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HOUSE BILL 435

43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998

INTRODUCED BY

JERRY W. SANDEL

AN ACT

RELATING TO RETIREE HEALTH CARE; AMENDING THE RETIREE HEALTH CARE ACT TO CHANGE CERTAIN DEFINITIONS AND GIVE THE BOARD OF THE RETIREE HEALTH CARE AUTHORITY MORE DISCRETION IN SETTING CONTRIBUTION LEVELS; AMENDING SECTIONS OF THE NMSA 1978.

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

Section 1. Section 10-7C-4 NMSA 1978 (being Laws 1990, Chapter 6, Section 4, as amended) is amended to read:

"10-7C-4. DEFINITIONS. --As used in the Retiree Health Care Act:

A. "active employee" means an employee of a public institution or any other public employer participating in either the Educational Retirement Act, the Public Employees Retirement Act, the Judicial Retirement Act [ ~~or~~ ], the Magistrate Retirement Act or the Public Employees Retirement

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1 Reciprocity Act or an employee of an independent public  
2 employer;

3 B. "authority" means the retiree health care  
4 authority created pursuant to the Retiree Health Care Act;

5 C. "basic plan of benefits" means only those  
6 coverages generally associated with a medical plan of  
7 benefits;

8 D. "board" means the [~~governing~~] board of the  
9 retiree health care authority;

10 E. "current retiree" means an eligible retiree who  
11 is receiving a disability or normal retirement benefit under  
12 the Educational Retirement Act, the Public Employees  
13 Retirement Act, the Judicial Retirement Act, the Magistrate  
14 Retirement Act [~~the Retirement Reciprocity Act, the Judicial~~  
15 ~~Retirement Reciprocity Act~~], the Public Employees Retirement  
16 Reciprocity Act or the retirement program of an independent  
17 public employer on or before July 1, 1990;

18 F. "eligible dependent" means a person obtaining  
19 retiree health care coverage based upon that person's  
20 relationship to an eligible retiree as follows:

- 21 (1) a spouse;
- 22 (2) an unmarried child under the age of  
23 nineteen who is:
  - 24 (a) a natural child;
  - 25 (b) a legally adopted child;

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1 (c) a stepchild living in the same  
2 household who is primarily dependent on the eligible retiree  
3 for maintenance and support;

4 (d) a child for whom the eligible  
5 retiree is the legal guardian and who is primarily dependent  
6 on the eligible retiree for maintenance and support, as long  
7 as evidence of the guardianship is evidenced in a court order  
8 or decree; or

9 (e) a foster child living in the same  
10 household;

11 (3) a child described in Subparagraphs (a)  
12 through (e) of Paragraph (2) of this subsection who is between  
13 the ages of nineteen and twenty-five and is a full-time  
14 student at an accredited educational institution, provided  
15 that "full-time student" shall be a student enrolled in and  
16 taking twelve or more semester hours or its equivalent contact  
17 hours in primary, secondary, undergraduate or vocational  
18 school or a student enrolled in and taking nine or more  
19 semester hours or its equivalent contact hours in graduate  
20 school;

21 (4) a dependent child over nineteen who is  
22 wholly dependent on the eligible retiree for maintenance and  
23 support and who is incapable of self-sustaining employment by  
24 reason of mental retardation or physical handicap; provided  
25 that proof of incapacity and dependency shall be provided

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1 within thirty-one days after the child reaches the limiting  
2 age and at such times thereafter as may be required by the  
3 board;

4 (5) a surviving spouse defined as follows:

5 (a) "surviving spouse" means the spouse  
6 to whom a retiree was married at the time of death; or

7 (b) "surviving spouse" means the spouse  
8 to whom a deceased vested active employee was married at the  
9 time of death; or

10 (6) a surviving dependent child who is the  
11 dependent child of a deceased eligible retiree whose other  
12 parent is also deceased;

13 G. "eligible employer" means either:

14 (1) a "retirement system employer", which  
15 means an institution of higher education, a school district or  
16 other entity participating in the public school insurance  
17 authority, a state agency, state court, magistrate court,  
18 municipality or county, each of which is affiliated under or  
19 covered by the Educational Retirement Act, the Public  
20 Employees Retirement Act, the Judicial Retirement Act [ ~~or~~ ],  
21 the Magistrate Retirement Act or the Public Employees  
22 Retirement Reciprocity Act; or

23 (2) an "independent public employer", which  
24 means a municipality or county [ ~~which~~ ] that is not a  
25 retirement system employer;

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H. "eligible retiree" means:

(1) a "nonsalaried eligible participating entity governing authority member" who is a person who is not a retiree and who:

(a) has served without salary as a member of the governing authority of an employer eligible to participate in the benefits of the Retiree Health Care Act and is certified to be such by the executive director of the public school insurance authority;

(b) has maintained group health insurance coverage through that member's governing authority if such group health insurance coverage was available and offered to the member during the member's service as a member of the governing authority; and

(c) was participating in the group health insurance program under the Retiree Health Care Act prior to July 1, 1993; or

(d) if a person eligible under Subparagraph (a) of this paragraph applies before August 1, 1993 to the authority to participate in the program, then he will be eligible to participate notwithstanding the provisions of Subparagraphs (b) and (c) of this paragraph;

(2) a "salaried eligible participating entity governing authority member" who is a person who is not a retiree and who:

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1 (a) has served with salary as a member  
2 of the governing authority of an employer eligible to  
3 participate in the benefits of the Retiree Health Care Act;

4 (b) has maintained group health  
5 insurance through that member's governing authority, if such  
6 group health insurance was available and offered to the member  
7 during the member's service as a member of the governing  
8 authority; and

9 (c) was participating in the group  
10 health insurance program under the Retiree Health Care Act  
11 prior to July 1, 1993; or

12 (d) if a person eligible under  
13 Subparagraph (a) of this paragraph applies before August 1,  
14 1993 to the authority to participate in the program, then he  
15 will be eligible to participate notwithstanding the provisions  
16 of Subparagraphs (b) and (c) of this paragraph; or

17 (3) an "eligible participating retiree" who  
18 is a person who:

19 (a) falls within the definition of a  
20 retiree, has made contributions to the fund for at least five  
21 years prior to retirement and whose eligible employer during  
22 that period of time made contributions as a participant in the  
23 Retiree Health Care Act on the person's behalf, unless that  
24 person retires on or before July 1, 1995, in which event the  
25 time period required for employee and employer contributions

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1 shall become the period of time between July 1, 1990 and the  
2 date of retirement, and who is certified to be a retiree by  
3 the educational retirement director, the executive secretary  
4 of the public employees retirement board or the governing  
5 authority of an independent public employer;

6 (b) falls within the definition of a  
7 retiree, retired prior to July 1, 1990 and is certified to be  
8 a retiree by the educational retirement director, the  
9 executive secretary of the public employees retirement  
10 association or the governing authority or of an independent  
11 public employer; but this paragraph does not include a retiree  
12 who was an employee of an eligible employer who exercised the  
13 option not to be a participating employer pursuant to the  
14 Retiree Health Care Act and did not after January 1, 1993  
15 elect to become a participating employer; unless the retiree:  
16 1) retired on or before June 30, 1990; and 2) at the time of  
17 retirement did not have a retirement health plan or retirement  
18 health insurance coverage available from his employer; or

19 (c) is a retiree who: 1) was at the  
20 time of retirement an employee of an eligible employer who  
21 exercised the option not to be a participating employer  
22 pursuant to the Retiree Health Care Act, but which eligible  
23 employer subsequently elected after January 1, 1993 to become  
24 a participating employer; 2) has made contributions to the  
25 fund for at least five years prior to retirement and whose

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1 eligible employer during that period of time made  
2 contributions as a participant in the Retiree Health Care Act  
3 on the person's behalf, unless that person retires less than  
4 five years after the date participation begins, in which event  
5 the time period required for employee and employer  
6 contributions shall become the period of time between the date  
7 participation begins and the date of retirement; and 3) is  
8 certified to be a retiree by the educational retirement  
9 director, the executive secretary of the public employees  
10 retirement board or the governing authority of an independent  
11 public employer;

12 I. "fund" means the retiree health care fund;

13 J. "group health insurance" means coverage that  
14 includes but is not limited to life insurance, accidental  
15 death and dismemberment, hospital care and benefits, surgical  
16 care and treatment, medical care and treatment, dental care,  
17 eye care, obstetrical benefits, prescribed drugs, medicines  
18 and prosthetic devices, medicare supplement, medicare  
19 carveout, medicare coordination and other benefits, supplies  
20 and services through the vehicles of indemnity coverages,  
21 health maintenance organizations, preferred provider  
22 organizations and other health care delivery systems as  
23 provided by the Retiree Health Care Act and other coverages  
24 considered by the board to be advisable;

25 K. "ineligible dependents" include but are not

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1 limited to:

2 (1) those dependents created by common law  
3 relationships;

4 (2) dependents while in active military  
5 service;

6 (3) parents, aunts, uncles, brothers,  
7 sisters, grandchildren and other family members left in the  
8 care of an eligible retiree without evidence of legal  
9 guardianship; and

10 (4) anyone not specifically referred to as an  
11 eligible dependent pursuant to the rules and regulations  
12 adopted by the board;

13 L. "participating employee" means an employee of a  
14 participating employer, which employee has not been excluded  
15 from participation in the Retiree Health Care Act pursuant to  
16 Subsection F of Section 10-7C-9 NMSA 1978 or Section  
17 10-7C-10 NMSA 1978;

18 M "participating employer" means an eligible  
19 employer who has satisfied the conditions for participating in  
20 the benefits of the Retiree Health Care Act, including the  
21 requirements of Subsection M of Section 10-7C-7 NMSA 1978 and  
22 Subsection D or E of Section 10-7C-9 NMSA 1978, as applicable;  
23 and

24 N. "retiree" means a person who:

25 (1) is receiving:

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1 (a) a disability or normal retirement  
2 benefit or survivor's benefit under the Educational Retirement  
3 Act;

4 (b) a disability or normal retirement  
5 benefit or survivor's benefit pursuant to the Public Employees  
6 Retirement Act, the Judicial Retirement Act, the Magistrate  
7 Retirement Act [~~the Retirement Reciprocity Act or the Judicial~~  
8 ~~Retirement Reciprocity Act~~] or the Public Employees Retirement  
9 Reciprocity Act; or

10 (c) a disability or normal retirement  
11 benefit or survivor's benefit pursuant to the retirement  
12 program of an independent public employer to which that  
13 employer has made periodic contributions; or

14 (2) is not receiving a survivor's benefit but  
15 is the eligible dependent of a person who received a  
16 disability or normal retirement benefit pursuant to the  
17 Educational Retirement Act [~~or~~], the Public Employees  
18 Retirement Act, the Judicial Retirement Act, the Magistrate  
19 Retirement Act or the Public Employees Retirement Reciprocity  
20 Act. "

21 Section 2. Section 10-7C-7 NMSA 1978 (being Laws 1990,  
22 Chapter 6, Section 7, as amended) is amended to read:

23 "10-7C-7. BOARD--DUTIES.--In order to achieve the  
24 purposes of the Retiree Health Care Act, the board may take  
25 all actions reasonably necessary to implement that act,

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1 including but not limited to the following:

2 A. employ or contract for the services of the  
3 state fiscal agent or select its own fiscal agent in  
4 accordance with the Procurement Code;

5 B. employ or contract for persons to assist it in  
6 carrying out the Retiree Health Care Act and determine the  
7 duties and compensation of these employees;

8 C. collect and disburse funds;

9 D. collect all current and historical claims and  
10 financial information necessary for effective procurement of  
11 lines of insurance coverage;

12 E. promulgate and adopt necessary rules,  
13 regulations and procedures for implementation of the Retiree  
14 Health Care Act;

15 F. negotiate insurance policies covering  
16 additional or lesser benefits as determined appropriate by the  
17 board, but the board shall maintain all coverage as required  
18 by federal or state law for each eligible retiree. In the  
19 event it is practical to wholly self-insure part or all of the  
20 retiree health care coverages, the board may do so;

21 G. procure group health care and other coverages  
22 authorized by the Retiree Health Care Act in accordance with  
23 the Procurement Code and the Health Care Purchasing Act;

24 H. establish the procedures for contributions and  
25 deductions;

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1 I. determine methods and procedures for claims  
2 administration;

3 J. administer the fund;

4 K. contract for and make available to all eligible  
5 retirees and eligible dependents basic and optional group  
6 health insurance plans. The optional coverage may include a  
7 lower deductible, lower coinsurance or additional categories  
8 of benefits permitted under this section and all other  
9 applicable sections of the Retiree Health Care Act to provide  
10 additional levels of coverages and benefits. Any additional  
11 contributions for these optional plans shall be paid for by  
12 the eligible retiree or eligible dependent. The coverage  
13 provided by the plans shall be secondary to all other benefit  
14 coverages to which the eligible retiree or eligible dependent  
15 is entitled. In the event a covered eligible retiree becomes  
16 employed by an employer offering its employees a basic plan of  
17 benefits, the coverage provided by the plan under the Retiree  
18 Health Care Act shall be secondary to such coverage regardless  
19 of whether the employee enrolls in that employer's plan. In  
20 the event the eligible retiree or eligible dependent is  
21 entitled to receive medicare hospital insurance benefits at no  
22 charge, then the coverage provided by the plan under the  
23 Retiree Health Care Act shall be secondary to medicare  
24 hospital and medical insurance to the extent permitted by  
25 federal law;

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1 L. provide, at its discretion, different plans for  
2 eligible retirees and eligible dependents covered by medicare  
3 than the plans provided for eligible retirees and eligible  
4 dependents who are not covered by medicare; and

5 M promulgate and adopt rules and regulations  
6 governing eligibility, participation, enrollment, length of  
7 service and any other conditions or requirements for providing  
8 substantially equal treatment to participating employers [ who  
9 are independent public employers and their retirees and  
10 participating employees]. "

11 Section 3. Section 10-7C-9 NMSA 1978 (being Laws 1990,  
12 Chapter 6, Section 9, as amended) is amended to read:

13 "10-7C-9. PARTICIPATION. --

14 A. All eligible employers shall participate in the  
15 Retiree Health Care Act except as provided in Subsection D or  
16 Subsection E of this section. Participating employers are  
17 required to continue existing group health insurance coverages  
18 until such time as similar coverages are offered by the board  
19 [under the Retiree Health Care Act].

20 B. Participation in the basic health insurance  
21 coverages provided by the authority shall be conditioned upon  
22 receipt by the board of a certificate of eligibility from the  
23 educational retirement director, the executive secretary of  
24 the public employees retirement association, the executive  
25 director of the public school insurance authority or the

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1 governing body of an independent public employer. Once  
2 eligibility is established for each eligible retiree [ ~~who~~  
3 ~~retires on or after the effective date of the Retiree Health~~  
4 ~~Care Act~~], the board shall contribute from money in the fund  
5 the authority's portion of the premium for the basic plan of  
6 benefits commencing no earlier than January 1, 1991 plus the  
7 balance of the premium, which shall be collected from the  
8 retiree.

9 C. Each eligible retiree shall accept or reject  
10 enrollment in the basic plan of benefits on an enrollment form  
11 provided by the board. An eligible retiree who rejects  
12 enrollment or fails to return a properly executed enrollment  
13 form within the open enrollment period as established by the  
14 board forfeits all entitlement and eligibility for benefits  
15 under the Retiree Health Care Act until the next open  
16 enrollment period as established by the board.

17 D. On or before January 1, 1991, municipalities,  
18 counties and institutions of higher education that are  
19 retirement system employers may at their option determine by  
20 ordinance, or for institutions of higher education, by  
21 resolution, to be excluded from coverage under the Retiree  
22 Health Care Act; that determination shall be subject to the  
23 following conditions:

24 (1) any contributions paid into the fund by a  
25 municipality, county or institution of higher education that

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1 exercises timely an irrevocable option not to participate in  
2 the Retiree Health Care Act under this subsection shall be  
3 returned without interest to that municipality, county or  
4 institution of higher education for return of the employee  
5 contributions to the employees and for crediting of the  
6 employer contributions to the appropriate fund of the  
7 municipality, county or institution of higher education. If  
8 the determination to be excluded from coverage is exercised by  
9 a municipality, county or institution of higher education  
10 prior to July 1, 1990, then that municipality, county or  
11 institution of higher education shall not be required to make  
12 the contributions that would otherwise be required by Section  
13 10-7C-15 NMSA 1978;

14 (2) any municipality, county or institution  
15 of higher education, in addition to complying with all other  
16 required notice and public hearing or meeting requirements,  
17 shall, no less than thirty days prior to the public hearing or  
18 public meeting on a proposed ordinance or proposed resolution,  
19 notify the authority of the public hearing or public meeting  
20 by certified mail; and

21 (3) in the event that:

22 (a) the number of active employees  
23 employed by municipalities contributing to the fund reaches a  
24 number equaling sixty percent or more of all active employees  
25 employed by all municipalities that are retirement system

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1 employers, the municipal position on the board of the  
2 authority shall be restored within sixty days of the date that  
3 percentage is reached; provided, however, that if a  
4 municipality with a population greater than one hundred  
5 thousand that is located in a class A county exercises this  
6 option, then the sixty-percent requirement shall be applied to  
7 the remaining municipalities only;

8 (b) the number of active employees  
9 employed by counties contributing to the fund reaches a number  
10 equaling sixty percent or more of all active employees  
11 employed by all counties that are retirement system employers,  
12 the county position on the board of the authority shall be  
13 restored within sixty days of the date that percentage is  
14 reached; provided, however, that if a class A county exercises  
15 this option, then the eighty-percent requirement shall be  
16 applied to the remaining counties only; or

17 (c) the number of active employees  
18 employed by institutions of higher learning contributing to  
19 the fund reaches a number equaling seventy percent or more of  
20 all active employees employed by an institution of higher  
21 education contributing to the educational retirement fund, the  
22 institution of higher education position on the board shall be  
23 restored within sixty days of the date that percentage is  
24 reached.

25 E. An independent public employer may become a



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1 participating employer if that employer satisfies the  
2 requirements imposed pursuant to Subsection M of Section  
3 10-7C-7 NMSA 1978 and if that employer also files with the  
4 authority on or prior to January 1, 1991 or prior to July 1,  
5 1993 or July 1 of any year a written irrevocable election by  
6 the governing body of that employer to participate in the  
7 Retiree Health Care Act. Any such independent public employer  
8 that chooses to become a participating employer after January  
9 1, 1993 shall begin making the appropriate preliminary  
10 employer and employee contributions to the fund on the July 1  
11 immediately following the adoption of the ordinance or  
12 resolution. On the following January 1, eligible retirees of  
13 those participating employers and their eligible dependents  
14 shall be eligible to receive group health insurance coverage  
15 pursuant to the provisions of the Retiree Health Care Act.

16 F. Any other provisions of the Retiree Health Care  
17 Act notwithstanding, retirees [or active employees] of  
18 institutions of higher education participating in the Retiree  
19 Health Care Act for whom those institutions of higher  
20 education have existing plans, programs, policies or contracts  
21 for health care benefits shall not be required to participate  
22 in the Retiree Health Care Act [nor shall employer or employee  
23 contributions be made to the authority on their behalf].

24 G. A municipality or county that enacted an  
25 ordinance or an institution of higher education that enacted a

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1 resolution prior to January 1, 1991 pursuant to Subsection D  
2 of this section to be excluded from coverage under the Retiree  
3 Health Care Act may ~~enact~~ become a participating employer if  
4 that employer satisfies the requirements imposed pursuant to  
5 subsection M of Section 10-7C-7 NMSA 1978 and if that employer  
6 also enacts an ordinance or resolution, as applicable, after a  
7 public hearing and published notice of the hearing, prior to  
8 July 1, 1993 or July 1 of any year to choose to become a  
9 participating employer under the Retiree Health Care Act. Any  
10 such municipality, county or institution of higher education  
11 that chooses to become a participating employer after January  
12 1, 1993 shall begin making the appropriate preliminary  
13 employer and employee contributions to the fund on the July 1  
14 immediately following the adoption of the ordinance or  
15 resolution. On the following January 1, eligible retirees of  
16 those participating employers and their eligible dependents  
17 shall be eligible to receive group health insurance coverage  
18 pursuant to the provisions of the Retiree Health Care Act."

19 Section 4. Section 10-7C-15 NMSA 1978 (being Laws 1990,  
20 Chapter 6, Section 15) is amended to read:

21 "10-7C-15. RETIREE HEALTH CARE FUND CONTRIBUTIONS. --

22 A. Following completion of the preliminary  
23 contribution period, each participating employer for the  
24 fiscal year beginning July 1, 1990 and thereafter shall make  
25 contributions to the fund in the amount of one percent of each

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1 participating employee's annual salary.

2 B. Following completion of the preliminary  
3 contribution period, each participating employee as a  
4 condition of employment for the fiscal year commencing July 1,  
5 1990 and thereafter shall contribute to the fund an employee  
6 contribution in an amount equal to one-half of one percent of  
7 the employee's salary. Each month, participating employers  
8 shall deduct the contribution from the participating  
9 employee's salary and shall remit it to the board as provided  
10 by any procedures that the board may require.

11 C. A participating employer that fails to remit  
12 before the tenth day after the last day of the month all  
13 employer and employee deposits required by the Retiree Health  
14 Care Act to be remitted by the employer for the month shall  
15 pay to the fund, in addition to the deposits, interest on the  
16 unpaid amounts at the rate of six percent per [~~annum~~] year  
17 compounded monthly.

18 D. The employer and employee contributions shall  
19 be paid in monthly installments based on the percent of  
20 payroll certified by the employer.

21 E. Except in the case of erroneously made  
22 contributions or as may be otherwise provided in Subsection D  
23 of Section [~~9 of the Retiree Health Care Act~~] 10-7C-9 NMSA  
24 1978, contributions from participating employers and  
25 participating employees shall become the property of the fund

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1 on receipt by the board and shall not be refunded under any  
2 circumstances, including termination of employment or  
3 termination of the participating employer's operation or  
4 participation in the Retiree Health Care Act.

5 F. Notwithstanding any other provision in the  
6 Retiree Health Care Act and at the first session of the  
7 legislature following July 1, 1995, the legislature shall  
8 review and adjust the distribution pursuant to Section 7-1-6.1  
9 NMSA 1978 and the employer and employee contributions to the  
10 authority in order to [~~insure~~] ensure the actuarial soundness  
11 of the benefits provided under the Retiree Health Care Act. "

12 Section 5. Section 10-7C-16 NMSA 1978 (being Laws 1990,  
13 Chapter 6, Section 16, as amended) is amended to read:

14 "10-7C-16. RETIREE HEALTH CARE FUND--BUDGET. --  
15 Expenditures for the administration of the Retiree Health Care  
16 Act shall be made as provided by an operating budget adopted  
17 by the board and approved by the state budget division of the  
18 department of finance and administration as provided by law  
19 and pursuant to appropriation by the legislature. [~~For the~~  
20 ~~development and administration of the program, up to ten full-~~  
21 ~~time equivalents are hereby authorized by the legislature.~~]"

1 FORTY-THIRD LEGISLATURE

2 SECOND SESSION, 1998

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6 February 7, 1998

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8 Mr. Speaker:

9  
10 Your BUSINESS AND INDUSTRY COMMITTEE, to whom has  
11 been referred

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13 HOUSE BILL 435

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

17 1. On page 4, line 18, after "municipality" insert a  
18 comma and strike "or" and after "county" insert "or public  
19 entity".

20  
21 2. On page 4, line 24, after "municipality" insert a  
22 comma and strike "or" and before "that" insert "or public  
23 entity".

24 3. On page 9, line 16, strike "Subsection F of Section  
25 10-7C-9 NMSA 1978 or".

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5 5. On page 9, line 22, strike "Subsection D or E" and  
6 insert in lieu thereof "Subsection D, E or G".

7 6. On page 9, line 23, strike "and".

8  
9 7. On page 9, between lines 23 and 24, insert the  
10 following new subsection:

11 "N. "public entity" means a flood control authority,  
12 economic development district, council of governments, regional  
13 housing authority, conservancy district or other special  
14 district or special purpose government; and".

15  
16 8. Reletter the succeeding subsection accordingly.

17  
18 9. On page 17, line 7, after "employer" insert "or  
19 retirement system employer, as defined in Subsection G of  
20 Section 10-7C-4 NMSA 1978".

21 10. On page 17, line 9, strike "1993" and insert in lieu  
22 thereof "1998" and strike "preliminary".

23  
24 11. On page 17, lines 16 through 23, strike Subsection F  
25 in its entirety.

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4 12. Reletter succeeding subsections accordingly.

5  
6 13. On page 18, line 12, strike "1993" and insert in lieu  
7 thereof "1998" and strike "preliminary".

8  
9 14. On page 18, line 13, after "contributions" insert  
10 "determined by the board".

11 15. On page 19, line 1, after the period insert:

12  
13 "Each employer that chooses to become a participating  
14 employer after January 1, 1998 shall make contributions to the  
15 fund in the amount determined to be appropriate by the board.".

16  
17 16. On page 19, line 7, after the period insert:

18  
19 "As a condition of employment, each participating employee  
20 of an employer that chooses to become a participating employer  
21 after January 1, 1998 shall contribute to the fund an amount  
22 that is determined to be appropriate by the board.".

23 17. Adjust cross-references to correspond with these  
24 amendments.

FORTY-THIRD LEGISLATURE  
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4 and thence referred to the APPROPRIATIONS AND FINANCE  
5 COMMITTEE.

7 Respectfully submitted,

11 \_\_\_\_\_  
Fred Luna, Chairman

14 Adopted \_\_\_\_\_

Not Adopted \_\_\_\_\_

15 (Chief Clerk)

(Chief Clerk)

17 Date \_\_\_\_\_

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FORTY-THIRD LEGISLATURE  
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4 The roll call vote was 8 For 0 Against

5 Yes: 8

6 Excused: Hobbs, Lutz, Varela

7 Absent: Getty, J. G. Taylor

10 122976.1

11 123125.1

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25 . 122156.1

1 FORTY-THIRD LEGISLATURE  
2 SECOND SESSION, 1998

3  
4 February 12, 1998

5  
6  
7 Mr. Speaker:

8  
9 Your APPROPRIATIONS AND FINANCE COMMITTEE, to  
10 whom has been referred

11 HOUSE BILL 435, as amended

12  
13 has had it under consideration and reports same with  
14 recommendation that it DO PASS.

15  
16 Respectfully submitted,

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19  
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21 Max Coll, Chairman  
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1 FORTY-THIRD LEGISLATURE  
2 SECOND SESSION, 1998

3 Page 27

4 Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

5  
6 (Chief Clerk)

(Chief Clerk)

7  
8 Date \_\_\_\_\_

9  
10 The roll call vote was 14 For 0 Against

11 Yes: 14

12 Excused: Saavedra, Townsend, Varela, Vigil

13 Absent: None

14  
15 G:\BILLTEXT\BILLW\_98\H0435

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FORTY-THIRD LEGISLATURE  
SECOND SESSION, 1998

February 15, 1998

Mr. President:

Your CORPORATIONS & TRANSPORTATION COMMITTEE, to  
whom has been referred

HOUSE BILL 435, as amended

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

Respectfully submitted,

---

Roman M. Maes, III, Chairman

. 122156. 1

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FORTY-THIRD LEGISLATURE  
SECOND SESSION, 1998

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Adopted \_\_\_\_\_ Not

Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 6 For 0 Against

Yes: 6

No: 0

Excused: Fidel, Kidd, McKibben, Robinson

Absent: None

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