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HOUSE BILL 199

45TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2002

INTRODUCED BY

Danice R. Picraux

AN ACT

RELATING TO HEALTH; PROVIDING FOR RECRUITMENT OF DENTISTS AND  
DENTAL HYGIENISTS TO SERVE IN MEDICALLY UNDERSERVED AREAS;  
RECONCILING AMENDMENTS FROM LAWS 2001; AMENDING SECTIONS OF  
THE NMSA 1978; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 13-1-98 NMSA 1978 (being Laws 1984,  
Chapter 65, Section 71, as amended by Laws 2001, Chapter 291,  
Section 8 and by Laws 2001, Chapter 292, Section 3 and by Laws  
2001, Chapter 305, Section 28 and also by Laws 2001, Chapter  
312, Section 13) 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

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1 from a state agency, a local public body or external  
2 procurement unit except as otherwise provided in Sections  
3 13-1-135 through 13-1-137 NMSA 1978;

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

6 C. printing and duplicating contracts involving  
7 materials that are required to be filed in connection with  
8 proceedings before administrative agencies or state or federal  
9 courts;

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

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

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

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

20 H. contracts with businesses for public school  
21 transportation services;

22 I. procurement of tangible personal property or  
23 services, as defined by Sections 13-1-87 and 13-1-93 NMSA  
24 1978, by the corrections industries division of the  
25 corrections department pursuant to regulations adopted by the

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1 corrections commission, which shall be reviewed by the  
2 purchasing division of the general services department prior  
3 to adoption;

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

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

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

14 M. contracts entered into by a local public body  
15 with a private independent contractor for the operation, or  
16 provision and operation, of a jail pursuant to Sections  
17 33-3-26 and 33-3-27 NMSA 1978;

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

24 O. contracts and expenditures for services or  
25 items of tangible personal property to be paid or compensated

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1 by money or other property transferred to New Mexico law  
2 enforcement agencies by the United States department of  
3 justice drug enforcement administration;

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

6 Q. contracts with professional entertainers;

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

12 S. contracts for service relating to the design,  
13 engineering, financing, construction and acquisition of public  
14 improvements undertaken in improvement districts pursuant to  
15 Subsection L of Section 3-33-14.1 NMSA 1978 and in county  
16 improvement districts pursuant to Subsection L of Section  
17 4-55A-12.1 NMSA 1978;

18 T. works of art for museums or for display in  
19 public buildings or places;

20 U. contracts entered into by a local public body  
21 with a person, firm, organization, corporation, association or  
22 a state educational institution named in Article 12, Section  
23 11 of the constitution of New Mexico for the operation and  
24 maintenance of a hospital pursuant to Chapter 3, Article 44  
25 NMSA 1978, for the lease or operation of a county hospital

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1 pursuant to the Hospital Funding Act or for the operation and  
2 maintenance of a hospital pursuant to the Special Hospital  
3 District Act; and

4 V. contracts with health professionals entered  
5 into pursuant to the Health Service Corps Act. "

6 Section 2. Section 24-1D-2 NMSA 1978 (being Laws 1994,  
7 Chapter 63, Section 2) is amended to read:

8 "24-1D-2. DEFINITIONS. -- As used in the Health Service  
9 Corps Act:

10 A. "corps" means the New Mexico health service  
11 corps;

12 B. "department" means the department of health;

13 C. "health professional" means a physician,  
14 physician assistant, nurse practitioner, nurse-midwife, ~~[or]~~  
15 emergency medical technician-paramedic, dentist or dental  
16 hygienist;

17 D. "physician" means a medical doctor or doctor of  
18 osteopathic medicine;

19 E. "physician assistant" means a physician  
20 assistant or osteopathic physician assistant; and

21 F. "practice site" means a public health clinic or  
22 public or private nonprofit primary care clinic that is  
23 located in a state-designated medically underserved area or  
24 that serves a high-needs population and that uses a sliding  
25 fee scale approved by the department. "

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