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SENATE BILL 347

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

Stephen H. Fischmann

AN ACT

RELATING TO ELECTIONS; PROHIBITING CERTAIN CONTRIBUTIONS AND SOLICITATIONS OF CONTRIBUTIONS BY PERSONS CONTRACTING WITH THE STATE LAND OFFICE; PROHIBITING CERTAIN CONTRACTS; PROVIDING PENALTIES.

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

SECTION 1. A new section of the Campaign Reporting Act is enacted to read:

"[NEW MATERIAL] CERTAIN CONTRIBUTIONS TO CANDIDATES FOR COMMISSIONER OF PUBLIC LANDS PROHIBITED--CERTAIN CONTRACTS PROHIBITED.--

A. A person that contracts with the state land office shall not make a contribution to or solicit contributions on behalf of:

- (1) a candidate for nomination or election to

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1 the office of commissioner of public lands or a campaign
2 committee established by the candidate; or

3 (2) a political committee:

4 (a) established by the commissioner of
5 public lands or an agent of the commissioner or in consultation
6 with or at the request of the commissioner or an agent of the
7 commissioner; or

8 (b) controlled by the commissioner of
9 public lands or an agent of the commissioner to aid or promote
10 the nomination or election of any candidate or candidates to a
11 state office.

12 B. A candidate or political committee described in
13 Subsection A of this section shall not accept or solicit a
14 contribution prohibited by that subsection.

15 C. A person who makes a contribution to or solicits
16 contributions on behalf of a candidate or political committee
17 described in Paragraph (1) or (2) of Subsection A of this
18 section shall not be eligible to enter into a contract with the
19 state land office:

20 (1) for the five-year period following the
21 date that the contribution or solicitation was made; and

22 (2) until one year following the expiration of
23 the term of the commissioner of public lands if the candidate
24 to whom the person made the prohibited contribution is elected
25 to and remains in office after that five-year period has run.

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1 D. For the purposes of this section, "person that
2 contracts with the state land office" means an individual or
3 other legal entity that has a current contract, or, beginning
4 on or after July 1, 2013, within the previous two years has
5 entered into a contract with the commissioner of public lands
6 that has a total value of one hundred thousand dollars
7 (\$100,000) or more for:

8 (1) the lease or other use of state land,
9 including but not limited to a grazing lease, a lease for the
10 development of oil and gas or other minerals, a business lease,
11 a planning lease, a commercial development agreement or a grant
12 of right of way, but not including a recreational permit or
13 other grant of temporary access for which the consideration
14 exchanged is of no or minimal value;

15 (2) the purchase or exchange of state land; or

16 (3) the rendition of services, including
17 professional services and financial services, or the furnishing
18 of any material, supplies or equipment.

19 E. In addition to any other penalty provided for in
20 the Campaign Reporting Act for a violation of the provisions of
21 that act, a contract with a person who has made a contribution
22 prohibited by this section may be rescinded if it is in the
23 best interests of the state; provided that a contract for the
24 sale or exchange of land that has been completed shall not be
25 subject to rescission.

1 F. Any contribution made in violation of the
2 provisions of this section shall be forfeited and deposited in
3 the current school fund."

4 SECTION 2. EFFECTIVE DATE.--The effective date of the
5 provisions of this act is July 1, 2011.

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