing ordinances;

L. the issuance, sale and delivery of public securities pursuant to the applicable authorizing statute, with the exception of bond attorneys and general financial consultants;

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M contracts entered into by a local public body with a private independent contractor for the operation, or provision and operation, of a jail pursuant to Sections 33-3-26 and 33-3-27 NMSA 1978;

N. contracts for maintenance of grounds and facilities at highway rest stops and other employment opportunities, excluding those intended for the direct care and support of persons with handicaps, entered into by state agencies with private, nonprofit, independent contractors who provide services to persons with handicaps;

O. contracts and expenditures for services to be paid or compensated by money or other property transferred to New Mexico law enforcement agencies by the United States department of justice drug enforcement administration;

P. contracts for retirement and other benefits pursuant to Sections 22-11-47 through 22-11-52 NMSA 1978;

Q. contracts with professional entertainers; [and]

R. contracts and expenditures for litigation expenses in connection with proceedings before administrative agencies or state or federal courts, including experts, mediators, court reporters, process servers and witness fees, but not including attorney contracts; and

S. contracts for services relating to the design, engineering, financing, construction and acquisition of public improvements undertaken in county improvement districts pursuant to Section 4-55A-12.1 NMSA 1978 and in public improvement districts created pursuant to the Public Improvement District Act. "".

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4. Renumber the succeeding section accordingly.,  
and thence referred to the FINANCE COMMITTEE.

Respectfully submitted,

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Michael S. Sanchez, Chairman

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 6 For 3 Against

Yes: 6

No: Feldman, Gorham, Rainaldi

Excused: Lopez

Absent: None

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