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HOUSE BILL 173

42ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1996

INTRODUCED BY

TED HOBBS

AN ACT

RELATING TO PUBLIC PURCHASES; INCREASING THE AMOUNTS OF
PROCUREMENT FOR SMALL PURCHASES THAT STATE AGENCIES ARE
AUTHORIZED TO MAKE; AMENDING THE PROCUREMENT CODE.

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

Section 1. Section 13-1-125 NMSA 1978 (being Laws 1984,
Chapter 65, Section 98, as amended) is amended to read:

"13-1-125. SMALL PURCHASES. --

A. The ~~[state purchasing agent or]~~ central
purchasing office within a local public body shall procure
services, construction or items of tangible personal property
having a value not exceeding five thousand dollars (\$5,000) in
accordance with the applicable small purchase regulations
adopted by ~~[the secretary]~~ a local public body or a central
purchasing office that has the authority to issue regulations.

Underscored material = new
[bracketed material] = delete

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1 B. Notwithstanding the requirements of Subsection A
2 of this section, a central purchasing office may procure
3 professional services having a value not exceeding twenty
4 thousand dollars (\$20,000), excluding applicable state and local
5 gross receipts taxes, except for the services of architects,
6 landscape architects, engineers or surveyors for state public
7 works projects or local public works projects, in accordance
8 with professional services procurement regulations promulgated
9 by the department of finance and administration, the general
10 services department or a central purchasing office with the
11 authority to issue regulations.

12 C. Notwithstanding the requirements of Subsection A
13 of this section, a state agency or a central purchasing office
14 for [~~a state educational institution named in Article 12,~~
15 ~~Section 11 of the constitution of New Mexico, for a state~~
16 ~~two-year post-secondary institution or for~~] a school district as
17 defined in the Public School Code may procure services,
18 construction or items of tangible personal property having a
19 value not exceeding ten thousand dollars (\$10,000) in accordance
20 with the applicable small purchase regulations promulgated by
21 the secretary or a central purchasing office with the authority
22 to issue regulations.

23 D. Notwithstanding the requirements of Subsection A
24 of this section, a state agency or a local public body may
25 procure services, construction or items of tangible personal

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1 property having a value not exceeding five hundred dollars
2 (\$500) by issuing a direct purchase order to a contractor based
3 upon the best obtainable price.

4 E. Procurement requirements shall not be
5 artificially divided so as to constitute a small purchase under
6 this section. "

State of New Mexico
House of Representatives

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4 FORTY-SECOND LEGISLATURE
5 SECOND SESSION, 1996
6
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9 January 30, 1996
10

11 Mr. Speaker:
12

13 Your GOVERNMENT AND URBAN AFFAIRS COMMITTEE, to
14 whom has been referred
15

16 HOUSE BILL 173
17

18 has had it under consideration and reports same with
19 recommendation that it DO PASS, amended as follows:
20

21 1. On page 1, line 12, after "AGENCIES" insert ", THE
22 STATE PURCHASING AGENT AND A CENTRAL PURCHASING OFFICE".
23

24 2. On page 1, line 19, strike "The" and insert in
25 lieu thereof "A state agency, the".

3. On page 1, line 19, remove the brackets and line

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SECOND SESSION, 1996

HGUAC/HB 173

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through "state purchasing agent or".

4. On page 1, line 19, after "or" insert "a".

5. On page 1, line 20 strike the underscored "within a local public body".

6. On page 1, line 22, strike "five thousand dollars (\$5,000)" and insert in lieu thereof "ten thousand dollars (\$10,000)".

7. On page 1, line 24, remove the brackets and line through "the secretary" and insert a comma after "secretary".

8. On page 2, lines 12 through 22, strike Subsection C in its entirety and reletter the succeeding subsections accordingly.,

and thence referred to the APPROPRIATIONS AND FINANCE COMMITTEE.

FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996

HGUAC/HB 173

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Respectfully submitted,

Lynda M. Lovejoy, Chairwoman

Adopted _____ Not Adopted _____

(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 9 For 0 Against

Yes: 9

Excused: Gentry, Perls

Absent: None

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State of New Mexico House of Representatives

FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996

February 2, 1996

Mr. Speaker:

Your APPROPRIATIONS AND FINANCE COMMITTEE, to
whom has been referred

HOUSE BILL 173

has had it under consideration and reports same with
recommendation that it DO PASS.

Respectfully submitted,

Max Coll, Chairman

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SECOND SESSION, 1996

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Adopted _____ Not Adopted _____

(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 11 For 3 Against

Yes: 11

No: Abeyta, Casey, Varela

Excused: Buffett, Coll, Martinez, Picraux

Absent: None

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FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996

February 9, 1996

Mr. President:

Your PUBLIC AFFAIRS COMMITTEE, to whom has been referred

HOUSE BILL 173, as amended

has had it under consideration and reports same with recommendation that it DO PASS, and thence referred to the JUDICIARY COMMITTEE.

Respectfully submitted,

Shannon Robinson, Chairman

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FORTY- SECOND LEGISLATURE
SECOND SESSION, 1996

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

Date _____

The roll call vote was 5 For 0 Against

Yes: 5

No: 0

Excused: Naranjo, E. Jennings, Garcia

Absent: None

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FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996

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FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996

February 14, 1996

Mr. President:

Your JUDICIARY COMMITTEE, to whom has been referred

HOUSE BILL 173, as amended

has had it under consideration and reports same with
recommendation that it DO PASS, and thence referred to the
FINANCE COMMITTEE.

Respectfully submitted,

Jani ce D. Paster, Chair man

Adopted _____ Not Adopted _____

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FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996

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(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 5 For 0 Against

Yes: 5

No: 0

Excused: None

Absent: Carraro, Stefani cs, Tsosie, Vernon

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FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996

February 14, 1996

Mr. President:

Your FINANCE COMMITTEE, to whom has been referred

HOUSE BILL 173, as amended

has had it under consideration and reports same with
recommendation that it DO PASS.

Respectfully submitted,

Ben D. Altamirano, Chairman

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

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SECOND SESSION, 1996

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Date _____

The roll call vote was 8 For 0 Against
Yes: 8
No: 0
Excused: Donisthorpe, Duran, Ingle, Kidd, Kysar
Absent: None

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Underscored material = new
~~[bracketed material] = delete~~