

**PUBLIC SCHOOL-RELATED LEGISLATION**  
**50<sup>TH</sup> LEGISLATURE, 2<sup>ND</sup> SESSION, 2012**

**HOUSE BILLS**

- \*H 1**      **FEED BILL [SGND (Jan. 23) Ch. 1]**, *Rep. W.K. Martinez* — appropriates funds to pay the expenses of the legislative session and other legislative activities, including the Legislative Education Study Committee (LESC).
- H 2**      **GENERAL APPROPRIATION ACT OF 2012 (Passed H/Passed S)**, *Rep. Saavedra* —  
**CS/H 2a**      makes appropriations and authorizes expenditures by state agencies in FY 13, including:  
**et al.**      \$2.4 billion in recurring funds from the General Fund for Public School Support; \$52.6 million in related recurring appropriations, including \$10.7 million for the Public Education Department budget, \$11.0 million for K-3 Plus, \$10.0 million for New Mexico PreK, and \$13.7 million in nonrecurring related appropriations; and appropriates \$414.2 million in federal flow-through funds. (CS/H 2, 3, 4, 5 & 6)
- \*H 3a**      **EDUCATION APPROPRIATION ACT**, *Rep. Miera* — enacts the Education Appropriation Act; appropriates almost \$2.3 billion from the General Fund to the State Equalization Guarantee, including: funding for enrollment growth attributable to new schools; for the administration of the high school graduation assessment to 10<sup>th</sup> graders; and for the early reading initiative; appropriates \$857,000 from the General Fund to cover the cost of textbooks and other course materials for students enrolled in the dual credit program; funds other public school-related appropriations including K-3 Plus, pre-kindergarten, breakfast for elementary students, and GRADS; and appropriates nonrecurring revenue to the Legislative Council Service to update the data from the 2007-2008 Public School Funding Formula study and to the Public Education Department to cover the first year costs associated with transition to the Common Core State Standards and to support school districts experiencing operating budget shortfalls. (Succeeding entries: H 2)
- H 7**      **GENERAL APPROPRIATION ACT OF 2012**, *Rep. Varela* — appropriates funds and authorizes expenditures by state agencies required by law; includes a total of \$2.4 billion for public school support.
- \*H 8**      **DEVELOPMENT TRAINING PROGRAMS**, *Rep. B. Luján* — appropriates \$10.0 million from the General Fund to the Development Training Fund for a development-training program providing classroom and in-plant training to furnish qualified human resources for certain new or expanding industries and businesses in the state. (May affect public schools)
- H 10**      **VETERAN EMPLOYMENT TAX CREDIT (Passed H/Passed S)**, *Rep. McMillan* —  
**CS/H 10a**      adds new sections of the Income Tax Act and the Corporate Income and Franchise Tax Act to create the Veteran Employment Tax Credit; to require the Taxation and Revenue Department (TRD) to compile an annual report containing data on the recipients of the tax credit for the Revenue Stabilization and Tax Policy Committee and the Legislative Finance Committee; and to require TRD to advise those committees in 2015 whether the Veteran Employment Tax Credit is performing the purpose for which it was enacted. (CS/H 10 & 154) (May affect public schools)

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- H 13 ADULT BASIC EDUCATION MATERIALS, *Rep. Miera* — requires that, beginning in FY 13, the Higher Education Department match the instructional materials allocation from the Instructional Material Fund with funding from the appropriation to Adult Basic Education. (For the LESC) [Related to HM 8 and SM 6]
- H 14a **K-3 PLUS PROGRAM TO PUBLIC EDUCATION DEPT. (Passed H/Passed S)**, *Rep. Stewart* — amends the Public School Code to convert K-3 Plus from a pilot project to a program in the Public Education Department (PED) to provide additional educational time for disadvantaged students; requires that K-3 Plus programs be funded at no less than 30 percent of the unit value per student; allows up to 2.0 percent of the money received by a school district to be used for student recruitment and to ensure regular attendance by K-3 Plus students; and requires a literacy assessment approved and provided by PED that measures the acquisition of reading skills, including phonological awareness, phonics, spelling, reading fluency, vocabulary, and comprehension. (For the LESC)
- H 21 LIMIT ON LAND GRANT FUNDS IN SOME INVESTMENTS, *Rep. Trujillo* — imposes a limit on the percentage of Land Grant Permanent Funds that may be invested in international equities. (May affect public schools) [Related to HJR 1, HJR 2, HJR 15a, S 41, SJR 4a, and SJR 9]
- H 23 **SCHOOL NONATHLETIC EVENT GROSS RECEIPTS (Passed H/Passed S)**, *Rep. MH Garcia/Sen. Cisneros* — extends the deduction from gross receipts, for receipts from admissions to nonathletic special events at certain postsecondary educational institutions.
- H 26 REDUCE MILL LEVY TO PAY FOR COUNTY HOSPITALS, *Rep. Rehm* — reduces the mill levy to pay the cost of operating and maintaining county hospitals in certain Class A counties. (May affect public schools)
- H 29 REDUCE PROPERTY TAX LEVY FOR COUNTY HOSPITALS, *Rep. Rehm* — reduces the property tax levy for county hospital funding. (May affect public schools)
- H 30 PROHIBIT STATE EMPLOYEE “GOLDEN PARACHUTE,” *Rep. Rehm* — prohibits the award of a “Golden Parachute” or other extraordinary benefit to a public employee who resigns or is terminated for cause.
- H 34a RULEMAKING REQUIREMENTS (**Passed H**), *Rep. Gentry/Sen. Keller* — amends the State Rules Act to create requirements for proposing, adopting, amending, or repealing rules.
- H 35a PUBLIC MEETING AGENDAS 72 HOURS PRIOR (**Passed H**), *Rep. Smith* — amends the Open Meetings Act to require that agendas be available to the public at least 72 hours before a public meeting and posted on the public body’s website if one is maintained.
- H 41 MINIMUM AGE FOR LEGISLATIVE RETIREMENT, *Rep. Kintigh* — amends the Public Employees Retirement Act to impose a minimum age of 62 for legislators to receive pension benefits under the legislative pension coverage plans.

- \*H 42**      **LEGISLATIVE RETIREMENT CONTRIBUTION CHANGES (Passed H/Passed S)**, *Rep. Kintigh* — amends the Public Employees Retirement Act to increase state legislator contributions to the state legislator retirement plan; and changes the pension calculation.
- \*H 46a**      **NMFA PUBLIC PROJECT FUND PROJECTS (Passed H/Passed S)**, *Rep. Lundstrom* — authorizes the New Mexico Finance Authority to make loans for public projects from the Public Project Revolving Fund; and includes projects for charter schools, school districts, community colleges, and university branch campuses.
- H 47a  
CS/H 47      **LOCOMOTIVE FUEL GROSS RECEIPTS (Passed H)**, *Rep. Lundstrom* — reduces the amount of the capital investment required for a taxpayer to be eligible for the locomotive fuel deduction from gross receipts or from the compensating tax; provided that the capital investment is not required by a regulatory agency to correct problems. (May affect public schools) [Identical to CS/S 45]
- H 50      **REDUCE SEVERANCE TAX FUND INTERCEPTS**, *Rep. Larrañaga/Sen. Beffort* — increases revenue to the Severance Tax Permanent Fund by decreasing the percentage of annual deposits to the Severance Tax Bonding Fund that may be used for debt service; and reduces severance tax bonding capacity allocated to the Colonias Infrastructure Project Fund and the Tribal Infrastructure Project Fund. (May affect public schools)
- H 51      **PARENTAL NOTIFICATION RIGHTS ACT**, *Rep. Baldonado* — creates the Parental Notification Act; establishes procedures when certain females request an abortion; provides for judicial hearings; provides for physician and Department of Health reporting on abortions received by certain females; and prescribes penalties. [Similar to S 157]
- H 52      **CHLD DAYCARE SERVICES GROSS RECEIPTS**, *Rep. Trujillo/Sen. Sapien* — provides a deduction from gross receipts for receipts from the state for child daycare services for eligible families. (May affect public schools)
- H 53      **LIMIT SCHOOL RETENTIONS THROUGH REMEDIATION**, *Rep. Miera* — repeals and adds a section to the Public School Code to limit grade retentions by providing that a student who is not proficient in reading and mathematics at the end of kindergarten and each grade through eighth grade shall be provided with intensive remediation; and provides for assessment, intervention, and remediation programs to address deficiencies identified at the end of kindergarten and each grade through eighth grade. [Related to CS/CS/S 50]
- H 54      **LIMIT SCHOOL RETENTIONS THROUGH INTERVENTION**, *Rep. MH Garcia* — repeals the current remediation and promotion provisions in the Assessment and Accountability Act in the Public School Code and creates a new section in the act to provide that a student who is not proficient in reading at the end of kindergarten, grade 1, and grade 2 to be provided with intensive remediation; that a student who is not proficient in reading at the end of the third grade be retained and provided with intensive remediation; and that a student who is not academically proficient at the end of grades 4 through 8 be provided with intensive remediation; the bill also provides for assessment, intervention, and remediation programs to address deficiencies identified between grades K-8. [Identical to H 69a and S 96a; and Related to Identical bills H 53 and CS/CS/S 50]

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- H 58 NATIVE AMERICAN STUDENT/TEACHER TRAINING, *Rep. Begaye* — appropriates \$50,000 from the General Fund to the Public Education Department to support training of New Mexico Native American students and their teachers to prepare for and participate in an international robot competition.
- H 59 SCHOOL MEAL PROGRAM APPROPRIATION, *Rep. Begaye* — appropriates \$600,000 from the General Fund to the Human Services Department for delivery of commodities for school meal programs. [Identical to S 149]
- H 61 FIREWORKS GROSS RECEIPTS TAX DISTRIBUTION, *Rep. Begaye* — adds a new section to the Tax Administration Act to provide that 60 percent of the revenues from the Gross Receipts Tax on fireworks be distributed to the Forestry Division of the Energy, Minerals & Natural Resources Department to conduct prevention projects in wild lands of the state; and adds a new section to the Forest Conservation Act to create the Wildlands Fire Prevention Fund. (May affect public schools)
- H 65 SPECIAL NEEDS STUDENT SCHOLARSHIP ACT, *Rep. Begaye* — creates the Special Needs Student Scholarship Act; provides for tuition scholarship organizations to grant educational scholarships to special needs students to attend certain schools; and creates income tax and corporate income tax credits not to exceed \$5.0 million for contributions to tuition scholarship organizations that provide educational scholarships for special needs students to attend certain schools of the student's parents' choice. [Similar to H 166, S 31, and S 88]
- H 69a LIMIT SCHOOL RETENTIONS THROUGH INTERVENTION (**Passed H**), *Rep. MH Garcia* — repeals the current remediation and promotion provisions in the Assessment and Accountability Act in the Public School Code and creates a new section in the act to provide that a student who is not proficient in reading at the end of grades K-2 be provided with intensive remediation; that a student who is not proficient in reading at the end of grade 3 be retained and provided with intensive remediation; that a student who is not academically proficient at the end of grades 4-8 be provided with intensive remediation; that if a parent refuses to allow the student to participate in any prescribed intervention, the school district shall provide an appropriate form that must be signed by the parent; and provides for exemptions to retention at the end of third grade. [Identical to H 54 and S 96a; and Related to Identical bills H 53 and CS/CS/S 50]
- H 78a INTERNATIONAL ROBOT COMPETITION, *Rep. Smith* — appropriates \$200,000 from the General Fund to the Board of Regents of Eastern New Mexico University to support the training of New Mexico students and teachers to participate in an international robot competition.
- \*H 80 MEDICAID FALSE CLAIMS ACT ACTIONS (**Passed H**), *Rep. Cervantes* — provides that any person may bring an action on behalf of the state pursuant to the Medicaid False Claims Act; clarifies provisions of the Fraud Against Taxpayers Act; provides that the state is entitled to attorney fees and costs for additional claims asserted against a defendant; provides a deadline for the state to intervene; and provides for civil investigative demands. (May affect public schools)

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- \*H 81a ENMU STATEWIDE CAREER TECHNICAL PROGRAMS, *Rep. Roch* — appropriates \$800,000 from the General Fund to the Board of Regents of Eastern New Mexico University to fund operations for career technical student organizations statewide.
- H 82 FAMILY, INFANT, TODDLER PROGRAM, *Rep. Picraux* — appropriates \$2.1 million from the General Fund to the Department of Health to fund the Family, Infant, Toddler program.
- H 85 REPEAL FILM PRODUCTION TAX CREDIT CAP, *Rep. Park* — excludes qualified television series productions from the cap on the Film Production Tax Credit; and defines terms. (May affect public schools) [Identical to CS/S 168, and Related to H 117]
- CS/H 85
- H 89 LOCAL GOVERNMENT CURFEW ORDINANCES, *Rep. Kintigh* — adds a new section to the Children’s Code to provide counties and municipalities with authority to enact curfew ordinances; and provides penalties.
- H 90a VIDEOCONFERENCING FOR INTERIM COMMITTEES (**Passed H**), *Rep. Brown* — establishes a pilot project to determine the efficacy of allowing committee members to attend committee meetings by videoteleconference; and requires the Legislative Council Service to manage the project and report its findings and recommendations to the Legislative Council by December 31, 2012.
- H 91 EMPLOYEE FAIR CLASSIFICATION ACT, *Rep. E. Chávez* — creates the Employee Fair Classification Act; distinguishes between employees and independent contractors; creates presumptions; prohibits certain conduct; creates causes of action for violation of the Employee Fair Classification Act; and requires notice to employees. (May affect public schools)
- H 94 SCHOOL ATTENDANCE LAW PROSECUTIONS, *Rep. Kintigh* — provides for each local school board to authorize a school district employee to appear and prosecute in magistrate and metropolitan courts petty misdemeanor violations of the Compulsory School Attendance Law.
- H 100 REPEAL CHARTER SCHOOL CAPITAL OUTLAY FUND (**Passed H**), *Rep. Begaye* — repeals the delayed repeal of the Charter School Capital Outlay Fund. (For the Public School Capital Outlay Task Force and the LESC)
- \*CS/H 103 SOCIAL SECURITY NUMBER FOR DRIVER’S LICENSE (**Passed H**), *Rep. Nuñez*  
CS/CS/H103a — amends the Motor Vehicle Code to require a social security number from eligible applicants; to limit the issuance of driver’s licenses and identification cards; and to limit the duration of driver’s licenses and identification cards of foreign nationals. [Similar to S 235a]
- H 104 ADDITIONAL REASONS FOR AMBER ALERTS (**Passed H**), *Rep. James* — amends the Amber Alert Law and provides additional reasons for declaring an Amber Alert.
- H 107 CHARTER SCHOOL AUDIT MONITORING, *Rep. J.C. Hall* — amends the Public School Finance Act to require charter school authorizers to monitor their charter school’s accounting and internal control system and its fiscal condition until the deficiencies or

material weaknesses are corrected, and the next audit shows no deficiencies or weaknesses. (For the LESC)

- H 116a** **ELECTRIC CONVERSION FACILITY GROSS RECEIPTS (Passed H/Passed S)**, *Rep. B. Luján* — creates certain deductions in the Gross Receipts and Compensating Tax Act for converting electricity; and provides for an expanded exemption for facilities for transmitting electricity using voltage source conversion technology. (May affect public schools)
- H 117 **FILM PRODUCTION TAX CREDIT CHANGES**, *Rep. Kintigh* — amends the Film Production Tax Credit Act to provide for transferrable negotiable instruments to be issued in lieu of refunds; limits the value of negotiable instruments that may be redeemed in a fiscal year; and reduces the rate of the Film Production Tax Credit. (May affect public schools) [Related to CS/H 85 and CS/S 168]
- H 120 **ACEQUIA & DITCH EMPLOYEES IN PERA**, *Rep. Vigil* — amends the Public Employees Retirement Act to include acequias and community ditch associations as public employers.
- H 121 **SERVICE MEMBER CHILD CUSTODY ACT (Passed H)**, *Rep. T. García* — creates the Service Member Child Custody Act; establishes procedures for modifying existing custody, time-sharing, or visitation orders for children of service members; prohibits entry of final orders modifying existing child custody, time-sharing, or visitation orders while a service member is unavailable pursuant to military orders; provides for an expedited hearing when a service member will be unavailable pursuant to military orders; and provides for electronic testimony. (May affect public schools)
- H 125a **DISCLOSURE OF CERTAIN CHILD NEGLECT INFO (Passed H)**, *Rep. Madalena* — amends the Children’s Code to allow disclosure to certain federal and tribal social service agencies of child neglect and abuse records and information; and prohibits release of the records and information to the public.
- H 128 **LIFE IN PRISON FOR CERTAIN SEX CRIMES**, *Rep. T. García* — amends the Criminal Code to require that criminal sexual penetration perpetrated on a child under 13 years of age is punishable by life imprisonment; and provides no time limitation for commencing prosecution for first-degree felonies. (May affect public schools) [Related to \*S 57 and S 58]
- H 129** **HOME SCHOOL STUDENT PROGRAM UNIT CALCULATION (Passed H/Passed S)**, *Rep. Strickler* — amends the Public School Finance Act to eliminate the requirement that home school student activities program units be based on “activities” rather than “athletic activities”; and to define “activities” as athletics, co-curricular, and extracurricular activities sanctioned by the New Mexico Activities Association.
- H 132a **COMMUNITY COLLEGE ELECTION PROCEDURES (Failed H)**, *Rep. Nuñez* — amends state law to provide election procedures through which certain school districts may be added to branch community college districts.

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- H 139a SUPPLEMENTAL ROAD SEVERANCE TAX BONDS, *Rep. Larrañaga* — amends the Severance Tax Bonding Act to allow the state Board of Finance to issue supplemental road severance tax bonds; clarifies the types of supplemental severance tax bonds, including supplemental public school severance tax bonds used for capital outlay projects; and clarifies that the effective date of the provisions of the act is July 1, 2012.
- H 141 PUBLIC RETIREES RETURNING TO WORK, *Rep. Stewart* — amends the Public Employees Retirement Act to change the requirements for returning to public employment after retirement, so that if a member retires and is subsequently employed by any affiliated public employer, the retired member’s pension shall be suspended effective the first day of the month following the month in which the previously retired member has earned fifteen thousand dollars (\$15,000) or more during a calendar year.
- H 142 TAX DEDUCTIONS, RATES & EXEMPTIONS, *Rep. Egolf* — creates a new section of the Gross Receipts and Compensating Tax Act to provide a deduction from gross receipts for certain small businesses; to adjust the rates of certain severance and natural resources taxes; and to convert certain exemptions to deductions. (May affect public schools)
- \*H 146a WNMU RURAL ECONOMIC DEVELOPMENT INSTITUTE (**Passed H**), *Rep. Nuñez* — establishes the Rural Economic Development Institute at Western New Mexico University; and provides for the development of a state new markets tax credit program. (May affect public schools)
- H 147 DOÑA ANA COUNTY EDUCATIONAL INITIATIVE, *Rep. Nuñez* — appropriates \$100,000 from the General Fund to the Board of Regents of New Mexico State University for Doña Ana Community College to implement the Doña Ana County Regional Education Initiative.
- H 148 GROUP HEALTH COVERAGE TO INCLUDE AUTISM, *Rep. O’Neill* — adds a new section to the Health Care Purchasing Act to require that group health coverage include coverage for diagnosis and treatment of autism spectrum disorder. [Related to HM 7, SM 4 and CS/SM 20]
- \*H 151a CONSTITUTIONAL REVISION COMMISSION (**Passed H**), *Rep. Cervantes* — appropriates \$100,000 from the New Mexico Legislative Council cash balances to create the Constitutional Revision Commission pursuant to Article 19, Section 1 of the Constitution of New Mexico; prescribes membership of the commission, including the provision that members considered for appointment to the commission shall not have changed party affiliation one year prior to being appointed to the commission; and requires the commission to make a full report of its findings and recommendations to the Governor and the 51<sup>st</sup> Legislature no later than 30 days prior to the convening of the second regular session. (May affect public schools)
- H 153 UNIFORM CHILD ABDUCTION PREVENTION (**Passed H**), *Rep. Cervantes* — creates the Uniform Child Abduction Prevention Act; considers a respondent seeking to obtain the child’s school or medical records as a factor in determining risk of abduction; provides for petitions for and issuance of child abduction prevention orders, which includes prohibiting the respondent from removing a child from school; and provides penalties.

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- H 154 VETERAN EMPLOYMENT TAX CREDIT, *Rep. T. García* — adds new sections of the Income Tax Act and the Corporate Income and Franchise Tax Act to create the Veteran Employment Tax Credit. (Succeeding entries: H 10) (May affect public schools)
- H 157 COMBINE TOURISM & CULTURAL AFFAIRS DEPTS., *Rep. Bandy* — creates the Tourism and Cultural Affairs Department Act; combines the Tourism and Cultural Affairs departments; creates the African American Cultural Center Act; creates the African American Cultural Division within the Tourism and Cultural Affairs Department; repeals the New Mexico Film Museum Act; and repeals the Fort Stanton Development Commission and the Fort Stanton Development Fund. (May affect public schools and libraries)
- H 159 DEPT. OF DEFENSE SATELLITE GROSS RECEIPTS, *Rep. Larrañaga* — creates a new section of the Gross Receipts and Compensating Tax Act to provide a deduction from the gross receipts tax for services provided to the US Department of Defense related to directed energy or satellites. (May affect public schools)
- H 161a SCHOOL ATHLETICS REPORTING REQUIREMENTS (Passed H/Passed S),** *Rep. Roch/Sen. Morales* — amends the School Athletics Equity Act to eliminate certain reporting requirements for grades 7 and 8; provides for reporting by athletic program rather than by individual teams; clarifies other reporting requirements; and includes fundraising and booster clubs as reportable funding sources. (For the LESC)
- H 162 ARMED FORCES RETIREMENT TAX CREDIT (**Passed H**), *Rep. Roch* — adds a  
CS/H 162 new section of the Income Tax Act to provide for certain amounts of military retirement or retainer pay of an armed forces retiree to be exempt from state income tax. (May affect public schools) [Similar to CS/S 129]
- H 163a “EMPLOYEE” & “PUBLIC OFFICER” DEFINITIONS, *Rep. Gentry/Sen. Feldman* — amends the Governmental Conduct Act to separate the definition of “employee” from that of “public officer”; limits lobbying by former public officers of a state agency; and provides that the two-year restriction on lobbying shall not apply to a public officer of a local government agency. (May affect public schools)
- H 166 EQUAL OPPORTUNITY SCHOLARSHIP ACT, *Rep. Maestas* — creates the Equal Opportunity Scholarship Act; provides for tuition scholarship organizations to grant educational scholarships to low-income students to attend certain schools; and creates income tax credits for contributions to tuition scholarship organizations that provide educational scholarships for low-income students to attend certain schools of the student’s parents’ choice. [Identical to S 88, and Similar to H 65 and S 31]
- H 172 DEVELOPMENTAL DISABILITIES PROGRAMS, *Rep. J.C. Hall* — appropriates \$2.5 million from the General Fund to the Department of Health for state developmental disabilities programs. [Identical to S 236]
- H 177a ENERGY EFFICIENT HOME PURCHASE TAX CREDIT (**Passed H**), *Rep. Egolf* —  
CS/H 177 adds a new section of the Income Tax Act to create the Energy Efficient Home Income Tax Credit, a one-time short-term refundable tax credit for purchasers of eligible energy-efficient homes. (May affect public schools)



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- H 179 SEX OFFENDER REGISTRATION CHANGES, *Rep. Herrell* — amends the Sex Offender Registration and Notification Act to provide for three tiers of sex offenses and registration periods; requires registration and notification for additional sex offenses; includes additional offenders on the sex offender internet website; requires registration within three days after being released from custody; requires additional information upon registration; expands the definition of “sex offender”; and provides for information available on the sex offender internet website. (May affect public schools) [Similar to H 236]
- H 181a HIGHER EDUCATION EMPLOYEE BACKGROUND CHECKS (**Passed H**), *Rep. Begaye* — adds a new section of state law to require public institutions of higher education (IHEs) to conduct background checks of certain applicants for employment and current employees; to allow the IHEs to pass the cost of the background checks to the applicants or employees, payable through payroll deduction; to require each institution’s board of regents or governing body to determine by rule which positions held by current employees require background checks; and to exempt from the background check requirement currently enrolled work-study students and employees hired on a temporary or emergency basis.
- \*H 182 SAN JUAN INDIGENT YOUTH GOLF PROGRAM, *Rep. Begaye* — appropriates \$100,000 from the General Fund to the Department of Finance and Administration for San Juan County to fund operating expenses for a golfing program for indigent youth residing in the county.
- H 183a CRIMES COMMITTED AGAINST CHILDREN PENALTIES (**Passed H**), *Rep. Park* — amends the Criminal Code to increase penalties for crimes committed against children; to provide that a person who commits intentional abuse of a child that does not result in the child’s death or great bodily harm is, for a first offense, guilty of a second degree felony and for a second and subsequent offense, guilty of a first degree felony; and if the abuse results in great bodily harm to the child, the person is guilty of a first degree felony. (May affect public schools)
- H 184a **“CONSTRUCTION SERVICE” FOR GROSS RECEIPTS [SGND (Feb. 23) Ch. 5]**,  
CS/H 184 *Rep. Doyle* — adjusts distributions and amounts in regard to the Small Cities Assistance Fund and the Small Counties Assistance Fund; clarifies a gross receipts deduction for construction-related expenditures; amends the Gross Receipts and Compensating Tax Act to create a deduction from gross receipts for the lease of construction equipment; and expands a gross receipts deduction for manufacturing consumables. (CS/H 184 & 256) (May affect public schools)
- H 189 SMALL BUSINESS GROSS RECEIPTS, *Rep. Little* — adds a new section of the Gross Receipts and Compensating Tax Act to provide a deduction from gross receipts for certain small businesses. (May affect public schools) [Identical to S 260]
- \*H 190 **REAUTHORIZE PROJECTS (Passed H/Passed S)**, *Rep. Trujillo* — reauthorizes or  
\*CS/H 190 reappropriates balances from the proceeds of severance tax bonds issued for projects; changes agencies and establishes conditions for the reversion of unexpended balances of appropriations made by the Legislature in prior years; and, among other things,

appropriates unexpended balances to the Public Education Department for school infrastructure and renovation projects. [Similar to \*S 161]

- \*H 191  
\*CS/H 191a     **SEVERANCE TAX BOND PROJECTS (Passed H/Passed S)**, *Rep. Trujillo* — authorizes the issuance of severance tax bonds; authorizes expenditures from certain funds and balances; establishes conditions for the reversion of unexpended balances; and makes appropriations, including funding for Public Education Department projects and \$2.5 million from the Public School Capital Outlay Fund to the Public School Capital Outlay Council to renovate and construct public school pre-kindergarten classrooms statewide. [Similar to \*S 65]
- H 192a     **MEDICAL EQUIPMENT GROSS RECEIPTS**, *Rep. Trujillo* — amends the Gross Receipts and Compensating Tax Act to provide for a deduction from gross receipts for sales of durable medical equipment and medical supplies; and provides that the deductions shall be taken only by a taxpayer whose gross receipts are no less than 90 percent derived from the sale of prescribed durable medical equipment or prescribed medical supplies. (May affect public schools)
- \*H 193     **GENERAL OBLIGATION BOND PROJECTS**, *Rep. Trujillo* — creates the 2012 Capital Projects General Obligation Bond Act to authorize the issuance and sale of capital projects general obligation bonds to make capital expenditures for library acquisitions, construction for capital improvements, and acquisitions at institutions of higher education and state special schools; provides for a tax levy for payment of principal of, interest on, and certain costs related to the bonds; and requires approval of the registered voters at the 2012 General Election. [Similar to \*CS/S 66a]
- H 194a     **UNEMPLOYMENT COMPENSATION FUND CONTRIBUTIONS (Passed H)**, *Rep. Stewart* — amends the Unemployment Compensation Law to decrease employer contributions to the Unemployment Compensation Fund to Contribution Schedule 2 for calendar year 2013; to create the State Unemployment Advisory Council; to provide for appointment of council members; and to direct the council to make recommendations to the Legislature and the Governor. (May affect public schools)
- H 196     **EXEMPT SOME ONLINE SERVICES FROM PROCUREMENT (Failed H)**, *Rep. Larrañaga* — amends the Procurement Code to exempt purchases of certain online services; increases the amount of certain prepaid purchases that are exempt from the Procurement Code; eliminates the monetary threshold criteria when authorizing certain design and build project delivery systems; expands funding sources for Department of Transportation design and build project delivery systems; increases the dollar limit for procurement of small purchases; and increases the dollar limit of multiple source contracts for procurement of architectural or engineering design services. (May affect public schools)
- H 198     **CYFD CHILD CARE RESOURCE & REFERRAL SERVICE**, *Rep. E. Chávez* — adds a new section to the Children, Youth and Families Department Act to expand the child-care resource and referral service in the Children, Youth and Families Department (CYFD); requires child-care centers to report employment information; requires CYFD to track child-care educators and administrators; and appropriates \$150,000 from the General Fund to CYFD to expand the child-care resource and referral database.

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- H 199  
CS/H 199 UNM NURSE-MIDWIFERY PROGRAM, *Rep. E. Chávez* — appropriates \$230,000 in FY 13 and \$410,000 in FY 14 from the General Fund to the Board of Regents of the University of New Mexico (UNM) for the nurse-midwifery program at the UNM Health Sciences Center.
- H 202 CHANGE BASIS OF GAS TAX, *Rep. Gonzales* — amends the Gasoline Tax Act to change the basis of the Gasoline Tax and the Special Fuel Excise Tax from the number of gallons sold to the value of fuel sold. (May affect public schools)
- H 204 FOSTER-GRANDPARENT PROGRAMS, *Rep. Vigil* — appropriates \$280,000 from the General Fund to the Children, Youth and Families Department to fund foster-grandparent programs in Mora, San Miguel, and Guadalupe counties.
- \*H 207 VOTER IDENTIFICATION REQUIREMENTS, *Rep. Smith* — amends the Election Code to change voter identification requirements for voting in person or by email; to provide for notification of voter identification requirements; to require municipalities and other political subdivisions to follow the same voter identification requirements as required in state elections; and to change procedures for the issuance of temporary licenses in lieu of revoked driver's licenses. (May affect local school boards and the Public Education Commission)
- H 208 CONTRACTOR REGISTRATION & CONTRIBUTIONS, *Rep. Taylor/Sen. Feldman* — amends the Procurement Code to require prospective contractors to register with the General Services Department; requires disclosure of certain contributions by prospective and actual state and local contractors; prohibits political contributions during the pendency of the procurement process; and provides for online access of disclosure statements and registration information. (May affect public schools)
- H 210 REMOVAL OF PUBLIC OFFICIALS FROM OFFICE, *Rep. Cook* — provides for an elected official to be removed from public office immediately upon conviction of a felony; and provides for forfeiture of campaign funds.
- H 214 SEX OFFENSE DAMAGE COMMENCEMENT, *Rep. Park/Sen. Curtis* — amends state law to provide that an action for damages for personal injury caused by certain sex offenses against a child shall be commenced before the child reaches the age of 50. (May affect public schools) [Identical to S 118a, and Related to H 215]
- H 215 CHILD SEXUAL OFFENSES PROSECUTION TIME, *Rep. Park/Sen. Curtis* — amends the Criminal Code to provide that the applicable time period for commencing prosecution for certain sex offenses against children shall not begin until the victim attains the age of 50. (May affect public schools) [Related to H 214 and S 118a]
- H 217 LOTTERY SCHOLARSHIPS FOR HOME SCHOOLING (**Passed H**), *Rep. Espinoza* — allows students in home-based educational programs that meet certain criteria to receive legislative lottery scholarships.
- H 221 SHELTER & FOOD PANTRY PROGRAMS, *Rep. Vigil* — appropriates \$60,000 from the General Fund to the Local Government Division of the Department of Finance and

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Administration for shelter and food pantry programs in San Miguel, Mora, and Guadalupe counties.

- H 223 MANUFACTURING EQUIPMENT GROSS RECEIPTS, *Rep. T. García* — creates a new section of the Gross Receipts and Compensating Tax Act to provide a deduction from gross receipts for sales of manufacturing equipment. (May affect public schools)
- H 225 STATEWIDE PUBLIC HUMANITIES PROGRAMS, *Rep. Maestas* — appropriates \$150,000 from the General Fund to the Cultural Affairs Department for statewide public humanities programs.
- H 226 PUBLIC EMPLOYEE RETIREMENT CONTRIBUTIONS, *Rep. Egolf* — amends the Public Employees Retirement Act to change the employee and employer contribution rates for certain retirement plans on and after July 1, 2012. (May affect public schools) [Identical to S 228]
- H 228 NEW PUBLIC SCHOOL FUNDING FORMULA, *Rep. Lundstrom* — adds a new section of the Public School Finance Act to provide a new public school funding formula; to provide for maintenance and periodic recalibration of the formula; to require performance-based budgets; to use a census-based special education identification rate for school districts; to set the maximum age for students to be no older than 21 on the first day of the school year; to provide for legislative approval of new charter schools; to provide for first-year funding; creates the Special Education Catastrophic Aid Fund; and appropriates money in the fund to the Public Education Department to provide grants to school districts to assist them in paying costs associated with high-cost special education students.
- H 229 PUBLIC SCHOOL FUNDING FORMULA CHANGES, *Rep. Lundstrom* — amends the Public School Finance Act to make changes to the public school funding formula; to require performance-based budgets; to provide for legislative approval of new charter schools; and creates the New School Fund to be administered by the Public Education Department to provide for first-year operational funding of new charter schools.
- H 231 INCOME TAX LOTTERY TUITION DONATION (Passed H/Passed S),**  
*Rep. Sandoval* — adds a new section to the Income Tax Act to create an optional designation for a personal income tax contribution for the Lottery Tuition Fund.
- H 232 NORTHERN NM BOYS & GIRLS CLUB PROGRAMMING, *Rep. Salazar* — appropriates \$75,000 from the General Fund to the Board of Regents of Northern New Mexico College to provide Boys and Girls Club programs for northern New Mexico youth.
- H 233 INTERNET SALES GROSS RECEIPTS, *Rep. E. Chávez* — adds a new section of the Income Tax Act to provide for the collection of the gross receipts and compensating tax of certain internet sales of goods and services. (May affect public schools) [Similar to S 207]
- H 234 HOSPITAL DISTRICTS AS PUBLIC EMPLOYEES, *Rep. T. García* — amends the Public Employees Retirement Act to include special hospital district employees as public employees pursuant to the act. (May affect public schools)

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- H 236 SEX OFFENDER REGISTRATION CHANGES, *Rep. Maestas* — amends the Sex Offender Registration and Notification Act to provide for three tiers of sex offenses and registration periods; to shift registration duties from the county sheriffs to the state police; to require state police to contact every licensed daycare center, elementary school, middle school, and high school within a one-mile radius of the sex offender’s residence; to require sex offenders to register and update information within three business days; to provide for verification of registration; and to provide for electronic updates. [Similar to H 179]
- H 240 NORTHERN NM SCIENCE & TECH LEARNING, *Rep. J.W. Hall* — appropriates \$150,000 from the General Fund to the Local Government Division of the Department of Finance and Administration for a program to stimulate and encourage the interest of youth in northern New Mexico in science, technology, engineering, and mathematics, and in career opportunities in those fields.
- \*H 242a RURAL JOB TAX CREDIT DEFINITIONS (**Passed H**), *Rep. D. Chavez* — amends the definitions of “eligible employer” and “wages” for the purposes of the Rural Job Tax Credit; and clarifies the eligibility of certain jobs for the Rural Job Tax Credit. (May affect public schools)
- \*H 245a HIGH-WAGE JOBS TAX CREDIT APPLICATION, *Rep. Doyle* — amends state law to clarify the application of the High-Wage Jobs Tax Credit; to define “benefits” and “wages”; and to extend the credit for three years. (May affect public schools) [Identical to \*S 299, and Similar to \*CS/S 101a]
- H 249  
CS/CS/H 249 TEACHER & SCHOOL LEADER EFFECTIVENESS ACT (**Passed H**), *Rep. Roch* — adds a new section of the Public School Code to create the Teacher and School Principal Effectiveness Act; to provide for effectiveness evaluations for teachers and principals; to provide for the creation of frameworks, systems, procedures, criteria and monitoring; and to require post-evaluation actions for the compensation, promotion, suspension, discharge, or termination of teachers and principals. (CS/CS/H 249 & CS/H 251) [Identical to CS/S 293, and Related to CS/H 251a and CS/S 315]
- H 251  
CS/H 251a STATE TEACHER EVALUATION FRAMEWORK, *Rep. Miera* — adds a new section of the School Personnel Act to create a council that includes teachers, administrators, and parents; to make recommendations for a state teacher evaluation framework and a principal and head administrator evaluation framework; to require the Public Education Department to use the state teacher, principal, and head administrator evaluation framework to develop a state teacher, principal, and head administrator evaluation program that provides continuous opportunities for professional development and growth and clear objective standards for determining effectiveness and growth; to require school districts and charter schools to use the state teacher, principal, and head administrator evaluation program to evaluate effectiveness in teaching; to give teachers, principals, and head administrators a performance rating; and to give teachers, principals, and head administrators a performance rating upon which personnel decisions shall be made. (Succeeding entries: H 249) [Identical to CS/S 315, and Related to CS/H 249 and CS/S 293]
- H 253 WORK SHARE PROGRAM, *Rep. Stewart* — adds a new section to the Unemployment Compensation Law to create a work share program to allow employers to reduce work

hours of certain employees in lieu of layoffs; and to allow certain employees to collect unemployment compensation benefits in proportion to a reduction in work hours. (May affect public schools)

- H 256a MANUFACTURING PROPERTY GROSS RECEIPTS, *Rep. James* — amends the Gross Receipts and Compensating Tax Act to expand a deduction from gross receipts for tangible personal property to include property consumed in the process of manufacturing; and requires recipients of the deduction to report the impact of the deduction on the manufacturing sector to the Revenue Stabilization and Tax Policy Committee. (Succeeding entries: H 184) (May affect public schools) [Related to CS/S 276 and S 311a]
- H 257 HOMELESS CHILDREN SERVICES, *Rep. Nuñez* — appropriates \$150,000 from the General Fund to the Children, Youth and Families Department to provide child-care services to homeless children in Doña Ana County. [Identical to S 303]
- H 258a REVIEW CERTAIN TAX CREDIT (**Passed H**), *Rep. Sandoval* — provides for a review of dozens of tax credits; requires taxpayers who are allowed credits to report annually to the Taxation and Revenue Department (TRD); and requires TRD to report in six-year intervals to the Revenue Stabilization and Tax Policy Committee, beginning in 2014. (May affect public schools)
- H 261a **COMMERCIAL DRIVER'S LICENSE RETESTING (Passed H/Passed S)**, *Rep. Vigil* — amends the New Mexico Commercial Driver's License Act to provide for limited testing for a commercial driver's license within a six-month period for the knowledge and skills test. (May affect public schools)
- H 263 DRUG POSSESSION DRIVER'S LICENSE REVOCATION, *Rep. Rehm* — amends the Motor Vehicle Code to provide that the driver's license of a person convicted of possession, distribution, or manufacture of a controlled substance shall be revoked for a period of six months from the date that the conviction is final. (May affect public schools)
- H 267 GED EDUCATIONAL TRAINING, *Rep. Maestas* — appropriates \$100,000 from the General Fund to the Local Government Division of the Department of Finance and Administration for Bernalillo County to provide educational training for persons working to attain a General Educational Development certificate. [Similar to S 266]
- H 269 EDUCATIONAL RETIREMENT CONTRIBUTION INCREASE (**Passed H**), *Rep. Stewart* — amends the Educational Retirement Act to provide for an increase in employee contributions; and to increase age and service requirements for retirement of non-vested members. [Similar to S 305]
- H 270 STATE EMPLOYEE & TEACHER RETIREMENT CHANGES, *Rep. Stewart* — amends the Public Employees Retirement Act, the Judicial Retirement Act, the Magistrate Retirement Act, and the Educational Retirement Act; provides for an increase in employee contributions; defines "public safety member"; reduces and delays cost-of-living adjustments for non-vested, non-public safety members; and increases age and service requirements for retirement of non-vested, non-public safety members.

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- H 271a NATIVE AMERICAN DIABETES REDUCTION PROGRAM (**Passed H**), *Rep. Jeff* — creates a program in the Department of Health (DOH) to prevent and reduce diabetes among Native American youth; and appropriates \$250,000 from the General Fund to DOH to coordinate with tribal public health programs to develop and implement youth diabetes prevention protocols. (May affect public schools)
- H 276 CRIME OF FAILURE TO REPORT DEATH OF A CHILD, *Rep. J.C. Hall* — adds a new section of the Criminal Code to create “Caylee’s Law”; to create misdemeanor crimes for failure to report the disappearance of a child and failure to report the death of a child; and to provide penalties. (May affect public schools) [Similar to S 13 and S 97]
- H 278a PROCUREMENT BUSINESS SUSPENSIONS, *Rep. Larrañaga* — amends the Procurement Code to provide for immediate suspension of a business for reasonable suspicion of conduct; to add causes for debarment or suspension of a contractor; and to allow the continuation of contracts with a debarred or suspended contractor under certain conditions. (May affect public schools)
- H 279 PCD RISK PROCUREMENT CONSTRUCTION MANAGER (**Passed H**), *Rep. Larrañaga* — amends the Educational Facility Construction Manager at Risk Act to be cited as the “Construction Manager at Risk Act” and to allow the Property Control Division of the General Services Department to use a construction manager at risk procurement process.
- H 280 EXTRACTION TAXES FOR HOME ENERGY ASSISTANCE, *Rep. M.P. García* — amends the Tax Administration Act to provide for a distribution from the Extraction Tax Suspense Fund for low-income home energy assistance if net receipts from the Oil and Gas Emergency School Tax exceed certain amounts; to create the Low-Income Home Energy Assistance Fund; and to appropriate earnings from the fund to the Human Services Department for the expenditures of the Low-Income Home Energy Assistance program.
- H 283 SECURITIES FUND PERMANENT APPROPRIATION (**Passed H**), *Rep. Doyle* — amends the New Mexico Uniform Securities Act to make a permanent appropriation from the Securities Enforcement and Investor Education Fund to administer the New Mexico Uniform Securities Act.
- H 292 DIGITAL EDUCATION & ONLINE LEARNING, *Rep. Gonzales* — appropriates \$1.25 million from the General Fund to the Public Education Department to support innovative digital education and online learning in New Mexico for pre-kindergarten through high school programs; and appropriates \$1.25 million from the General Fund to the Higher Education Department to support innovative digital education and online learning in New Mexico for higher education programs. [Related to S 262, S 273, and S 314]
- H 293 CHILD PORN EVIDENCE REPRODUCTION, *Rep. King* — amends and adds a new section of the Sexual Exploitation of Children Act to provide that a court shall not allow a defendant to copy, photograph, duplicate, or otherwise reproduce any visual or print medium that may constitute child pornography unless the defendant files a motion and upon a finding of good cause, the court may issue an order allowing duplication. (May affect public schools) [Related to H 294 and H 295]

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- H 294 PROTECTION ORDER FILING BY MINORS, *Rep. King* — amends the Family Violence Protection Act to allow a minor to file for or be restrained by an order of protection; to require peace officers to enforce orders of protection; and to revise standards and procedures. (May affect public schools) [Related to H 293 and H 295]
- H 295 SEX OFFENSE CASE HARMFUL MATERIAL NOTICES, *Rep. King* — amends the Sexual Exploitation of Children Act to clarify that a district attorney is not required to provide notice that certain material is harmful to children before prosecution for certain sex offenses against children. (May affect public schools) [Related to H 293 and H 294]
- H 299 JULIAN SAMORA LEGACY PROJECT, *Rep. W.K. Martinez* — appropriates \$75,000 from the General Fund to the Board of Regents of the University of New Mexico (UNM) to support the work of the Julian Samora Legacy Project now housed at the UNM Southwest Hispanic Research Institute.
- H 304a TEACHER EXAM RESULTS ON PED WEBSITE (**Passed H**), *Rep. Stewart* — amends the Public School Code to require the Public Education Department to post on its website, within eight weeks, the New Mexico teacher assessments examination results for teachers who are issued Level 1 and Alternative Level 1 licenses, and the names of the accredited institutions of higher learning from which these teachers received degrees.
- H 305 ADJUST INCOME & GROSS RECEIPTS TAX RATES, *Rep. Maestas* — amends the Income Tax Act to adjust the rates of income tax paid; and to reduce the gross receipts tax rate. (May affect public schools)
- H 306 FAMILY REUNIFICATION EMPLOYMENT TAX CREDIT, *Rep. Maestas* — adds a new section of the Income Tax Act to create the Family Reunification Employment Tax Credit to encourage full-time employment of individuals born in New Mexico, who left the state due to lack of employment, to return to New Mexico and to their families. (May affect public schools)
- H 308 SCHOOL BEHAVIORAL HEALTH INTERVENTIONS, *Rep. Miera* — makes an appropriation for students at low-performing schools with grades D or F in school year 2011-2012 under the provisions of the A-B-C-D-F Schools Rating Act that includes: \$1.15 million from the General Fund to the Department of Health for the Office of School and Adolescent Health in the Health Systems Bureau to provide quality behavioral health support services; and \$1.15 million from the General Fund to the Public Education Department for school-based, after-school programs that deal with suicide prevention, bullying, and substance abuse.
- H 309 HIGHER ED PUBLIC TELEVISION OPERATIONS, *Rep. Miera* — appropriates the following amounts from the General Fund to the following entities to improve public television broadcasting operations: \$47,500 to the Board of Regents of the University of New Mexico for KNME-TV; \$47,500 to the Board of Regents of New Mexico State University for KRWG-TV; and \$48,400 to the Board of Regents of Eastern New Mexico University for KENW-TV.



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- H 314 SOCIAL SECURITY BENEFITS AS TAX INCOME, *Rep. Vigil* — amends the Income Tax Act to exempt 50 percent of taxable Social Security benefits from net income. (May affect public schools)
- H 318 SCHOOL SCIENCE PROGRAMS, *Rep. Salazar* — appropriates \$900,000 from the General Fund to the Board of Regents of Northern New Mexico College to fund inquiry science education programs in public schools from kindergarten through grade 8.
- H 319 EARLY CHILDHOOD EDUCATION INVESTMENT, *Rep. Miera* — adds a new section of the Public School Code to create the Early Childhood Education Investment and Accountability Act; to create the Early Childhood Education Investment and Accountability Fund into which distributions from the Permanent School Fund will be deposited, contingent upon the passage of a constitutional amendment; to define “common schools” to include voluntary early childhood education services and programs provided by the Public Education Department and eligible providers; to require public outreach and notice; and to require rules, accountability, and reporting.

**HOUSE JOINT MEMORIALS**

- HJM 1 STUDY SCHOOL DISTRICT ADMINISTRATION REFORMS (**Passed H**), *Rep. J.C. Hall* — requests that the Public Education Department and the State Auditor name a work group to study school district administration reforms that allow superintendents to focus on student achievement, staff development, and parental and community involvement in public schools; that the work group design a pilot project consisting of several school districts and one or more regional education cooperatives or other joint powers of agreement organizations that would determine the efficacy of regional business management and accounting services and submit the pilot project for legislative consideration; and that the group report its findings and recommendations, including its recommendations for a pilot project, to the LESC and Legislative Finance Committee by November 1, 2012. [Identical to SJM 13]
- HJM 2 STUDY 3<sup>RD</sup> GRADE RETENTION ISSUES, *Rep. Begaye* — requests the establishment of a work group of experts to make determinations and recommendations regarding assessment and evaluation issues related to third grade retention for all students, including those students for whom English may not be the only language spoken in the household and for whom oral language may be a stronger tradition than written language. [Related to H 53, H 54, H 69a, CS/CS/S 50, and S 96a]
- HJM 5 “BILINGUAL EDUCATION DAY,” (**Passed H/tbld/S**) *Rep. Miera* — proclaims January 27, 2012 as “Bilingual Education Day” in the Legislature.
- HJM 6 NMSU UNMANNED FLIGHT CENTER DESIGNATION (**Passed H/Passed S**), *Rep. Gonzales* — requests the Federal Aviation Administration to designate New Mexico State University’s Physical Science Laboratory’s Unmanned Aircraft Systems Flight Test Center as a Center of Excellence.
- HJM 11 “BEHAVIORAL HEALTH DAY,” (**Passed H/tbld/S**) *Rep. Sandoval* — proclaims February 8, 2012 to be “Behavioral Health Day” at the Legislature. [Identical to SJM 7]

- HJM 14a**      **STUDY LOTTERY TUITION FUND SOLVENCY (Passed H/Passed S)**, *Rep. Begaye* — requests that the Higher Education Department, in cooperation with the LESC and Legislative Finance Committee, appoint a task force that includes among its members – one member appointed by the New Mexico Lottery Authority Board of Directors; and five members representing institutions of higher education, three of which shall be appointed by the Council of University Presidents, one by the New Mexico Association of Community Colleges, and one by the New Mexico Independent Community Colleges – to study the solvency of the Lottery Tuition Fund and to make recommendations to the Governor and the First Session of the 51<sup>st</sup> Legislature by December 1, 2012. [Similar to SJM 27a]
- HJM 18**      **PURCHASE OF U.S. & NEW MEXICAN GOODS**, *Rep. Gentry* — urges governmental entities throughout the state to purchase materials, goods, and services from New Mexican and American corporations to the greatest extent possible. (May affect school districts)
- HJM 19**      **STUDY CHANGES TO PUBLIC EMPLOYEES RETIREMENT (Passed H/Passed S)**, *Rep. Trujillo* — requests that the Public Employees Retirement Association assess options for changes to public employees retirement plans to reduce unfunded accrued actuarial liability with a goal to bring the funding status to 100 percent by 2041; and report recommendations to the appropriate legislative interim committee by October 2012. (May affect public schools)
- HJM 21**      **STUDY ACCESS TO SERVICES FOR YOUTH (Passed H/Passed S)**, *Rep. King* — requests that the Secretary of the Children, Youth and Families Department convene a steering committee to study and develop equal access to services for youth statewide with an emphasis on rural and frontier areas of the state.

**HOUSE JOINT RESOLUTIONS**

- HJR 1**      **PRESERVE LAND GRANT PERMANENT FUND, CA**, *Rep. Trujillo* — proposes to amend Article 12, Section 7 of the Constitution of New Mexico to preserve the Land Grant Permanent Fund by increasing the duty of care and changing the limitations on investment. (May affect public schools) [Related to H 21, HJR 2, HJR 15a, S 41, SJR 4a, and SJR 9]
- HJR 2**      **LAND GRANT FUND ANNUAL DISTRIBUTION, CA**, *Rep. Trujillo/Sen. Rodriguez* — proposes to amend Article 12, Section 7 of the Constitution of New Mexico to provide for an annual distribution from the Land Grant Permanent Fund equal to 5.8 percent of the five-year historical average of the value of the fund; and to provide that, under certain conditions, a portion of the amount distributed from the Permanent School Fund shall be used to implement and maintain education reforms as provided by law. (May affect public schools) [Related to H 21, HJR 1, HJR 15a, S 41, SJR 4a, and SJR 9]
- HJR 5**      **LIMIT AGENCY COMPENSATION FOR LEGISLATORS, CA**, *Rep. Bandy* — proposes to amend Article 4, Section 10 of the Constitution of New Mexico to limit legislators from receiving compensation by a public agency during regular or special sessions.
- HJR 13**      **ELECTED INSURANCE SUPERINTENDENT, CA**, *Rep. Ego*lf — proposes to amend Article 11 of the Constitution of New Mexico to place the regulation of insurance

companies and others engaged in risk assumption under an elected Superintendent of Insurance. (May affect public schools) [Related to HJR 17a]

- HJR 15a PERMANENT FUNDS FOR EDUCATION, CA, *Rep. Miera* — proposes to amend Article 12, Section 7 of the Constitution of New Mexico to temporarily increase the distribution from the Land Grant Permanent Fund; requires a portion of the increased distribution from the Permanent School Fund to be used for early childhood education programs operated by the state for the benefit of non-school-age children; indefinitely extends another distribution, with the requirement that the portion of the distribution from the Permanent School Fund be used to implement and maintain educational reforms; provides an additional distribution for the sole benefit of the public schools; and suspends the distributions if the average value of the funds is less than \$8.0 billion or if the Legislature, by a vote of three-fifths of the members elected to each house, votes to suspend the distribution. [Related to H 21, HJR 1, HJR 2, S 41, SJR 4a, and SJR 9]
- HJR 17a **APPOINTED INSURANCE SUPERINTENDENT, CA (Passed H/Passed S)**, *Rep. Saavedra* — proposes to amend Article 11 of the Constitution of New Mexico to remove the regulation of insurance companies and others engaged in the business of risk assumption from the Public Regulation Commission and place it under a Superintendent of Insurance appointed by the Insurance Nominating Committee as provided by law. (May affect public schools) [Related to HJR 13]
- HJR 18 LEAVE FROM WORK FOR LEGISLATORS, CA, *Rep. Smith* — proposes to amend Article 4, Section 10 of the Constitution of New Mexico to require that a legislator who receives a salary paid from public money elect to take annual leave or leave without pay for attendance at legislative sessions and meetings.
- HJR 20 51 PERCENT OF APPROPRIATIONS FOR SCHOOLS, CA, *Rep. Miera* — proposes an amendment to Article 12 of the Constitution of New Mexico by adding a new Section 16 to require that not less than 51 percent of all general appropriations for the operations of state government be made for support of public schools and pre-kindergarten programs. [Identical to SJR 12]
- HJR 21 PUBLIC SCHOOL SUPPORT ENHANCEMENT FUND, CA, *Rep. Miera* — proposes an amendment to the Constitution of New Mexico to temporarily increase the distribution from the Land Grant Permanent Fund; to establish the Public School Support Enhancement Fund; to require that the public school portion of the distribution from the Permanent School Fund be deposited into the Public School Support Enhancement Fund to be distributed by law; and to require that a portion of the increased distribution from the Permanent School Fund be used to implement and maintain educational programs for children from birth to five years of age.
- HJR 23a STATE HEALTH CARE SYSTEM, CA, *Rep. Chasey* — proposes to amend Article 2 of the Constitution of New Mexico by adding a new section providing for a state health-care system.
- HJR 25 NO ELECTION MONEY FROM CORPORATIONS, CA, *Rep. Egolf* — proposes an amendment to Article 11 of the Constitution of New Mexico to prohibit candidates from

soliciting or accepting campaign contributions from corporations or other business entities.  
(May affect school boards and the Public Education Commission)

- HJR 27 ALBUQUERQUE SCHOOL ELECTION DISTRICTS, *Rep. Maestas* — approves the resolution of the Albuquerque Public Schools' School Board to establish election districts following the 2010 Federal Decennial Census. [Identical to SJR 16]

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- HM 3 **AMPLE OUTDOOR OPPORTUNITIES FOR CHILDREN [SGND]**, *Rep. Stewart* — supports the idea that every New Mexico child should have ample outdoor opportunities using existing resources. [Identical to SM 10]
- HM 5 PUBLIC EMPLOYEE RETIREMENT CHANGE OPTIONS, *Rep. Trujillo* — requests the Public Employees Retirement Association to assess options for changes to public employees retirement plans to reduce unfunded accrued actuarial liability with a goal to bring the funding status to 100 percent by 2041; and to report recommendations to the appropriate legislative interim committee no later than October 1, 2012.
- HM 6 **NM SPEECH-LANGUAGE & HEARING ASSOCIATION DAY (Passed H)**, *Rep. Stapleton* — proclaims February 15, 2012 as “New Mexico Speech-Language and Hearing Association Day” at the House of Representatives. [Related to SM 1]
- HM 7 **“AUTISM DAY,” [SGND]** *Rep. Sandoval* — declares January 18, 2012 as “Autism Day” in the House of Representatives and recognizes the New Mexico Autism Society for its long-standing work and advocacy. [Related to H 148, SM 4, and CS/SM 20]
- HM 8 **“ADULT BASIC EDUCATION DAY,” [SGND]** *Rep. Cook* — proclaims January 18, 2012 as “Adult Basic Education and Literacy Day” in the House of Representatives. [Related to H 13 and SM 6]
- HM 9 **“NEW MEXICO MESA DAY,” [SGND]** *Rep. Sandoval* — declares January 19, 2012 as “New Mexico MESA Day” in the House of Representatives. [Similar to SM 7]
- HM 11 **“DISABILITY RIGHTS AWARENESS DAY,” [SGND]** *Rep. E. Chávez* — declares January 24, 2012 as “Disability Rights Awareness Day” in the House of Representatives.
- HM 13 **REVIEW PUBLIC SCHOOL REPORTING REQUIREMENTS [SGND]**, *Rep. J.C. Hall* — requests that the Public Education Department, in collaboration with appropriate representatives from the New Mexico School Boards Association, the New Mexico Coalition of School Administrators, the New Mexico Coalition for Charter Schools, and other pertinent stakeholders, be requested to convene a work group to review current reporting requirements and report its findings and recommendations to the LESC, the Legislative Finance Committee, and the Governor no later than November 1, 2012. (For the LESC)
- HM 14 **“4-H DAY,” [SGND]** *Rep. J.C. Hall* — declares January 24, 2012 as “4-H Day” in the House of Representatives. [Identical to SM 21]

- HM 16**      **“ROY ‘PUFFY’ GONZALES DAY,”** [SGND] *Rep. Vigil* — declares February 2, 2012 as “Roy ‘Puffy’ Gonzales Day” in the House of Representatives.
- HM 17**      **“MEDICAID APPRECIATION DAY,”** [SGND] *Rep. Stewart* — proclaims January 24, 2012 as “Medicaid Appreciation Day” in the House of Representatives.
- HM 18**  
**CS/HM 18**      **INTEGRATED HEALTH PROGRAM ENROLLMENT** [SGND], *Rep. Stewart* — requests that the New Mexico Office of Health Care Reform and the Human Services Department implement an integrated enrollment system for Medicaid, any health insurance exchange, and basic health program coverage.
- HM 21a**      **RECOGNIZE YOUTH ADVISORY BOARDS & COUNCILS** [SGND], *Rep. Irwin* — requests that municipalities create and support youth advisory boards, councils, or commissions and recognize the contributions that those entities make to their communities.
- HM 22**      **“SCHOOL NUTRITION DAY,”** [SGND] *Rep. King* — declares January 26, 2012, as “School Nutrition Day” in the House of Representatives. [Identical to SM 8]
- HM 23**      **MORRILL ACT & NMSU MISSION, IN RECOGNITION** [SGND], *Rep. Nuñez* — recognizes and celebrates the sesquicentennial anniversary of the signing of the Morrill Act of 1862 and subsequent federal legislation that created and enhanced the mission of New Mexico State University, New Mexico’s land-grant college. [Identical to SM 23]
- HM 25**      **DEVELOP SCHOOL BULLYING PREVENTION PROGRAMS** [SGND], *Rep. Miera* — encourages school districts to engage parents and community members in the development of school bullying prevention programs.
- HM 26**      **“NEW MEXICO SCHOOL CHOICE WEEK,”** [SGND] *Rep. Miera* — declares the week of January 22, 2012 through January 28, 2012 “New Mexico School Choice Week” in the House of Representatives. [Identical to SM 24]
- HM 35**      **ROBERT M HAWK, IN MEMORY** [SGND], *Rep. Stapleton* — recognizes the life and contributions of former legislator and champion of children’s mental health issues, Robert M. Hawk.
- HM 37**      **“NATIONAL TRIO DAY,”** [SGND] *Rep. Vigil* — declares February 3, 2012 “National TRiO Day” in the House of Representatives to recognize the achievements of all TRiO programs and their role in advancing equal opportunity in postsecondary education.
- HM 40**      **“SUPPORT FOR NM ALLIANCE OF YMCAS DAY,”** [SGND] *Rep. J.W. Hall* — declares February 8, 2012 as “Support the New Mexico Alliance of YMCAs Day” in the House of Representatives.
- HM 42**      **STUDY TRAINING FOR EDUCATION CAREERS** [SGND], *Rep. Miera* — requests that the LESC establish a work group to study – in collaboration with the Public Education Department, state colleges of education, and certain other stakeholders – the sustainability

for future growth, recruitment, and training of high school students to pursue future careers in education.

- HM 43a** **STUDY PUBLIC HEALTH SCHOOL [SGND]**, *Rep. Cervantes* — requests that the Higher Education Department study the feasibility of establishing a School of Public Health in New Mexico and report its findings to the Legislative Health and Human Services Committee and to the Legislative Finance Committee by November 1, 2012
- HM 44a** **DEVELOP AUTISM SERVICE PLAN [SGND]**, *Rep. Sandoval* — requests that the state develop a service plan for autism spectrum disorder, through a dynamic planning process led by the Interagency Behavioral Health Purchasing Collaborative, with participation by a number of designated entities, as well as individuals and families affected by autism spectrum disorder, and other appropriate stakeholders, that builds on the tenets of previous plans and reports; and deliver the plan to the interim Legislative Health and Human Services Committee by November 1, 2012.
- HM 48** **JUVENILE JUSTICE PROFESSIONAL TRAINING [SGND]**, *Rep. Stewart* — requests that the Juvenile Justice Advisory Committee convene a task force to design and implement a professional training program for juvenile justice staff and juvenile justice system stakeholders pursuant to recommendations of the Juvenile Justice Gender-Responsive Task Force; and report to the interim Legislative Health and Human Services Committee on actions taken to implement the recommendations of the Juvenile Justice Gender-Responsive Task Force by October 1, 2012. (May affect public schools)
- HM 55** **HIGH SCHOOL MOCK TRIAL PROGRAM [SGND]**, *Rep. Miera* — recognizes the mock trial program in New Mexico and the hosting of the 2012 National High School Mock Trial Championship by the Center for Civic Values, the State Bar of New Mexico, and the University of New Mexico Law School in Albuquerque.
- HM 59** **ADDRESS INSTITUTIONAL RACISM**, *Rep. Maestas* — encourages every agency and entity that receives state funding to adopt a policy to address institutional racism no later than January 1, 2013. [Identical to SJM 29 and SM 33, and Related to S 309]
- HM 62a** **“NEW MEXICO FATHERS & FAMILIES DAY,” [SGND]** *Rep. A. Lujan* — recognizes that fathers matter to kids, kids matter to fathers, and families and communities are better off when fathers and children are positively engaged in each other’s lives; and declares August 10, 2012 “New Mexico Fathers and Families Day” in the House.
- HM 64** **SPEAKER BEN LUJAN, IN RECOGNITION [SGND]**, *Rep. W.K. Martinez* — recognizes the contributions to New Mexico by Speaker of the House of Representatives Ben Lujan and wishes him well on his retirement from the New Mexico Legislature. [Similar to HM 75 and SM 85]
- HM 65** **REP. AL PARK, IN RECOGNITION [SGND]**, *Rep. Cervantes* — expresses gratitude to Representative Al Park for his dedicated service to the people of New Mexico.
- HM 66** **REP. DANICE PICRAUX, IN RECOGNITION [SGND]**, *Rep. King* — recognizes the accomplishments of Representative Danice Picraux in the New Mexico House of Representatives.

- HM 67**      **COMPREHENSIVE STRATEGIC EDUCATION PLAN [SGND]**, *Rep. Stapleton* — requests that the Legislative Council convene a work group to develop a comprehensive strategic education plan to eliminate the achievement gap and increase the graduation rates of Hispanic, Native American, and African-American students; and requests that the LESC and the Legislative Finance Committee assist in staffing the work group.
- HM 68**      **RETAIN NMSU ROTC UNIT (Passed H)**, *Rep. Nuñez* — requests that the United States Air Force (USAF) retain the Reserve Officers Training Corps (ROTC) unit at New Mexico State University (NMSU) and calls upon the New Mexico Congressional Delegation, the Secretary of Defense, and the USAF to retain the presence of the Air Force ROTC program at NMSU. [Identical to SM 82]
- HM 71**      **“WOMEN’S HERITAGE MONTH,” (Passed H)** *Rep. E. Chavez* — declares March 2012 to be “Women’s Herstory Month” at the House of Representatives.
- HM 75**      **SPEAKER BEN LUJAN, IN RECOGNITION (Passed H)**, *Rep. Gonzales* — recognizes and honors the contributions to New Mexico by Speaker of the House of Representatives Ben Lujan and wishes him “vaya con dios” on his retirement from the New Mexico Legislature. [Similar to HM 64 and SM 85]
- HM 76**      **VIDEOCONFERENCING FOR INTERIM COMMITTEES**, *Rep. Brown* — requests that the New Mexico Legislative Council and the Legislative Council Service establish a pilot project to determine the efficacy of allowing interim committee members to attend meetings by real-time videoconference and report to the New Mexico Legislative Council on the success of the pilot project by December 31, 2012. [Related to HB 90]

### SENATE BILLS

- S 2**      **CRIMINAL RECORD EXPUNGEMENT ACT (Passed S/Passed H)**, *Sen. M. Sanchez* — creates the Criminal Record Expungement Act; provides for the expungement of arrest records and public records in certain circumstances; and clarifies that the term “public records” does not include records maintained by the Public Education Department.
- \*S 6**      **NEW MEXICO HEALTH INSURANCE EXCHANGE ACT**, *Sen. Feldman* — creates the New Mexico Health Insurance Exchange Act; forms the New Mexico Health Insurance Exchange as a nonprofit public corporation; increases access to health insurance in New Mexico (includes students attending educational institutions inside or outside New Mexico as qualified individuals); provides for the appointment, powers, and duties of a board of directors; allows the board to create an advisory committee made up of Native Americans, to guide the implementation of the Native American-specific provisions of the federal Patient Protection and Affordable Care Act of 2010 and the federal Indian Health Care Improvement Act; and establishes a New Mexico Health Insurance Exchange Fund.
- S 7**      **ESTABLISH BASIC HEALTH PROGRAM**, *Sen. Feldman* — amends the Public Assistance Act to direct the Human Services Department (HSD) to establish a basic health program for certain individuals who are not eligible for Medicaid; calls for HSD to

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coordinate the basic health program's benefits administration, enrollment, and eligibility to maximize the continuity of coverage between the basic health program and the Children's Health Insurance Program; and appropriates \$100,000 from the General Fund to HSD to establish and operate the basic health program. (May affect public schools)

- S 8  
CS/S 8      **PRIMARY CARE PHYSICIAN CONDITIONAL TUITION**, *Sen. Feldman* — appropriates \$300,000 from the General Fund to the Primary Care Physician Conditional Tuition Waiver Fund for expenditure in FY 13 and subsequent fiscal years to implement the Primary Care Physician Conditional Tuition Waiver Program.
- S 9  
CS/S 9a      **CORPORATE TAX RATES & COMBINED REPORTING (Passed S/Passed H)**, *Sen. Wirth* — reduces corporate income tax rates; and requires combined reporting for certain unitary corporations. (May affect public schools)
- S 13      **CRIME OF FAILURE TO REPORT DEATH OF A CHILD**, *Sen. Fischmann* — creates “Caylee’s Law”; creates misdemeanor crimes for failure to report the disappearance of a child and failure to report the death of a child; and provides penalties. (May affect public schools) [Similar to S 97 and H 276]
- S 14      **GUEST WORKER ACT**, *Sen. Fischmann* — creates the Guest Worker Act to provide a guest worker program for certain New Mexico resident foreign nationals; directs the Department of Workforce Solutions (DWS) to work with the US Immigration and Customs Enforcement of the US Department of Homeland Security regarding immigration reform; provides for driving privilege cards for certain New Mexico resident foreign nationals; creates penalties; imposes fees to be distributed to each school district for the purpose of providing defensive driving instruction; creates the Guest Worker Fund; and appropriates monies in the fund to DWS.
- S 16  
CS/S 16a      **STATE GRADUATE EMPLOYMENT TAX CREDIT (Passed S)**, *Sen. Keller/Rep. Smith* — adds new sections to the Income Tax Act and the Corporate Income and Franchise Tax Act to create a state graduate employment tax credit of \$5,000 of the gross wages paid to each qualified state graduate who is employed full-time in New Mexico by the taxpayer for at least seven months of the tax year; to clarify that a taxpayer claiming the credit is to be given preference if denied the credit the previous year due to the Taxation and Revenue Department reaching the cap; and to clarify that only post-baccalaureate life sciences, technology, engineering, mathematics, or health-related graduates qualify for the tax credit. (May affect public schools) [Similar to CS/S 99]
- S 17      **HYDROGEN FUEL PRODUCTION TAX CREDIT (Passed S)**, *Sen. Cisneros* — creates a new section of the Corporate Income and Franchise Tax Act to provide for a hydrogen fuel production corporate income tax credit. (May affect public schools)
- S 19a      **REIMPOSE COUNTY EDUCATION GROSS RECEIPTS (Passed S/Passed H)**, *Sen. Cisneros/Rep. Gonzales* — amends a section of the County Local Option Gross Receipts Taxes Act to provide authority for Taos County to reimpose the County Education Gross Receipts Tax; to include state-chartered and locally chartered charter schools in the sharing of revenues generated; and to update certain requirements to reflect current census data.



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- S 21  
CS/S 21 ENERGY TECHNOLOGY HIGHER ED ENDOWMENT FUND, *Sen. Keller* — adds new sections to the Tax Administration Act to create the Energy Technology Higher Education Endowment Fund to fund the curriculum, teaching, research, development, and commercialization of energy technologies; and requires an annual Legislative Finance Committee evaluation and report beginning in FY 18; and temporarily distributes a portion of gross receipts tax revenue to the fund.
- S 29 DEPOSIT & ACCOUNTING OF PUBLIC MONEY, *Sen. Keller/Rep J.C. Hall* — amends state law to clarify duties regarding the deposit and accounting of public money. (May affect public schools)
- S 30a STATE AGENCY SUNSHINE PORTAL REQUIREMENTS (**Passed S/Passed H**), *Sen. Rue* — expands the definition of “State Agency” in the Sunshine Portal Transparency Act to include any branch of state government and educational institutions; to require that the directory of state employee positions in the Sunshine Portal include identification by name unless 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; to provide other exceptions, including the employees of state contractors; and to clarify that no categories of information shall be added by regulation or otherwise to the Sunshine Portal without an act of the Legislature. (May affect public schools)
- S 31 SPECIAL NEEDS STUDENT SCHOLARSHIP ACT, *Sen. Ortiz y Pino* — creates the Special Needs Student Scholarship Act; provides for tuition scholarship organizations to grant educational scholarships to special needs students to attend certain schools; and creates income tax and corporate income tax credits not to exceed \$5.0 million for contributions to tuition scholarship organizations that provide educational scholarships for special needs students to attend certain schools of the student’s parents’ choice. [Similar to S 88, H 65, and H 166]
- \*S 32a **TEMPORARY UNEMPLOYMENT FUND CONTRIBUTIONS (Passed S/Passed H)**, *Sen. Smith* — establishes a temporary schedule for employer contributions to the Unemployment Compensation Fund. (May affect school districts)
- S 41 LIMIT INTERNATIONAL EQUITY INVESTMENTS, *Sen. Cisneros* — imposes a limit on the percentage of the Land Grant Permanent Fund that may be invested in international equities. (May affect public schools) [Related to H 21, HJR 1, HJR 2, HJR 15a, SJR 4a, and SJR 9]
- S 44a INTERNATIONAL ROBOT COMPETITION, *Sen. Asbill* — appropriates \$200,000 to the Public Education Department for expenditure in FY 13 to support training that prepares New Mexico students and teachers to participate in an international robot competition.
- S 45a  
CS/S 45 LOCOMOTIVE FUEL GROSS RECEIPTS (**Passed S**), *Sen. P. Griego* — reduces the amount of the capital investment required for a taxpayer to be eligible for the locomotive fuel deduction from gross receipts or from the compensating tax. (May affect public schools) [Identical to CS/H 47]
- S 49 ACCREDITED HOME SCHOOL LOTTERY SCHOLARSHIPS, *Sen. Eichenberg* — allows persons who complete, in New Mexico, a nationally accredited home-based high

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school educational program to receive legislative lottery scholarships; and defines graduation from a New Mexico high school to include seniors who participate in the high school's foreign exchange program and attend a foreign high school.

- S 50  
CS/CS/S 50      **LIMIT SCHOOL RETENTIONS THROUGH REMEDIATION (Passed S)**, *Sen. Lopez* — repeals the current remediation and promotion provisions in the Assessment and Accountability Act in the Public School Code and creates a new section in the act to provide that, beginning in school year 2012-2013, within the first three weeks of the school year, each student in grades K-8 be evaluated with a reading screening assessment and each student in grades 4-8 be evaluated with a mathematics screening assessment; to provide immediate implementation of intervention or remediation for non-proficient reading or mathematics students; to provide parental notification if a student does not progress after intervention or remediation by the end of the first grading period of the school year; to provide that a student who has not achieved grade-level proficiency after intervention or remediation be retained no more than one school year; to provide that, if a parent signs a refusal of retention notice, the student will be promoted to the next grade with an academic improvement plan; and to provide exemptions from the retention policies. [Similar to H 69a; and Related to H 53]
- S 51      **EDUCATIONAL RETIREES RETURNING TO WORK**, *Sen. Munoz* — amends the Educational Retirement Act so that retirees who return to work and do not suspend their retirement benefits are not required to pay employee contributions to the Educational Retirement Fund.
- S 53      **STATE INVESTMENT COUNCIL MEMBERSHIP & DUTIES (Passed S)**, *Sen. Neville* — amends state law to change the membership, powers, and duties of the State Investment Council; provides for the election of the Chair and Vice Chair of the Council; and extends reporting deadlines. (May affect school districts)
- \*S 57      **CHILD SEXUAL ABUSE PREVENTION TASK FORCE**, *Sen. García* — creates the Child Sexual Abuse Prevention Task Force; provides duties; and requires the task force to make recommendations to the Governor and the Legislature by December 1, 2012 for methods and practices to reduce child sexual abuse in New Mexico. (For the LESC) [Related to S 58 and H 128]
- S 58      **CRIMINAL SEXUAL PENETRATION OF CHILD UNDER 5**, *Sen. García* — amends state law to increase the penalty for criminal sexual penetration of a child under five years of age. (May affect public schools) [Related to \*S 57 and H 128]
- S 59a      **CHILD MURDER AS AGGRAVATING CIRCUMSTANCE (Passed S/Passed H)**, *Sen. García* — provides that the murder of a child under 13 years of age is an aggravating circumstance for purposes of capital felony sentencing; and provides that aggravating circumstances shall not be considered for a serious youth offender. (May affect public schools)
- S 63      **LOCAL GOVERNMENT TRANSPARENCY ACT**, *Sen. García* — creates the Local Government Transparency Act; provides for the development, operation, and maintenance of websites that provide public access to certain local government financial information;

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and appropriates \$100,000 to the Department of Finance and Administration to develop, operate, and maintain the local government portal. (May affect public schools)

- S 64 CHILD ABUSE PUBLIC AWARENESS CAMPAIGN, *Sen. García* — appropriates \$350,000 to the Children, Youth and Families Department to establish a child abuse public awareness campaign. (May affect public schools)
- \*S 65 SEVERANCE TAX BOND PROJECTS, *Sen. Cisneros* — authorizes the issuance of severance tax bonds; authorizes expenditures from certain funds and balances; establishes conditions for the reversion of unexpended balances; and makes appropriations, including \$2.5 million from the Public School Capital Outlay Fund to the Public School Capital Outlay Council to renovate and construct public school pre-kindergarten classrooms statewide. [Similar to \*CS/H 191a]
- \*S 66 **GENERAL OBLIGATION BOND PROJECTS (Passed S/Passed H)**, *Sen. Cisneros* —  
\*CS/S 66a creates the 2012 Capital Projects General Obligation Bond Act to authorize the issuance and sale of capital projects general obligation bonds to make capital expenditures for library acquisitions, construction for capital improvements, and acquisitions at institutions of higher education and state special schools; provides for a tax levy for payment of principal of, interest on, and certain costs related to the bonds; and requires approval of the registered voters at the 2012 General Election. [Similar to \*H 193]
- S 68 NEW BUSINESS CORPORATE INCOME TAX CREDIT, *Sen. Keller/Rep. Doyle* — provides a corporate income tax credit for new or expanded businesses; requires an incremental increase in employment to qualify for the credit; and provides for post-performance assessment of performance of the qualifying activities required for approval of the tax credit. (Succeeding entries: S 99) (May affect public schools)
- S 74 TAX CREDITS, DEDUCTIONS & REPORTING, *Sen. Fischmann* — provides income tax credits for certain services incurred between businesses; reduces the deduction for capital gains income; requires combined reporting for certain unitary corporations; and increases the motor vehicle excise tax. (May affect public schools)
- S 76 STATE NEW MARKETS TAX CREDITS, *Sen. Papen* — provides corporate income tax or premium tax credits for taxpayers who qualify for federal new markets tax credits and who invest in loans and other financing for businesses in certain low-income areas; provides for tax credit certificates to be tiered over seven years with five years of allowable carryover; and provides that taxpayer eligibility be determined and tax credit certificates be issued by the New Mexico Finance Authority. (May affect public schools)
- S 80 GENERAL APPROPRIATIONS ACT OF 2012, *Sen. Smith* — appropriates and authorizes expenditures by state agencies required by law and includes a total of \$2.4 billion for public school support.
- S 82 SCHOOL DISTRICT POLICE FORCES, *Sen. Neville/Rep. Rehm* — amends state law to authorize a school district to establish a police force with jurisdiction within the boundaries of the school district; requires specialized training; provides for a distribution to a school district police force from the Law Enforcement Protection Fund; and includes a sunset clause effective July 1, 2015.

- \*S 83 STATE FACILITY 5 YEAR MASTER PLANS (Passed S/Passed H), Sen. Ingle** — requires state agencies to submit five-year facilities master plans; provides for plan guidelines; provides additional duties for the Property Control Division of the General Services Department; authorizes short-term severance tax bonds to be issued; appropriates \$2.3 million of the proceeds from the sale of bonds to the Capital Program Fund to conduct a facility condition assessment of all state facilities; and appropriates \$1.0 million of the proceeds from the sale of bonds to the Property Control Division to conduct facilities master planning with state agencies to develop and design five-year master plans and updates for the State Capital Program.
- S 86 NEW MEXICO-GROWN PRODUCE IN SCHOOL LUNCHESES, *Sen. Campos* — appropriates \$1.4 million from the General Fund to the Board of Regents of New Mexico State University for the New Mexico Department of Agriculture to purchase New Mexico-grown fresh fruits and vegetables for school lunches.
- S 88 EQUAL OPPORTUNITY SCHOLARSHIP ACT, *Sen. Campos* — creates the Equal Opportunity Scholarship Act; provides for tuition scholarship organizations to grant educational scholarships to low-income students to attend certain schools; creates income tax credits for contributions to tuition scholarship organizations that provide educational scholarships for low-income students to attend certain schools of the student’s parents’ choice. [Identical to H 166, and Similar to S 31 and H 65]
- S 91a NO MOTOR VEHICLE CITATIONS IN CERTAIN CASES (**Passed S**), *Sen. Martinez* — amends the Motor Vehicle Code; provides that a person cited for no vehicle registration, insurance, or driver’s license shall not be convicted if the person produces evidence of compliance in court; and provides penalty assessments for certain Motor Vehicle Code violations, including passing a school bus.
- S 95 NATIVE AMERICAN SUICIDE PREVENTION, *Sen. Lovejoy* — appropriates \$150,000 from the General Fund to the Board of Regents of the University of New Mexico for a clearinghouse and technical assistance program on Native American suicide prevention. (May affect public schools)
- S 96a LIMIT SCHOOL RETENTIONS THROUGH INTERVENTIONS (**Passed S**), *Sen. Smith* — repeals and adds a section to the Public School Code to limit grade promotions by providing that a student who is not proficient in reading at the end of kindergarten or first or second grade may be retained and shall be provided with intensive remediation; provides that a student who is not reading proficiently at the end of third grade shall be retained and provided with intensive remediation; provides that, if a parent signs a refusal of retention notice, the student will be promoted to the next grade with an academic improvement plan; provides exceptions for retention; provides that a student who is not academically proficient at the end of grades 4 through 8 shall not be retained but be provided with intensive remediation; and provides for assessment, intervention and remediation programs to address deficiencies identified between kindergarten and grade 8. [Identical to H 54 and H 69a; and Related to Identical bills H 53 and CS/CS/S 50]
- S 97 CRIME OF FAILURE TO REPORT DEATH OF A CHILD, *Sen. Jennings* — adds a new section to the Criminal Code to create “Caylee’s Law”; creates new crimes of failure to

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report a death; and provides penalties. (May affect public schools) [Similar to S 13 and H 276]

- S 98 FAMILY, INFANT, TODDLER PROGRAM, *Sen. Morales* — appropriates \$2.1 million from the General Fund to the Department of Health to fund the Family, Infant, Toddler program.
- S 99 INCOME TAX CREDIT FOR NEW BUSINESSES, *Sen. Eichenberg* — adds a new section to the Corporate Income and Franchise Tax Act creating a business tax rebate for a corporate taxpayer that constructs or equips a new business or upgrades equipment or facilities for an existing business in New Mexico and files a corporate income tax return for a taxable year beginning on or after January 1, 2013 but before January 1, 2020; allowing the tax rebate to be claimed for seven consecutive years; establishing criteria to claim a rebate; and requiring the Taxation and Revenue Department to compile an annual report regarding any approved rebates for the taxable year. (CS/S 99 & 68) (May affect public schools) [Similar to CS/S 16a]
- \*S 101 HIGH-WAGE JOBS TAX CREDIT APPLICATION, *Sen. Eichenberg* — amends state law to clarify the application of the High-Wage Jobs Tax Credit; to define “benefits” and “wages”; and to extend the credit for three years. (CS/S 101 & 299) (May affect public schools) [Similar to \*H 245a and \*S 299]
- \*CS/S 101a
- S 103 NO LEGISLATOR LOBBYING FOR ONE YEAR, *Sen. Feldman* — adds a new section to the Lobbyist Regulation Act to prohibit former legislators from accepting compensation as lobbyists and to prohibit lobbyists’ employers from compensating former legislators as lobbyists for a period of one year after the end of the term for which the legislator was elected or appointed; and expands the scope of the Lobbyist Regulation Act to include attempting to influence the adoption, issuance, rescission, modification, or terms of a gubernatorial executive order, or a determination by a public officer or employee related to governmental procurement.
- S 108 NOTICE BEFORE REMOVING DRUGS FROM FORMULARIES, *Sen. Jennings* — amends the New Mexico Insurance Code, the Health Maintenance Organization Law, and the Nonprofit Health Care Plan Law to require notice to enrollees before reclassifying prescription drugs or removing prescription drugs from the formulary; and provides for contingent applicability in the event that federal law requires the state to make payments on behalf of enrollees to cover the difference in cost between preferred drugs and non-preferred drugs.
- S 112 “SCHOOL-AGE PERSON” DEFINITION, *Sen. Morales* — amends the Public School Code to include in the definition of “school-age person” a person who has not reached his or her 22<sup>nd</sup> birthday on the first day of the school year.
- S 115 PUBLIC EMPLOYEE SALARY TIERS & RETIREMENT, *Sen. Beffort* — amends the Public Employees Retirement Act to create additional salary tiers and changes the employee and employer contribution rates for certain retirement plans.
- S 117 ELECTIONS COMMISSION ACT, *Sen. Feldman* — creates the Elections Commission Act; creates the Office of Elections; creates the Elections Commission; provides powers

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and duties; transfers the Bureau of Elections to the Office of Elections; and transfers appropriations, money, functions, property, contractual obligations, and statutory references. (May affect school boards)

- S 118a SEX OFFENSE DAMAGE COMMENCEMENT (**Passed S**), *Sen. Curtis* — amends state law to provide that an action for damages for personal injury caused by certain sex offenses against a child shall be commenced before the child reaches the age of 35. (May affect public schools) [Identical to H 214, and Related to H 215]
- S 119a TRANSFER HEALTH INFO DATA MANAGEMENT (**Passed S**), *Sen. Beffort* — amends sections of the Health Information System Act to transfer data management duties from the New Mexico Health Policy Commission to the Department of Health (DOH); and creates a temporary provision to transfer all property, records, and contracts directly relating to data management duties under the Health Information System Act to DOH, with the exception of the Health Care Workforce Database that the University of New Mexico administers pursuant to the Health Care Work Force Data Collection, Analysis and Policy Act. (May affect public schools)
- S 122 SALVAGE VEHICLE DEFINITIONS & SALES, *Sen. Morales* — amends the Motor Vehicle Code to address salvage vehicles, including school buses; defines “salvage vehicle pool”; provides for licensing as a dealer; addresses the sale of salvage vehicles; and appropriates \$100,000 from the General Fund to the Taxation and Revenue Department to implement the licensing of salvage vehicle pools as dealers in FY 13.
- S 123 MINORITY MATH, ENGINEERING & SCIENCE PROGRAM, *Sen. Nava* — appropriates \$100,000 from the General Fund for the minority Mathematics, Engineering and Science Achievement program.
- S 124 RURAL, LOW-INCOME CHILD LITERACY PROGRAMS, *Sen. Nava* — appropriates \$500,000 from the General Fund to the Public Education Department to provide supplementary literacy programs for children from rural low-income areas of the state.
- S 125 BEFORE & AFTER-SCHOOL PROGRAMS, *Sen. Nava* — appropriates \$4.0 million from the General Fund to the Public Education Department to provide funding for before- and after-school programs.
- S 126 HIGH-POVERTY CONCENTRATION SCHOOL SUPPORT, *Sen. Nava* — appropriates \$500,000 from the General Fund to the Public Education Department to provide teaching support in schools with high concentrations of poverty.
- S 127 EXPAND SCHOOL COMMUNITY SERVICE LEARNING, *Sen. Nava* — appropriates \$100,000 from the General Fund to the Public Education Department to support and expand community service learning opportunities for public school students statewide.
- S 128 NM TECH SUMMER SCIENCE PROGRAM, *Sen. Nava* — appropriates \$50,000 from the General Fund to the Board of Regents of the New Mexico Institute of Mining and Technology to support the Summer Science Program.

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- S 129  
CS/S 129 ARMED FORCES RETIREMENT PAY TAX CREDIT, *Sen. Sharer* — adds a new section of the Income Tax Act to create an exemption from the Income Tax Act for armed forces retirees; and removes the \$1,000 cap on the tax credit to make all of a retired service member's income eligible for a phased-in credit. (May affect public schools) [Similar to CS/H 162]
- S 133 FAMILY, INFANT, TODDLER PROGRAM, *Sen. Nava* — appropriates \$3.0 million from the General Fund to the Department of Health for expenditure in FY 13 for family, infant and toddler program services, including recruitment and retention of additional staff, program operation costs and increases, and identification and enrollment of eligible children.
- S 136 AT-RISK YOUTH PERFORMING ARTS EDUCATION, *Sen. P. Griego* — appropriates \$10,000 from the General Fund to the Local Government Division of the Department of Finance and Administration to support performing arts education for at-risk youth in Santa Fe County.
- S 137 ADULT LITERACY PROGRAMS, *Sen. P. Griego* — appropriates \$672,000 from the General Fund to the Cultural Affairs Department to pay for adult literacy programs statewide.
- S 138 AGRICULTURAL EQUIPMENT GROSS RECEIPTS, *Sen. Sapien* — adds a new section of the Gross Receipts and Compensating Tax Act to create limited term deductions from gross receipts and compensating taxes for certain agricultural capital equipment purchases and construction projects in New Mexico. (May affect public schools)
- S 139 NMFA COMMUNITY FINANCIAL INSTITUTION, *Sen. García* — authorizes the New Mexico Finance Authority (NMFA) to seek certification to be a community development financial institution; and authorizes NMFA to determine eligibility for certain economic development funding. (May affect public schools)
- S 141  
CS/S 141 AGRICULTURAL TRANSPORTATION TAX CREDIT, *Sen. P. Griego* — adds a new section of the Income Tax Act to create the Agricultural Transportation Income Tax Credit and the Agricultural Transportation Corporate Income Tax Credit, each at 20 percent of otherwise deductible business expenses directly related to the transportation of agricultural products. (May affect public schools)
- S 145 ANNUAL PROPERTY VALUATION LIMITS (**Passed S**), *Sen. Eichenberg* — extends the 3.0 percent limit on annual valuation increases to residential properties regardless of whether a change in ownership occurred in the prior tax year; and provides for a reduction in residential property value beginning in the year the property has a change of ownership or is valued as new construction. (May affect public schools)
- \*S 147a CYFD EMERGENCY PLACEMENT BACKGROUND CHECKS (**Passed S**), *Sen. Rue* — adds a new section to the Children's Code to allow the Children, Youth and Families Department to conduct federal criminal history record checks of adults residing in the home, when a child is subject to emergency placement in that home.

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- S 149 SCHOOL MEAL COMMODITIES DELIVERY, *Sen. Morales* — appropriates \$600,000 from the General Fund to the Human Services Department to provide for the delivery of commodities for school meal programs to elementary and secondary schools statewide. [Identical to H 59]
- S 150a EDUCATIONAL RETIREMENT CHANGES (**Passed S**), *Sen. Ingle* — among other  
CS/S 150 provisions, amends the Educational Retirement Act to: (1) increase the employee contribution rate for all Educational Retirement Board (ERB) members over a four-year period from 9.9 percent in FY 14 to 11.3 percent for FY 17 and thereafter; (2) phase in the increase in the employer contribution rate by 0.5 percent per year from 11.4 percent in FY 14 to 13.9 percent for FY 19 and thereafter; (3) allow employees who became members prior to July 1, 2012 to retire under current Tier 1 or Tier 2 retirement eligibility criteria, whichever are applicable; and (4) establish a third tier of retirement eligibility criteria, including a minimum retirement age of 55, for employees who become ERB members on or after July 1, 2012.
- S 152a HIGHER INCOME LEVEL SURTAX, *Sen. E. Griego* — amends the Income Tax Act to create a surtax for higher levels of taxable income. (May affect public schools)
- S 154 ADOLESCENT SUBSTANCE ABUSE TREATMENT, *Sen. Keller* — appropriates \$1.0 million from the General Fund to the Department of Health to provide adolescent substance abuse treatment and services in Bernalillo County.
- S 155 CHILD SEXUAL OFFENSES PROSECUTION TIME, *Sen. Curtis* — amends the Criminal Code to provide that the applicable time period for commencing prosecution for certain sex offenses against children shall not begin to run until the victim attains the age of 50.
- S 157 PARENTAL NOTIFICATION ACT, *Sen. Sharer* — creates the Parental Notification Act; establishes procedures when certain females request an abortion; provides for judicial hearings; provides for physician and Department of Health reporting on abortions received by certain females; and prescribes penalties. [Similar to H 51]
- \*S 161 PROJECT REAUTHORIZATIONS, *Sen. Cisneros* — reauthorizes or reappropriates balances; changes agencies and establishes conditions for the reversion of unexpended balances of appropriations made by the Legislature in prior years; and appropriates \$5.0 million of the unexpended balance of the appropriation to the Human Services Department to the Public Education Department to purchase school buses statewide. [Similar to \*CS/H 190]
- S 165 SANTA FE TEEN COURT SUPPORT, *Sen. Rodriguez* — appropriates \$50,000 from the General Fund to the First Judicial District Court to provide operational support for the Santa Fe Teen Court.
- S 166 CYFD DOMESTIC VIOLENCE PREVENTION, *Sen. Lopez* — appropriates \$500,000 from the General Fund to the Children, Youth and Families Department to fund the continuation and expansion of domestic violence prevention programs.



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- S 167 PREVENT BIRTHS AMONG ADOLESCENTS, *Sen. Lopez* — appropriates \$500,000 from the General Fund to the Department of Health to implement statewide comprehensive programming to prevent births among adolescents.
- S 168 REPEAL FILM PRODUCTION TAX CREDIT CAP, *Sen. P. Griego/Rep. Egolf* —  
CS/S 168 excludes qualified television series productions from the cap on the Film Production Tax Credit; and defines terms. (May affect public schools) [Identical to CS/H 85; and Related to H 117]
- S 171 NM STUDENTS IN DENTAL PROGRAM, *Sen. Jennings* — appropriates \$100,000 from the General Fund to the Higher Education Department to pay tuition, books, fees, and materials for four dental students from New Mexico in the dental program of the Western Interstate Commission for Higher Education.
- S 172 NAMING OF PUBLIC PROPERTY OR PROGRAMS, *Sen. Boitano/Rep. James* — prohibits public property or publicly funded programs to be named after living persons or public officials while they are in office; and requires a process for naming public property.
- S 173 ADULT BASIC EDUCATION, *Sen. Nava* — appropriates \$6.0 million from the General Fund to the Higher Education Department for Adult Basic Education.
- S 174 LEGISLATIVE APPROVAL FOR MEDICAID CHANGES, *Sen. Feldman* — creates a new section of the Public Assistance Act to require the Secretary of Human Services to obtain prior legislative approval before submitting certain changes to the state's Medicaid program through state plan amendments or waiver applications to federal authorities; and appropriates \$35,000 from the General Fund to the Human Services Department to provide the department with the administrative support necessary to seek legislative approval of Medicaid changes pursuant to state law.
- S 181a OUT-OF-STATE PURCHASE GROSS RECEIPTS (**Passed S**), *Sen. Beffort* — adds a new section of the Gross Receipts and Compensating Tax Act to provide a deduction from gross receipts for certain businesses for sales of services to out-of-state purchasers. (May affect public schools)
- \*S 186 ENMU CAREER TECHNICAL STUDENT PROGRAMS, *Sen. Campos* — appropriates \$800,000 from the General Fund to the Board of Regents of Eastern New Mexico University to fund operations for career-technical student programs statewide.
- S 187 **ELIMINATE CHILD DEVELOPMENT OFFICE & BOARD (Passed S/Passed H)**, *Sen. Kernan* — amends the Public School Finance Act to eliminate the Office of Child Development and the Child Development Board; and assigns certain duties, including preschool program monitoring, to the Children, Youth and Families Department.
- S 188a MEDICAL EQUIPMENT & SUPPLY GROSS RECEIPTS, *Sen. Papen* — amends the Gross Receipts and Compensating Tax Act to provide a deduction from gross receipts for sales of durable medical equipment and medical supplies by a taxpayer whose gross receipts are no less than 90 percent derived from the sale of prescribed durable medical equipment or prescribed medical supplies. (May affect public schools)

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- S 192 CHARTER & START-UP SCHOOL CONTRACT TIME FRAME, *Sen. Sapien* — amends the Public School Finance Act to provide that start-up charter schools and renewing charter schools must enter into charter contracts with their chartering authorities within certain time frames. (For the LESC)
- S 195 ADULT LITERACY PROGRAMS, *Sen. Ulibarri* — appropriates \$347,200 from the General Fund to the State Library to fund adult literacy programs.
- S 196a SCHOOLS FOR DEAF & BLIND CAPITAL OUTLAY (Passed S/Passed H)**, *Sen. Nava* — amends the definitions in the Public School Capital Outlay Act to: provide for the facilities at the New Mexico School for the Blind and Visually Impaired and the New Mexico School for the Deaf to be eligible for Public School Capital Outlay Act funding; remove the schools from the Higher Education Department's capital outlay bill; make them part of the Public School Facilities Authority process; and give the schools a 50 percent local match. (For the Public School Capital Outlay Oversight Task Force and the LESC)
- S 197 FELONIES BY PUBLIC OFFICIALS [SGND (Feb. 20) Ch. 3]**, *Sen. Payne* — creates a new section of the Criminal Sentencing Act to enhance sentences for felonies relating to public officials. (May affect school boards, the Public Education Commission, and the Public Education Department)
- S 201 CRIME OF STATE AUDIT OBSTRUCTION, *Sen. P. Griego* — adds a new section to the Audit Act to create a new criminal offense of obstruction of a state audit; and prescribes penalties. (May affect school districts)
- S 203 PHARMACIST & CLINICIAN TAX CREDIT, *Sen. Ortiz y Pino* — expands the Rural Health Care Practitioner Tax Credit to provide for an income tax credit for pharmacists and pharmacist clinicians. (May affect public schools)
- S 205a SCHOOL DISTRICT FINANCIAL FLEXIBILITY (**Passed S**), *Sen. Nava* — provides flexibility to school districts and charter schools during the period of decreased funding; and suspends the requirements in the Public School Code for the standards-based assessment in social studies and a college placement assessment in 11<sup>th</sup> grade for school year 2012-2013.
- S 207 INTERNET SALES GROSS RECEIPTS, *Sen. E. Griego* — amends the Gross Receipts and Compensating Tax Act to provide collection of the Gross Receipts and Compensating Tax of certain internet sales of goods and services. (May affect public schools) [Similar to H 233]
- S 208 SCHOOL & COLLEGE CITIZEN BOND COMMITTEES, *Sen. Munoz* — adds a new section to the College District Tax Act to require college districts and school districts to create Citizens' Bond Oversight Committees when they have outstanding bonds; and provides powers and duties, which include the issuance of an annual report of the committees' activities, findings, and recommendations.
- S 209 SCHOOL DISTRICT FINANCIAL FLEXIBILITY (Passed S/Passed H)**, *Sen. Asbill* — amends the Public School Code to provide flexibility to school districts to meet state

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fiscal solvency requirements by allowing the Secretary of Public Education to waive requirements of the Public School Code, and rules promulgated in accordance with that code, pertaining to individual class load, teaching load, length of school day, staffing patterns, subject areas, and purchases of instructional materials. (For the LESC)

- S 214 PUBLIC PROCUREMENT BEST & FINAL OFFERS, *Sen. Asbill* — adds a new section to the Procurement Code to clarify circumstances under which a best and final offer price may be negotiated. (For the Public School Capital Outlay Oversight Task Force)
- S 221 DOÑA ANA AUTISM CENTER, *Sen. Nava* — provides for a Southern New Mexico Autism Spectrum Disorders Center in Doña Ana County; and appropriates \$220,000 from the General Fund to the Public Education Department for distribution to Las Cruces Public Schools for operating expenses of the Southern New Mexico Autism Spectrum Disorders Center.
- S 222 BUSINESS IMPROVEMENT BENEFIT FEES, *Sen. Munoz* — creates a new section of the Income Tax Act to provide for a credit from net income for business improvement benefit fees of certain business improvement districts. (May affect public schools)
- S 223 SCHOOL BEHAVIORAL HEALTH INTERVENTIONS, *Sen. Papen* — provides programs to assist students who are enrolled in public schools that have been ranked with a D or F during school year 2011-2012 according to the provisions of the A-B-C-D-F Schools Rating Act; appropriates \$2.15 million from the General Fund to the Department of Health for the Office of School and Adolescent Health in the Health Systems Bureau to provide quality behavioral health support services; and appropriates \$2.15 million from the General Fund to the Public Education Department for school-based, after-school programs that deal with suicide prevention, bullying, and substance abuse.
- S 226 DYED SPECIAL FUEL GROSS RECEIPTS, *Sen. Harden* — creates a new section of the Gross Receipts and Compensating Tax Act to provide a deduction from gross receipts paid for special fuel that is dyed. (May affect public schools)
- S 227 ENMU NURSING PROGRAM, *Sen. Ingle* — appropriates \$100,000 from the General Fund to the Board of Regents of Eastern New Mexico University to fund scholarships and instructional support in the Bachelor of Science in Nursing program.
- S 228 PUBLIC EMPLOYEE RETIREMENT CONTRIBUTIONS, *Sen. Morales* — amends the Public Employees Retirement Act to reduce employee contribution rates and increase employer contribution rates for certain retirement plans on and after July 1, 2012. (May affect public schools) [Identical to H 226]
- S 229 REPEAL GROSS RECEIPTS ACT, *Sen. Smith* — repeals the Gross Receipts and Compensating Tax Act. (May affect public schools)
- S 230 CHILD DAYCARE SERVICE GROSS RECEIPTS, *Sen. Sapien* — adds a new section of the Gross Receipts and Compensating Tax Act to provide a deduction from gross receipts for receipts from the state for child daycare services for eligible families. (May affect public schools)

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- S 232 CAPITAL OUTLAY FOR MID SCHOOL SCIENCE NEEDS, *Sen. Nava* — amends the Public School Capital Outlay Act to designate a portion of the Public School Capital Outlay Fund to be used each year for a five-year period to address middle school science facility needs.
- \*S 234 FRAUD AGAINST TAXPAYERS ACT PUBLIC LIABILITY, *Sen. Ryan* — amends the Fraud Against Taxpayers Act to provide that sovereign immunity of a governmental entity and a public employee acting within the scope of duty is not waived for claims brought pursuant to the Fraud Against Taxpayers Act; and to provide that, in the event a public employee is sued under that act, a governmental entity shall not provide a defense or pay any costs, judgment, or settlement. (May affect public schools)
- S 235a LIMIT ISSUANCE OF DRIVER'S LICENSES (**Passed S**), *Sen. Jennings* — amends the Motor Vehicle Code to limit the issuance of driver's licenses; to limit the duration of driver's licenses of certain foreign nationals; to provide the cancellation of certain driver's licenses; to require additional identification and proof of residency, which may include school records, for foreign nationals; to increase penalties; and to impose new penalties. [Similar to \*CS/CS/H 103a]
- S 236 DEVELOPMENTAL DISABILITIES PROGRAMS, *Sen. Rodriguez* — appropriates \$2.5 million from the General Fund to the Department of Health for state developmental disabilities programs. [Identical to H 172]
- S 239 SCIENCE & TECHNOLOGY DISTANCE EDUCATION, *Sen. Fischmann* — appropriates \$200,000 from the General Fund to the Public Education Department for an online blended learning distance education program that will develop online courses in science, technology, engineering, and mathematics for delivery statewide and for public school use of the education gateway sites at New Mexico public postsecondary educational institutions.
- S 241 NATURAL GAS SALE GROSS RECEIPTS, *Sen. Munoz/Rep. Gentry* — adds a new section of the Gross Receipts and Compensating Tax Act to create the Natural Gas-Fired Power Plant Tax Credit; and to allow a deduction for the sale of natural gas to power plants. (May affect public schools)
- \*S 245 COUNTY RECORD INDEXING, *Sen. Ulibarri* — amends the Inspection of Public Records Act to update certain provisions concerning indexing of county records; and to provide for protection of state, county, and municipal databases. (May affect public schools)
- S 246 EDUCATION TRUST FOR STATE INVESTMENT COUNCIL, *Sen. Munoz* — amends the Education Trust Act to change the administration of the act to the State Investment Council; and to eliminate the Education Trust Board.
- S 248 ALBUQUERQUE COMMUNITY SCHOOLS INITIATIVE, *Sen. Keller* — appropriates \$250,000 from the General Fund to the Public Education Department for a full-service community schools initiative in Albuquerque Public Schools for middle and high schools to coordinate, integrate, and expand school-based and community-based health-care,

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family involvement, and family support with the goal of eliminating nonacademic barriers to learning. [Related to S 252]

- S 250 SANTA FE BOYS & GIRLS CLUB, *Sen. P. Griego* — appropriates \$40,000 from the General Fund to the Local Government Division of the Department of Finance and Administration to support programs at the Boys and Girls Club of Santa Fe.
- S 252 GADSDEN COMMUNITY SCHOOLS INITIATIVE, *Sen. Nava* — appropriates \$100,000 from the General Fund to the Public Education Department for a full-service community schools initiative in Gadsden Independent Schools for middle and high schools to coordinate, integrate, and expand school-based and community-based health-care, family involvement, and family support with the goal of eliminating nonacademic barriers to learning. [Related to S 248]
- S 253 REMOVE SCHOOL FOR ARTS MONEY RESTRICTIONS (**Passed S**), *Sen. Nava* — amends the Public School Code to remove the restriction against the use of state money for outreach activities and room and board expenses for students at the New Mexico School for the Arts.
- S 254 SUPPORT FOR ADOLESCENTS WITH AUTISM, *Sen. Nava* — appropriates \$220,000 from the General Fund to the Public Education Department for academic and behavioral support for adolescents with autism spectrum disorders, including professional development, in the Las Cruces, Hatch Valley, and Gadsden school districts.
- S 256a TRIBAL COLLEGE DUAL CREDIT PROGRAMS (**Passed S/Passed H**), *Sen. Pinto* — creates the Tribal College Dual Credit Program Fund to be administered by the Higher Education Department; and provides that money in the fund is to be used to compensate tribal colleges for the tuition and fees that they waive for dual credit students.
- S 257 RULEMAKING PROCEDURES & IMPACT STATEMENTS, *Sen. Boitano* — amends the State Rules Act to create requirements for proposing, adopting, amending, or repealing rules in a uniform manner across all state agencies; to amend and enact sections of the State Rules Act to require regulatory impact statements under certain circumstances; and to amend the Small Business Regulatory Relief Act. (May affect the Public Education Department)
- \*S 258  
\*CS/S 258 COMMUNITY PROVIDER PAYMENTS (**Passed S**), *Sen. P. Griego* — amends the Indigent Hospital and County Health Care Act to provide that certified public expenditures may be counted in the county contribution for support of sole community provider payments to cover ambulance transportation and medical costs for indigent patients, including indigent minors. (May affect public schools)
- S 260 SMALL BUSINESS GROSS RECEIPTS, *Sen. Boitano* — adds a new section of the Gross Receipts and Compensating Tax Act to provide a deduction from gross receipts for certain small businesses. (May affect public schools) [Identical to H 189]
- S 261 DEVELOPMENTALLY DISABLED MEDICAID WAIVERS, *Sen. Jennings* — appropriates \$129.7 million from the General Fund to the Department of Health to fund

the Developmentally Disabled Medicaid Waiver Program and its associated waiting list.  
(May affect public schools)

- S 262 HIGHER ED DIGITAL & ONLINE LEARNING, *Sen. Campos* — appropriates \$1.25 million from the General Fund to the Higher Education Department to support innovative digital education and online learning programs for students in New Mexico institutions of higher education. [Related to S 273, S 314, and H 292]
- S 266 GED EDUCATIONAL TRAINING, *Sen. Ortiz y Pino* — appropriates \$100,000 from the General Fund to the Local Government Division of the Department of Finance and Administration to provide educational training for individuals attempting to attain their General Educational Development certificates in Bernalillo County. [Similar to H 267]
- S 269a SCHOOL LEADERSHIP INSTITUTE, *Sen. Kernan* — appropriates \$200,000 from the General Fund to the Board of Regents of the University of New Mexico for the New Mexico School Leadership Institute for operating expenses and matching funds to leverage private funding for the institute's public-private partnership initiatives.
- S 270 BOOKS FOR STATEWIDE READING PROGRAM, *Sen. Morales* — appropriates \$500,000 from the General Fund to the Public Education Department for children's books for a statewide reading program.
- S 273 DIGITAL EDUCATION & ONLINE LEARNING, *Sen. Cisneros* — appropriates \$1.25 million from the General Fund to the Public Education Department to support innovative digital education and online learning in New Mexico for pre-kindergarten through high school programs; and appropriates \$1.25 million from the General Fund to the Higher Education Department to support innovative digital education and online learning in New Mexico for higher education programs. [Related to S 262, S 314, and H 292]
- S 276 MANUFACTURING PROPERTY GROSS RECEIPTS (**Passed S**), *Sen. Ingle* — amends  
CS/S 276 the Gross Receipts and Compensating Tax Act to expand a deduction from gross receipts for tangible personal property to include property consumed in the process of manufacturing. (May affect public schools) [Related to S 311a and H 256a]
- S 284 NM HIGHLANDS WRESTLING PROGRAM, *Sen. Rodriguez* — appropriates \$200,000 from the General Fund to the Board of Regents of New Mexico Highlands University to fund a wrestling program.
- S 285 UNM HEPATITIS C PROGRAM, *Sen. Rodriguez* — appropriates \$1.0 million from the General Fund to the Board of Regents of the University of New Mexico (UNM) to support a Hepatitis C program through the Project Extension for Community Healthcare Outcomes at the UNM Health Sciences Center.
- S 287a PROCUREMENT CODE EMERGENCY PROCUREMENTS (**Passed S**), *Sen. Rue* — amends the Procurement Code to exempt procurements otherwise exempted under other law; to require additional procedures for sole source and emergency procurement; to restrict who may make emergency procurements; and to increase penalties for violating the Procurement Code. (May affect public schools)

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- S 288 OVERSIGHT & GOVERNMENT REFORM COMMITTEE, *Sen. Jennings* — adds a new section of state law to create the Interim Oversight and Government Reform Committee; and to provide powers and duties, which may include review of the conduct of any legislator, public officer, or employee covered by the Governmental Conduct Act. (May affect school districts and the Public Education Department)
- S 290 HEALTH INSURANCE MANDATES, *Sen. Feldman* — amends and creates sections of the New Mexico Insurance Code, the Health Maintenance Organization Law, and the Nonprofit Health Care Plan Law to prohibit lifetime or annual limits; to provide for guaranteed issuance of coverage; to ban preexisting condition exclusions and excessive waiting periods; to mandate coverage for individuals under the age of 26, including out-of-state students, who seek coverage under their parents' coverage; and to require that insurers make rebates to their consumers when administrative losses exceed the statutory maximum.
- S 291 GRADES 6-8 CLASS CREDITS, *Sen. Eichenberg* — amends the Public School Code to require credits in certain language arts, social studies, math, and science classes in sixth through eighth grades.
- S 293  
CS/S 293 TEACHER & SCHOOL LEADER EFFECTIVENESS ACT, *Sen. Asbill* — adds a new section of the Public School Code to create the Teacher and School Leader Effectiveness Act; to provide for effectiveness evaluations for licensed school employees; to provide for the submission, review, and approval of district procedures, including standards for each effectiveness level and the measurement of student achievement growth; to provide assessment components for teacher effectiveness and student growth; to require post-evaluation actions for the compensation, promotion, suspension, discharge, or termination of licensed school employees; and to require the Public Education Department to convene an advisory committee during the development of the rules to implement the provisions of the act. [Identical to CS/H 249, and Related to CS/S 315 and CS/H 251a]
- S 296 NM FAMILY PRESERVATION COMMISSION, *Sen. Boitano* — creates the New Mexico Family Preservation Commission Act and the New Mexico Family Preservation Commission to foster better social, educational, health, and economic outcomes for children by strengthening fragile families; requires annual reports on marriage issues before October 1 each year to an appropriate legislative interim committee and the Governor; and sunsets the commission on July 1, 2016 and the act on July 1, 2017.
- \*S 299 HIGH-WAGE JOBS TAX CREDIT APPLICATION, *Sen. P. Griego* — amends state law to clarify the application of the High-Wage Jobs Tax Credit; to define “benefits” and “wages”; and to extend the credit for three years. (Succeeding entries: S 101) (May affect public schools) [Identical to \*H 245a, and Similar to \*CS/S 101a]
- S 303 HOMELESS CHILDREN SERVICES, *Sen. Papen* — appropriates \$150,000 from the General Fund to the Children, Youth and Families Department to provide child-care services to homeless children in Doña Ana County. [Identical to H 257]
- S 305 EDUCATIONAL RETIREMENT EMPLOYEE CONTRIBUTIONS, *Sen. Cisneros* — amends the Educational Retirement Act to provide for an increase in employee

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contributions; and to establish retirement eligibility requirements for persons who become members of the retirement plan on or after July 1, 2012. [Similar to H 269]

- S 308a FREEZE 2011 PROPERTY TAX RATES, *Sen. Eichenberg* — amends the Property Tax Code to freeze the property tax rates at the 2012 property tax year level for one year. (May affect public schools)
- S 309 STATE AGENCY INSTITUTIONAL RACISM REVIEWS, *Sen. Lopez* — creates a new section of the Human Rights Act to require state agencies to review their policies and practices to ensure that they do not contribute to institutional racism; to require guidelines; and to provide for compliance review. [Related to SJM 29 and SM 33]
- S 311a MANUFACTURING PRODUCT GROSS RECEIPTS (**Passed S**), *Sen. Sapien* — adds a new section of the Corporate Income and Franchise Tax Act to provide a Corporate Income Tax Credit for tangible personal property purchased to be incorporated into or consumed in the process of manufacturing a product; and requires the taxpayer to apply to the Department of Economic Development for a certificate of eligibility to claim the tax credit. (May affect public schools) [Related to CS/S 276 and H 256a]
- S 312 RURAL HEALTH PROFESSIONAL WORK FORCE MODEL, *Sen. Morales* — appropriates \$165,000 from the General Fund to the Department of Health to replicate and disseminate a successful health professional work force model in rural and underserved areas of the state that will encourage secondary students raised in rural communities to enter health professions.
- S 313 TEMPORARY GRADUATION REQUIREMENTS SUSPENSION, *Sen. M. Sanchez* — temporarily suspends certain graduation requirements during the Public Education Department's transition to assessments aligned to Common Core State Standards.
- S 314 DIGITAL EDUCATION & ONLINE LEARNING, *Sen. Morales* — appropriates \$1.25 million from the General Fund to the Public Education Department to support innovative digital education and online learning programs for students in pre-kindergarten through grade 12 in New Mexico public schools. [Related to S 262, S 273, and H 292]
- S 315  
CS/S 315 TEACHER EVALUATION FRAMEWORK, *Sen. Morales* — adds a new section of the School Personnel Act to create a council that includes teachers, administrators, and parents to make recommendations for a state teacher evaluation framework and a principal and head administrator evaluation framework; to require the Public Education Department to use the state teacher, principal, and head administrator evaluation framework to develop a state teacher, principal, and head administrator evaluation program that provides continuous opportunities for professional development and growth and clear objective standards for determining effectiveness and growth; to require school districts and charter schools to use the state teacher, principal, and head administrator evaluation program to evaluate effectiveness in teaching and to give teachers, principals, and head administrators a performance rating; and to give teachers, principals, and head administrators a performance rating upon which personnel decisions shall be made. [Identical to CS/H 251a, and Related to CS/S 293 and CS/H 249]



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- CS/S 352 CHARTER SCHOOL FACILITIES TASK FORCE, *Sen. Nava* — appropriates \$35,000 from the General Fund to the Public Education Department for a Charter School Facilities Task Force and a facilitator for the task force; and requires the task force to present its final report to the LESC, the Public School Capital Outlay Council, the Public School Capital Outlay Oversight Task Force, and other pertinent legislative committees and executive agencies.
- CS/S 353 DOÑA ANA GRAFFITI TASK FORCE, *Sen. Nava* — appropriates \$25,000 from the General Fund to the Local Government Division of the Department of Finance and Administration to establish a Graffiti and Vandalism Task Force in Doña Ana County; and requires the task force to report its recommendations to local government, state and local law enforcement, business owners, and other interested persons by November 1, 2012. (May affect public schools)

**SENATE JOINT MEMORIALS**

- SJM 1 **“BETTER HEARING & SPEECH MONTH,”** [SGND] *Sen. Papen/Rep. Stapleton* — requests that the Governor designate the month of May as “Better Hearing and Speech Month.”
- SJM 3  
CS/SJM 3 CREATE INTERIM HIGHER EDUCATION COMMITTEE (**Failed S**), *Sen. Keller/Rep. Chasey* — requests that the New Mexico Legislative Council create a two-year interim Legislative Higher Education Committee, which will develop recommendations and report to the Legislature by November 30, 2012 and again by November 30, 2013.
- SJM 4 CENTENNIAL PLAN TASK FORCE (**Passed S**), *Sen. Keller* — requests that the Governor, in collaboration with the Legislature, to establish the New Mexico Centennial Plan Task Force to develop a statewide strategic planning process; conduct an ongoing review of the planning process in New Mexico; generate plans to improve governmental accountability, efficiency, and organizational structure; and create a strategic roadmap for all major governmental functions, including education.
- SJM 5 INTERIM GOVERNMENT REFORM COMMITTEE, *Sen. Keller* — requests that the New Mexico Legislative Council create a Legislative Interim Government Reform Committee to continue the work of the 2010 Government Restructuring Task Force; to conduct a continuing study that evaluates the efficiency of the state’s agencies, programs, services, funding, and policies; and to report its findings and recommendations to each session of the Legislature on or before December 15 of each year.
- SJM 7 **“BEHAVIORAL HEALTH DAY,”** [SGND] *Sen. Papen* — declares February 8, 2012 as “Behavioral Health Day at the Legislature.” [Identical to HJM 11]
- SJM 13 STUDY SCHOOL DISTRICT ADMIN CHANGES, *Sen. Fischmann* — requests that the Public Education Department and the State Auditor name a work group to study school district administration reforms that allow superintendents to focus on student achievement, staff development, and parental and community involvement in public schools; and design a pilot project consisting of several school districts, and one or more regional education cooperatives or other joint powers of agreement organizations that would determine the efficacy of regional business management and accounting services and submit the pilot

project for legislative consideration; and that the group report its findings and recommendations, including its recommendations for a pilot project, to the LESC and the Legislative Finance Committee by November 1, 2012. (For the LESC) [Identical to HJM 1]

- SJM 14 UNIVERSITIES TO STUDY ECONOMIC DEVELOPMENT, *Sen. Fischmann* — requests that the Legislative Finance Committee (LFC), the Higher Education Department, and New Mexico's three research universities form a work group to study and make recommendations on the contributions that New Mexico's three research universities can make to the analysis of economic development and technology support proposals for tax and other preferences; and report its findings and recommendations to the LFC and other appropriate legislative interim committees by November 2012.
- SJM 19 NAME SANTA CLARA ARMORY AFTER REP. FOY [SGND], *Sen. Jennings* — requests that the Governor name the National Guard armory in Santa Clara after Representative Thomas P. Foy.
- SJM 23a EDUCATIONAL BARRIERS FOR PREGNANT TEENS (**Passed S**), *Sen. Nava* — requests that the Public Education Department create a statewide task force to assess and eliminate the barriers that pregnant and parenting teens face in completing their education; and includes the Teen Pregnancy Coalition among the members of the task force.
- SJM 26 STUDY WAYS TO IMPROVE EDUCATION (**Passed S**), *Sen. Nava* — requests that the LESC convene a work group to provide recommendations to the Legislature concerning methods for transforming public schools by improving student learning through innovative, next generation systems, including digital learning, distance education, and hybrid and blended learning in the elementary and secondary educational environment.
- SJM 27a STUDY SOLVENCY OF LOTTERY TUITION FUND, *Sen. Nava* — requests that the Higher Education Department, in cooperation with the LESC and the Legislative Finance Committee, appoint a task force to study the solvency of the Lottery Tuition Fund and make recommendations to the Governor and the First Session of the 51<sup>st</sup> Legislature by December 1, 2012. [Similar to HJM 14a]
- SJM 29 ADDRESS INSTITUTIONAL RACISM, *Sen. Lopez* — encourages every agency and entity that receives state funding to adopt a policy to address institutional racism. [Related to S 309 and SM 33]
- SJM 32 STUDY ACCOUNTABLE CARE MODEL FOR MEDICAID, *Sen. Feldman* — requests that the Human Services Department conduct a study on the potential benefits and costs of applying the accountable care organization model to the state's Medicaid health-care delivery and finance system. (May affect public schools)
- SJM 35 UNEATEN SCHOOL FRUITS TO SENIOR PROGRAMS (**Passed S**), *Sen. Nava* — encourages public school food service directors to establish procedures whereby uneaten fresh fruit can be donated to local senior meals programs.
- SJM 37 EVALUATE PUBLIC SCHOOL CAPITAL OUTLAY, *Sen. Munoz* — requests a study to evaluate the Public School Capital Outlay Act's ranking methodology and the Public

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School Facilities Authority's administration of the standards-based process; and requires the Legislative Finance Committee, in consultation and cooperation with the LESC, the Public School Capital Outlay Council, and the Public Education Department, to report the results of the study to the Legislature and the Governor by December 1, 2012, along with any recommendations for changes or adjustments to the ranking system.

- SJM 38** PUBLIC SCHOOL FUNDING RURAL ISOLATION UNITS (**Passed S**), *Sen. Lovejoy* — requests that the LESC study the provisions of law governing the rural isolation units provided through the Public School Funding Formula; and report its findings and recommendations to the appropriate interim legislative committee by December 1, 2012.
- SJM 43** TRANSPORTATION FUNDING FORMULA WORK GROUP (**Passed S**), *Sen. Lovejoy* — requests that the LESC, with the assistance of the Public Education Department, convene a transportation funding formula work group to study the equity of the current transportation distribution formula; and requests that the LESC report the findings and recommendations of its study to the Second Session of the 50<sup>th</sup> Legislature.
- SJM 48** SISTERS OF LORETTO 200<sup>TH</sup> ANNIVERSARY (**Passed S/Passed H**), *Sen. Ryan* — honors the Sisters of Loretto at the Foot of the Cross on the occasion of their 200<sup>th</sup> anniversary and thanks them for their teaching efforts over the last 160 years in New Mexico.
- SJM 52** INEZ BUSHNER GILL & MARALYN BUDKE MARKER (**Passed S/tbld/H**), *Sen. Kernan/Rep. Chasey* — recognizes the contributions and achievements of Inez Bushner Gill and Maralyn Budke by approving the placement of a New Mexico Historic Women's Marker at the State Capitol.

**SENATE JOINT RESOLUTIONS**

- SJR 4a** LAND GRANT PERMANENT FUND CHANGES, CA (**Passed S**), *Sen. Cisneros* — proposes to amend Article 12, Section 7 of the Constitution of New Mexico to preserve the Land Grant Permanent Fund by increasing the duty of care and increasing the limitations on investment so that up to 25 percent of the book value may be invested in international securities at any single time. [Related to H 21, HJR 1, HJR 2, HJR 15a, S 41, and SJR 9]
- SJR 7** NORTHERN NM STATE SCHOOL REGENTS, CA (**Passed S**), *Sen. Martinez* — proposes to amend Article 12, Section 13 of the Constitution of New Mexico to change the Board of Regents of Northern New Mexico State School by filling one regent position with a student.
- SJR 9** PERMANENT FUNDS FOR EDUCATION, CA, *Sen. M. Sanchez* — proposes to amend the Constitution of New Mexico to temporarily increase the distribution from the Land Grant Permanent Fund; to require a portion of the increased distribution from the Permanent School Fund to be used for early childhood education programs operated by the public schools or pursuant to contracts between the state and private entities for the benefit of non-school-age children; to extend indefinitely another distribution, with the requirement that the portion of the distribution from the Permanent School Fund be used to implement and maintain educational reforms; to provide an additional distribution for the sole benefit of public schools; and to suspend the distributions if the average value of the

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funds is less than \$8.0 billion, or if the Legislature, by a vote of three-fifths of the members elected to each House, votes to suspend the distribution. [Related to H 21, HJR 1, HJR 2, HJR 15a, S 41, and SJR 4a]

- SJR 12      51 PERCENT OF APPROPRIATIONS FOR SCHOOLS, CA, *Sen. Nava* — proposes an amendment to Article 12 of the Constitution of New Mexico by adding a new Section 16 to require that not less than 51 percent of all general appropriations for the operations of state government be made for support of public schools and pre-kindergarten programs. [Identical to HJR 20]
- SJR 13      SET LEGISLATIVE COMPENSATION EVERY DECADE, CA, *Sen. Feldman* — proposes an amendment to Article 4, Section 10 of the Constitution of New Mexico to create a commission to set legislative compensation no more frequently than once every decade and to repeal the current legislative per diem and mileage provisions.
- SJR 15      LOS LUNAS PROPERTY TRANSFER (**Passed S**), *Sen. M. Sanchez* — proposes the transfer of state-owned real property at the Los Lunas State Campus, Old Hospital Site, Los Lunas, New Mexico from the state to Los Lunas Public Schools.
- SJR 16      ALBUQUERQUE SCHOOL ELECTION DISTRICTS, *Sen. B. Sanchez* — approves the resolution of the Albuquerque Public Schools' School Board to establish election districts following the 2010 Federal Decennial Census. [Identical to HJR 27]

**SENATE MEMORIALS**

- SM 1      **NM SPEECH-LANGUAGE & HEARING ASSOCIATION DAY (Passed S)**, *Sen. Papen* — declares February 15, 2012 as “New Mexico Speech-Language and Hearing Association Day” at the Senate. [Related to HM 6]
- SM 4      **“AUTISM DAY,” [SGND]** *Sen. Feldman* — declares January 18, 2012 as “Autism Day” in the Senate and recognizes the New Mexico Autism Society for its long-standing work and advocacy. [Related to CS/SM 20, H 148, and HM 7]
- SM 6      **“ADULT BASIC EDUCATION & LITERACY DAY,” [SGND]** *Sen. Morales* — proclaims January 18, 2012 as “Adult Basic Education and Literacy Day” in the Senate. [Related to H 13 and HM 8]
- SM 7      **“NEW MEXICO MESA DAY,” [SGND]** *Sen. Campos* — declares January 19, 2012 as “New Mexico MESA Day” in the Senate. [Similar to HM 9]
- SM 8      **“SCHOOL NUTRITION DAY,” [SGND]** *Sen. Campos* — declares January 26, 2012 as “School Nutrition Day” at the Senate. [Identical to HM 22]
- SM 9      **“FOODCORPS & AMERICORPS DAY,” [SGND]** *Sen. Campos* — declares January 24, 2012 “Foodcorps and Americorps Day” in the Senate; and recognizes their efforts to reduce childhood obesity and produce a measurably healthier school food environment.

- SM 10**      **OUTDOOR OPPORTUNITIES FOR CHILDREN [SGND]**, *Sen. Nava* — supports the idea that every New Mexico child should have ample outdoor opportunities using existing resources. [Identical to HM 3]
- SM 11**      **UNM LAW & BUSINESS SCHOOLS OIL & GAS COURSES [SGND]**, *Sen. Payne* — requests that the University of New Mexico School of Law and Anderson School of Management study the feasibility of increasing their respective oil and gas course offerings in efforts to become important sources for leadership in the subject areas related to the oil and gas industry. (May affect public schools)
- SM 13**      **“ROTARY EXCHANGE STUDENT DAY,” [SGND]** *Sen. McSorley* — declares February 3, 2012 “Rotary Exchange Student Day” in the Senate.
- SM 15**      **“COMMUNITY HEALTH COUNCILS DAY,” [SGND]** *Sen. Morales* — declares January 19, 2012 as “Community Health Councils Day” in the Senate.
- SM 20a      **DEVELOP AUTISM SERVICE PLAN [SGND]**, *Sen. Ortiz y Pino* — requests that,  
CS/SM 20      with guidance from the Public Education Department, the state develop a service plan for autism spectrum disorder through a dynamic planning process that builds on the tenets of previous plans and reports by certain entities. [Related to SM 4, H 148, and HM 7]
- SM 21**      **“4-H DAY,” [SGND]** *Sen. Harden* — declares January 24, 2012 as “4-H Day” in the Senate. [Identical to HM 14]
- SM 23**      **MORRILL ACT & NMSU MISSION, IN RECOGNITION [SGND]**, *Sen. Papen* — recognizes and celebrates the sesquicentennial anniversary of the signing of the Morrill Act of 1862 and subsequent federal legislation that created and enhanced the mission of New Mexico State University, New Mexico’s land-grant college. [Identical to HM 23]
- SM 24**      **“NEW MEXICO SCHOOL CHOICE WEEK,” [SGND]** *Sen. Nava* — declares the week of January 22, 2012 through January 28, 2012 “New Mexico School Choice Week” in the Senate. [Identical to HM 26]
- SM 25**      **CONTRIBUTIONS OF YOUNG PARENTS IN NEW MEXICO [SGND]**, *Sen. García* — recognizes the needs and contributions of young parents in New Mexico and designates August 25, 2012 as a day of recognition of young parents.
- SM 27a**      **COVERAGE FOR CHILDREN HURT BY NEGLIGENCE (Passed S)**, *Sen. Curtis* — requests that the Legislative Health and Human Services Committee and the Courts, Corrections and Justice Committee study the Tort Claims Act lifetime medical cap and consider ways in which the state or its political subdivisions may obtain additional coverage for the expenses of providing medical care for children catastrophically injured by public employees. (May affect public schools)
- SM 31**      **“CHILDREN’S CANCER FUND OF NEW MEXICO DAY,” [SGND]**  
*Sen. M. Sanchez* — recognizes the difference made by the Children’s Cancer Fund of New Mexico and declares February 1, 2012 “Children’s Cancer Fund of New Mexico Day” in the Senate.

- SM 33**      **ADDRESS INSTITUTIONAL RACISM (Passed S)**, *Sen. Lopez* — encourages every agency and entity that receives state funding to adopt a policy to address institutional racism. [Related to S 309 and SJM 29]
- SM 39**      **SCHOOL BULLYING PREVENTION PROGRAMS (Passed S)**, *Sen. García* — encourages school districts to engage parents and community members in the development of school bullying prevention programs.
- SM 42**      **INTEGRATED HEALTH PROGRAM ENROLLMENT**, *Sen. Morales* — requests that the New Mexico Office of Health Care Reform, the Human Services Department (HSD), and the Taxation and Revenue Department (TRD) implement an integrated enrollment system for Medicaid, any health insurance exchange, and basic health program coverage; and requests that the New Mexico Office of Health Care Reform, HSD, and TRD make periodic and final reports on the implementation of an integrated enrollment system for Medicaid, any health insurance exchange, and any basic health program coverage to the interim Legislative Health and Human Services Committee. (May affect public schools)
- SM 44**      **UNM PRESIDENT DAVID SCHMIDLY, IN RECOGNITION [SGND]**, *Sen. Payne* — recognizes University of New Mexico President David Schmidly.
- SM 47**      **NEA NEW MEXICO, IN RECOGNITION**, *Sen. M. Sanchez* — recognizes the contributions of the National Education Association-New Mexico, which celebrated its 125<sup>th</sup> anniversary in 2011.
- SM 49**      **STUDY NM RARE EARTHS INDUSTRY**, *Sen. Sharer* — requests the New Mexico Institute of Mining and Technology and the Energy, Minerals & Natural Resources Department to cooperate to perform a one-year feasibility study of the rare earths industry in New Mexico; and to report to the Legislature before the Senate Conservation Committee and the House Energy and Natural Resources Committee.
- SM 53**      **STUDY TRAINING FOR EDUCATION CAREERS (Passed S)**, *Sen. Nava* — requests that the LESC establish a work group to study, in collaboration with the Public Education Department, state colleges of education, and other stakeholders, the sustainability for future growth, recruitment, and training of high school students to pursue future careers in education.
- SM 55**      **STUDY HIGH INCIDENCE OF SEXUAL ASSAULT**, *Sen. Morales* — requests that the New Mexico Coalition of Sexual Assault Programs convene a task force to study the high incidence of sexual assault in New Mexico; and report to the interim Legislative Health and Human Services Committee and the Courts, Corrections and Justice Committee by November 1, 2012. (May affect public schools)
- SM 56**      **“NEW MEXICO FATHERS & FAMILIES DAY,” [SGND]** *Sen. Ortiz y Pino* — declares August 10, 2012 “New Mexico Fathers and Families Day” in the Senate.
- SM 60**      **PRE-K PROGRAM SUCCESS [SGND]**, *Sen. Beffort* — recognizes and celebrates the families, children, educators, administrators, and program staff who have contributed to the success of the New Mexico pre-kindergarten program.

- SM 65**      **SILVER & COBRE SCHOOL VOCATIONAL CENTER (Passed S)**, *Sen. Morales* — requests that the School of Education of Western New Mexico University and the Silver and Cobre school districts, together with the Higher Education Department and the Public Education Department, conduct a feasibility study to determine the need and resources for a vocational-technical training center for middle school and high school students in the Silver and Cobre school districts; and that, as the feasibility study progresses, the study group seek involvement from local stakeholders.
- SM 67**      **FEDERAL HEALTH INSURANCE EXCHANGE REPORT [SGND]**, *Sen. Jennings* — requests that the New Mexico Office of Health Care Reform report to and consult with the Legislature about expenditures and activities pursuant to the \$34.2 million Federal Health Insurance Exchange Establishment Grant; and provide periodic reports throughout calendar year 2012 on its expenditures and activities to the interim Legislative Health and Human Services Committee, the Legislative Finance Committee, and any other legislative committee or work group designated to oversee health-care reform implementation efforts in New Mexico. (May affect public schools)
- SM 69**      **STUDY YOUTH SPORTS COMMISSION CREATION**, *Sen. Rue* — requests that the Children, Youth and Families Department and the Department of Health convene a work group consisting of people involved in student athletics and youth sports activities, as well as professionals who treat youth sports-related injuries, to study and evaluate the concept and potential benefits of creating a Youth Sports Commission in New Mexico; and report its findings to the interim Legislative Health and Human Services Committee by November 1, 2012.
- SM 70**      **HEALTHCARE DELIVERY PILOT PROJECT**, *Sen. Sapien* — requests that the Children, Youth and Families Department, the Aging and Long-Term Services Department, the Department of Health, and the Human Services Department collaborate in creating a 12-month statewide pilot project to demonstrate clinical and technological efficiencies in the delivery of health care to Medicaid recipients living with multiple health conditions; and document and incorporate the results with the goal of ensuring the continuation of health services to the state’s low-income and disabled residents. (May affect public schools)
- SM 71**      **“YMCAS DAY,” [SGND]** *Sen. Ortiz y Pino* — declares February 8, 2012 “Support the New Mexico Alliance of YMCAs Day” in the Senate.
- SM 72**      **“FOREIGN LANGUAGE WEEK,”** *Sen. García* — declares the first week of March “Foreign Language Week” in the Senate.
- SM 73**      **STUDY COSTS OF ALL SCHOOL ASSESSMENTS (Passed S)**, *Sen. M. Sanchez* — requests that the LESC and the Legislative Finance Committee (LFC), in conjunction with the Public Education Department, conduct an analysis of the cost, both in instructional time and money, of all assessments of New Mexico students, including proposed assessments related to Common Core State Standards; and that the LESC and LFC report the results of the study to the 2013 Legislature and the Governor.

- SM 78**      **“FUTURE FARMERS OF AMERICA DAY,” [SGND]** *Sen. Harden* — declares February 9, 2012 “Future Farmers of America Day” in the Senate.
- SM 79**      **“NATIONAL ENTREPRENEURSHIP WEEK,” [SGND]** *Sen. M. Sanchez* — declares the week of February 18 through February 25, 2012 “National Entrepreneurship Week” in the Senate; and encourages New Mexico youth and adults to expand their knowledge, skills, and attitudes in order to be successful entrepreneurs.
- SM 80**      **DRUG POLICY TASK FORCE WORK,** *Sen. B. Sanchez* — requests that the University of New Mexico’s Robert Wood Johnson Foundation Center for Health Policy continue the work of the drug policy task force in order to complete its comprehensive statewide strategic plan based on the four-pillar approach; and requests that the task force present its final comprehensive plan to the Legislative Health and Human Services Committee or its Behavioral Health Services Subcommittee, the Legislative Finance Committee, the Courts, Corrections and Justice Committee, and other appropriate interim legislative committees by November 2012. (May affect public schools)
- SM 82**      **RETAIN NMSU ROTC UNIT (Passed S),** *Sen. Payne* — requests that the United States Air Force (USAF) retain the Reserve Officers Training Corps (ROTC) unit at New Mexico State University (NMSU) and calls upon the New Mexico Congressional Delegation, the Secretary of Defense, and the USAF to retain the presence of the Air Force ROTC program at NMSU. [Identical to HM 68]
- SM 84**      **SANDIA LABS & KIRTLAND AFB, IN RECOGNITION (Passed S),** *Sen. E. Griego* — recognizes the important mission and economic impact of Sandia National Laboratories and Kirtland Air Force Base on the nation and on New Mexico’s economy, security, and future.
- SM 85**      **SPEAKER BEN LUJAN, IN RECOGNITION (Passed S),** *Sen. M. Sanchez* — recognizes the contributions to New Mexico by Speaker of the House of Representatives Ben Luján and wishes him Godspeed upon his retirement from the New Mexico Legislature. [Similar to HM 64 and HM 75]
- SM 86**      **REVIEW A-B-C-D-F SCHOOL RATING SYSTEM (Passed S),** *Sen. Morales* — requests that the LESC and the Legislative Finance Committee (LFC), with the assistance of the Public Education Department, be requested to form a work group of education stakeholders to review the recent implementation of the A-B-C-D-F Schools Rating System; and that the work group report its findings and recommendations to the LESC and the LFC by October 31, 2012.

### SENATE RESOLUTION

- SR 2**      **SENATE COMMITTEE WEBCASTING,** *Sen. Feldman* — amends the Senate rules to require webcasting of committee meetings; and adopts the new Senate Rule 9-5-8 to state that a stream shall carry a notice to the effect that the stream is being produced for the benefit of the public and any political use is prohibited and that the stream is not an official record of the Senate’s proceedings.