

FIFTY-THIRD LEGISLATURE
FIRST SESSION, 2017

SB 55/a

February 8, 2017

Mr. President:

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

SENATE BILL 55, as amended

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

1. Strike Senate Public Affairs Committee Amendments 2 and 4.
2. On page 1, line 12, strike ", CARELESS DRIVING".
3. On page 1, between lines 15 and 16, insert:

"SECTION 1. Section 3-17-1 NMSA 1978 (being Laws 1965, Chapter 300, Section 14-16-1, as amended) is amended to read:

"3-17-1. ORDINANCES--PURPOSES.--The governing body of a municipality may adopt ordinances or resolutions not inconsistent with the laws of New Mexico for the purpose of:

- A. effecting or discharging the powers and duties conferred by law upon the municipality;
- B. providing for the safety, preserving the health, promoting the prosperity and improving the morals, order, comfort and convenience of the municipality and its inhabitants; and
- C. enforcing obedience to the ordinances by prosecution in the municipal court and metropolitan courts and upon conviction the imposition of:
 - (1) except for those violations of ordinances described in Paragraphs (2) [~~and (3)~~] through (4) of this subsection, a fine of not more than five hundred dollars (\$500) or imprisonment for not more than ninety days, or both;

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(2) for a violation of an ordinance prohibiting driving a motor vehicle while under the influence of intoxicating liquor or drugs, a fine of not more than one thousand dollars (\$1,000) or imprisonment for not more than three hundred sixty-four days, or both; ~~and~~

(3) for a second or subsequent violation of an ordinance prohibiting reckless driving, a fine of not more than one thousand dollars (\$1,000) or imprisonment for not more than one hundred eighty days, or both; and

~~(3)~~ (4) for violations of an industrial user wastewater pretreatment ordinance as required by the United States environmental protection agency, a fine of not more than one thousand dollars (\$1,000) a day for each violation."".

4. On page 2, strike lines 13 through 25 in their entirety.
5. On page 3, strike lines 1 through 4 in their entirety.
6. Renumber the succeeding sections accordingly.

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Respectfully submitted,

Richard C. Martinez, Chairman

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 8 For 2 Against
Yes: 8
No: Martinez, McSorley
Excused: Moores
Absent: None

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