HOUSE BILL 121

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

DANICE PICRAUX

AN ACT

RELATING TO POST-SECONDARY EDUCATION; AMENDING SECTIONS OF THE NMSA 1978 TO PROVIDE FOR EMPLOYEE INTEREST IN CONTRACTS.

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

Section 1. Section 21-1-17 NMSA 1978 (being Laws 1889, Chapter 138, Section 68, as amended) is amended to read:

"21-1-17. INTEREST IN CONTRACTS BY BOARD MEMBERS OR EMPLOYEES PROHIBITED.--No employee or member of a board of regents of any state educational institution shall have any direct or indirect financial interest in any contract for building or improving any of that state educational institution or for the furnishing of supplies or services to that institution except as permitted pursuant to the University Research Park Act and except that an employee may have an interest if the contract or transaction is consistent with the

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Governmental Conduct Act and is awarded pursuant to the

Procurement Code."

Section 2.   Section 21-1-35 NMSA 1978 (being Laws 1923,

Chapter 148, Section 1415, as amended) is amended to read:

"21-1-35.   SALES BY BOARDS, OFFICERS OR EMPLOYEES

PROHIBITED--PARTIES TO CONTRACTS RECEIVING COMMISSION OR

PROFIT--PENALTY.--No board of regents of a state educational

institution, no member of a board and no school official or

teacher, either directly or indirectly, shall sell to any state

educational institution that he is connected with by reason of

being a member of a board of regents of a state educational

institution or to any school official or teacher, any school

books, school furniture, equipment, apparatus or any other kind

of school supplies, sell property insurance or life insurance to

any employee of that state educational institution or do any

work under contract, nor shall any such board or members thereof

or school officers or teachers receive any commission or profit

on account thereof, and all such persons are prohibited from

being parties directly or indirectly to any such contract or

transaction; provided that the provisions of this section shall

not apply to contracts entered into pursuant to the provisions

of the University Research Park Act or to contracts or

transactions in which employees have an interest if the contract

or transaction is consistent with the Governmental Conduct Act

and is awarded pursuant to the Procurement Code. Any person
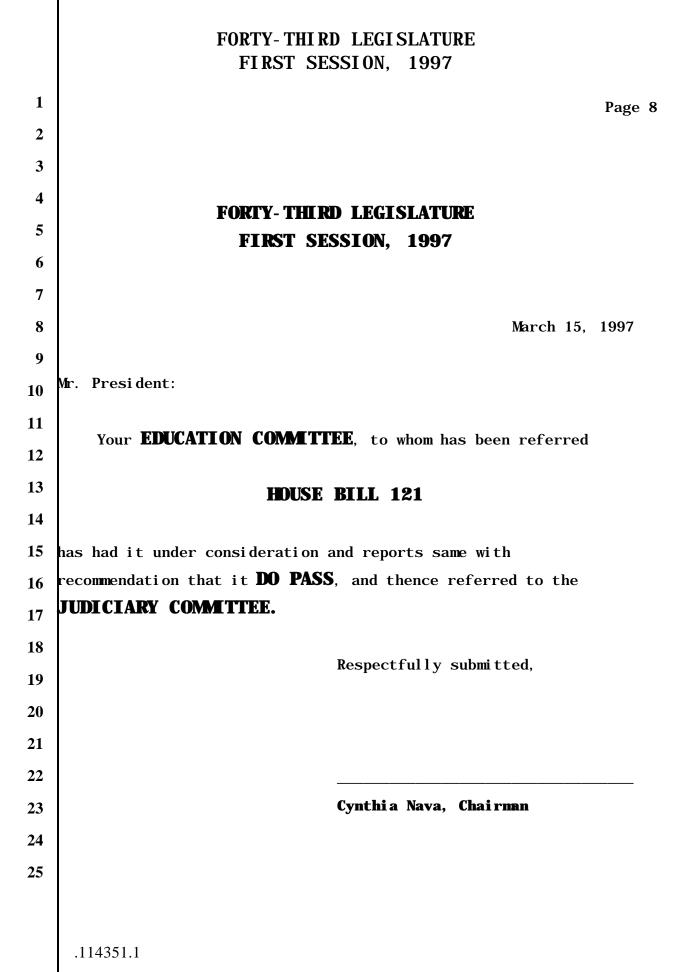
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1 violating the provisions of this section shall be fined not

2 exceeding one thousand dollars ($1,000) or imprisoned not

3 exceeding one year in the penitentiary of New Mexico or be fined

4 and imprisoned as set forth in this section in the discretion of

5 the court."

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State of New Mexico

House of Representatives

FORTY-THIRD LEGISLATURE

FIRST SESSION, 1997

February 10, 1997

Mr. Speaker:

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

HOUSE BILL 121

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

Respectfully submitted,

_____

Samuel F. Vigil, Chairman

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2   Adopted _____   Not Adopted _____

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4   (Chief Clerk)   (Chief Clerk)

5

                             Date _____

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7   The roll call vote was 9 For 0 Against

8   Yes: 9

9   Excused: McSherry, Nicely, Trujillo, Wright

10   Absent: None

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State of New Mexico
House of Representatives

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

February 22, 1997

Mr. Speaker:

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

HOUSE BILL 121

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

Respectfully submitted,

_____

Thomas P. Foy, Chairman

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Adopted _____   Not Adopted _____

(Chief Clerk)   (Chief Clerk)

Date _____

The roll call vote was _10_ For _0_ Against

Yes: 10

Excused: Mallory, Rios, Sanchez

Absent: None

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

March 15, 1997

Mr. President:

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

HOUSE BILL 121

has had it under consideration and reports same with

recommendation that it **DO PASS**, and thence referred to the

JUDICIARY COMMITTEE.

Respectfully submitted,

_____

Cynthia Nava, Chairman

Underscored material = new
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Adopted_____   Not Adopted_____

          (Chief Clerk)   (Chief Clerk)

                    Date _____

The roll call vote was <u>6</u> For <u>0</u> Against

Yes: 6

No: 0

Excused: Boitano, Duran, Gorham, Rawson

Absent: None

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FORTY-THIRD LEGISLATURE

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FIRST SESSION, 1997

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8   March 20, 1997

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10   Mr. President:

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

13   **HOUSE BILL 121**

14

15   has had it under consideration and reports same with

16   recommendation that it **DO PASS**.

17

18   Respectfully submitted,

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21   _____

22   **Fernando R. Macias, Chairman**

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Adopted_____   Not Adopted_____

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3   (Chief Clerk)   (Chief Clerk)

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5

6   Date _____

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9   The roll call vote was 6 For 1 Against

10 Yes: 6

    No: Payne

11 Excused: Tsosie

12 Absent: None

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