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HOUSE BILL 540

46TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2004

INTRODUCED BY

Luciano "Lucky" Varela

AN ACT

RELATING TO GOVERNMENT REORGANIZATION; AMENDING STATE WORKFORCE  
DEVELOPMENT BOARD REPRESENTATION.

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

Section 1. Section 50-14-3 NMSA 1978 (being Laws 1999,  
Chapter 260, Section 3) is amended to read:

"50-14-3. STATE WORKFORCE DEVELOPMENT BOARD. --

A. The "state workforce development board" is  
created. The board consists of members as provided in the  
federal Workforce Investment Act of 1998 as follows:

- (1) the governor;
- (2) the speaker of the house of  
representatives shall appoint two members [of] from the house  
of representatives;
- (3) the president pro tempore shall appoint

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1 two members from the senate; and

2 (4) the governor shall appoint:

3 (a) the secretary of economic  
4 development or a governor-approved designee;

5 (b) the secretary of human services or a  
6 governor-approved designee;

7 (c) the secretary of labor or a  
8 governor-approved designee;

9 (d) the [~~superintendent of public~~  
10 ~~instruction~~] secretary of public education or a governor-  
11 approved designee;

12 (e) representatives of business to  
13 ensure that a majority of the members of the board are  
14 representatives of business;

15 (f) two representatives of organized  
16 labor nominated by organized labor;

17 (g) two chief elected officials;

18 (h) two representatives of organizations  
19 that have special knowledge and experience of youth training  
20 activities;

21 (i) two representatives of organizations  
22 that have experience and expertise in the delivery of workforce  
23 investment activities, including one chief executive officer of  
24 a community college; and

25 (j) one community-based organization

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1 that conducts training activities.

2 B. In making the appointments, the speaker of the  
3 house, the president pro tempore and the governor shall  
4 consider gender, ethnicity and geographic diversity.

5 C. A vacancy on the board shall be filled in the  
6 same manner as regular appointments are made for the unexpired  
7 portion of the regular term.

8 D. All terms shall be for four years.

9 E. A majority of the members of the board shall be  
10 representatives of business who are owners of businesses, chief  
11 executives or operating officers of businesses and other  
12 business executives or employers with optimum policymaking or  
13 hiring authority, including members of local boards.

14 F. The governor shall appoint one of the business  
15 representatives as chairman of the board.

16 G. The board shall meet at the call of the  
17 chairman.

18 H. A majority of the board members constitutes a  
19 quorum.

20 I. Members are eligible to be paid pursuant to the  
21 Per Diem and Mileage Act.

22 J. A member of the board may not vote on a matter  
23 under consideration by the board relating to provision of  
24 services by the member or by the entity the member represents,  
25 or that would provide direct financial benefit to the member or

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1 his immediate family, or that is an activity determined by the  
2 governor to be a conflict of interest as provided in the state  
3 plan prepared pursuant to the federal Workforce Investment Act  
4 of 1998. "

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