

FORTY-FIFTH LEGISLATURE
SECOND SESSION, 2002

SB 32/a

January 29, 2002

Mr. President:

Your PUBLIC AFFAIRS COMMITTEE, to whom has been referred

SENATE BILL 32

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

1. On page 1, line 14, after "PENALTIES", insert "ENACTING
SECTIONS OF THE NMSA 1978; MAKING AN APPROPRIATION".

2. On page 2, line 3, strike "or conservator".

3. On page 2, lines 6 and 7, strike "or conservator" and on
line 7, after "appointed", strike the remainder of the line and
insert in lieu thereof "for the purpose of making major medical
decisions".

4. On page 2, line 8, strike "incompetency" and after "until"
strike "at least forty-eight hours after" and insert in lieu
thereof "a".

5. On page 2, line 8, strike "written" and insert in lieu
thereof "personal".

6. On page 2, line 9, strike "been delivered" and insert in
lieu thereof "occurred".

7. On page 2, line 16, after the comma strike the remainder
of the line and strike lines 17 through 23, and insert in lieu
thereof "the parent shall be invited to meet personally with the
doctor or clinic staff where notification shall occur."

8. On page 3, line 9, after "parent" strike the comma and
insert in lieu thereof "or" and after "guardian" strike "or
conservator".

9. On page 3, line 18, after "parent" strike the comma and
insert in lieu thereof "or" and after "guardian" strike "or".

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10. On page 3, line 19, strike "conservator".
11. On page 3, line 24, strike "may" and insert in lieu thereof "shall".
12. On page 4, line 3, after "counsel" insert ", the fees of whom shall be paid by the court".
13. On page 5, lines 23 through 25, strike "; of that number, the number provided personally, the number provided by mail, and of each of those numbers," and insert in lieu thereof "and".
14. On page 7, line 11, after "guardian" strike "or conservator".
15. On page 9, line 10, after "guardian" strike "or conservator".
16. On page 10, strike lines 10 through 13 in their entirety and insert in lieu thereof:

"Section 7. GUARDIAN AD LITEM-POWERS AND DUTIES. --A guardian ad litem appointed by the court in a proceeding pursuant to the provisions of the Parental Notification Act shall:

 - A. make a diligent investigation of the circumstances surrounding the petition or motion requesting the abortion; and
 - B. at a hearing held in connection with the proceedings described in Subsection A of this section, report to the court concerning the best interests of the pregnant female and the pregnant female's position on the requested relief.

Section 8. APPROPRIATIONS. --

- A. Three hundred thousand dollars (\$300,000) is appropriated from the general fund to the administrative office of

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the courts for expenditure in fiscal year 2003 for costs of implementing the Parental Notification Act statewide. Any unexpended or unencumbered balance remaining at the end of fiscal year 2003 shall revert to the general fund.

B. Fifty thousand dollars (\$50,000) is appropriated from the general fund to the department of health for expenditure in fiscal year 2003 to implement the department of health reporting provisions of the Parental Notification Act. Any unexpended or unencumbered balance remaining at the end of fiscal year 2003 shall revert to the general fund."

13. Renumber the succeeding section accordingly.,

and thence referred to the JUDICIARY COMMITTEE.

Respectfully submitted,

Dede Feldman, Chairman

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

Date _____

The roll call vote was 6 For 2 Against

Yes: 6

No: Feldman, Komadina

Excused: Boitano

Absent: None

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