

FIFTIETH LEGISLATURE  
SECOND SESSION, 2012

SB 30/a

February 3, 2012

Mr. President:

Your **JUDICIARY COMMITTEE**, to whom has been referred

**SENATE BILL 30**

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

1. On page 3, line 19, after "means", strike the remainder of the line, strike lines 20 through 22 in their entirety and insert in lieu thereof:

"an agency, department, division, bureau, board, commission, committee, office or institution, including educational institutions designated by Article 12, Section 11 of the constitution of New Mexico, of the executive, legislative or judicial branch of state government."".

2. On page 7, between lines 16 and 17, insert the following new section:

"**SECTION 3.** Section 10-16D-5 NMSA 1978 (being Laws 2010, Chapter 34, Section 5) is amended to read:

"10-16D-5. PROTECTION OF CONFIDENTIAL INFORMATION--**AGENCY DISCRETION TO EXCLUDE NAMES FROM THE EMPLOYEE DIRECTORY**--"

A. Nothing in the Sunshine Portal Transparency Act shall require disclosure of information that is confidential by state or federal law.

FIFTIETH LEGISLATURE  
SECOND SESSION, 2012

SJC/SB 30

Page 2

B. Notwithstanding the requirements of Sections 10-16D-3 and 10-16D-6 NMSA 1978, a state agency or local education provider may exclude the name of an employee from its directory of all employee positions if it is determined by the state agency or local education provider that publishing the name would endanger the employee's personal safety or the safety of the public. The state agency shall include in the rules the factors to be used in determining whether to exclude the names of certain employees from the directory."

3. Renumber the succeeding section accordingly.

Respectfully submitted,

\_\_\_\_\_  
Richard C. Martinez, Chairman

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

Date \_\_\_\_\_

The roll call vote was 8 For 2 Against

Yes: 8

No: Martinez, Sanchez, M.

Excused: Griego, E.

Absent: None