

State of New Mexico
House of Representatives

FIFTY-THIRD LEGISLATURE
FIRST SESSION

February 6, 2017

HOUSE FLOOR AMENDMENT number 1 to HOUSE BILL 86, as amended

Amendment sponsored by Representative Deborah A. Armstrong

1. On page 1, line 20, strike "3" and insert in lieu thereof "4".

2. On page 1, line 24, after "means", insert ", except as provided pursuant to Section 4 of the Caregiver Leave Act,".

3. On page 4, between lines 1 and 2, insert the following new section:

"SECTION 4. [NEW MATERIAL] EXEMPTIONS.--

A. The provisions of the Caregiver Leave Act shall not apply to:

(1) an employee of an employer subject to the provisions of Title II of the federal Railway Labor Act or to an employer or employee as defined in either the federal Railroad Unemployment Insurance Act or the Federal Employers' Liability Act or other comparable federal law; or

(2) any other employment expressly exempted under rules adopted by the workforce solutions department as necessary to implement the provisions of the Caregiver Leave Act in accordance with applicable state and federal law.

B. Nothing in the Caregiver Leave Act shall be construed to invalidate, diminish or otherwise interfere with any collective bargaining agreement, nor shall it be construed to invalidate, diminish or otherwise interfere with any party's power to collectively bargain for a collective bargaining agreement."

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4. Renumber the succeeding sections accordingly.

5. On page 4, line 4, strike "4" and insert in lieu thereof "5" and strike "6" and insert in lieu thereof "8".

6. On page 4, line 10, after "means", insert ", except as provided pursuant to Section 8 of this 2017 act,".

7. On page 6, between lines 23 and 24, insert the following new section:

"SECTION 8. A new section of Chapter 10 NMSA 1978 is enacted to read:

"[NEW MATERIAL] EXEMPTIONS.--

A. The provisions of the Public Employee Caregiver Leave Act shall not apply to any employment expressly exempted under rules adopted by the office of personnel management or any other state agency as necessary to implement the provisions of the Public Employee Caregiver Leave Act in accordance with applicable state and federal law.

B. Nothing in the Public Employee Caregiver Act shall be construed to invalidate, diminish or otherwise interfere with any collective bargaining agreement, nor shall it be construed to invalidate, diminish or otherwise interfere with any party's power to collectively bargain for a collective bargaining agreement.".

Deborah A. Armstrong

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Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)
Date _____