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SENATE BILL 943

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

L. SKIP VERNON

AN ACT

RELATING TO BARBERS AND COSMETOLOGISTS; AMENDING AND REPEALING
CERTAIN SECTIONS OF THE NMSA 1978.

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

Section 1. Section 61-17A-2 NMSA 1978 (being Laws 1993,
Chapter 171, Section 2) is amended to read:

"61-17A-2. DEFINITIONS. --As used in the Barbers and
Cosmetologists Act:

A. "barber" means a person, other than a student,
who for compensation engages in barbering;

B. "board" means the board of barbers and
cosmetologists;

C. "cosmetologist" means a person, other than a
student, who for compensation engages in cosmetology;

D. "electrologist" means a person, other than a

1 student, who for compensation removes hair from or destroys hair
2 on the human body through the use of an electric current applied
3 to the body with a needle-shaped electrode or probe;

4 E. "enterprise" means a business venture, firm or
5 organization;

6 [E.] F. "establishment" means an immobile beauty
7 shop, barber shop, electrology clinic, salon or similar place of
8 business in which cosmetology, barbering or electrolysis is
9 performed;

10 [F.] G. "esthetician" means a person, other than a
11 student, who for compensation:

12 (1) uses cosmetic preparations, including
13 makeup applications, antiseptics, powders, oils, clays or creams
14 [~~or massaging, cleansing, stimulating or manipulating~~] for the
15 purpose of preserving the health and beauty of the skin and
16 body;

17 (2) massages, cleans, stimulates or manipulates
18 the skin for the purpose of preserving the health and beauty of
19 the skin and body; or [~~performing similar work~~]

20 (3) performs activities similar to the
21 activities described in Paragraph (1) or (2) of this subsection
22 on any part of the body of a person;

23 [G.] H. "manicurist-pedicurist" means a person,
24 other than a student, who for compensation performs work on the
25 nails of a person and applies nail extensions or products to the

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1 nails for the purpose of strengthening or preserving the health
2 and beauty of the hands or feet; [~~and~~]

3 I. "sanitation" means the maintenance of sanitary
4 conditions to promote hygiene and the prevention of disease
5 through the use of chemical agents or products;

6 [~~H.-~~] J. "school" means a public or private
7 instructional facility approved by the board that teaches
8 cosmetology or barbering; and

9 K. "student" means a person enrolled in a school to
10 learn or be trained in cosmetology, barbering or electrolysis."

11 Section 2. Section 61-17A-5 NMSA 1978 (being Laws 1993,
12 Chapter 171, Section 5) is amended to read:

13 "61-17A-5. LICENSE REQUIRED [~~CERTIFICATION REQUIRED~~].--

14 A. Unless licensed pursuant to the Barbers and
15 Cosmetologists Act or exempted from the provisions of that act,
16 no person shall practice barbering or cosmetology for
17 compensation either directly or indirectly.

18 B. Unless licensed pursuant to the Barbers and
19 Cosmetologists Act, no person shall operate a school or
20 establishment for compensation.

21 C. Unless licensed pursuant to the Barbers and
22 Cosmetologists Act or exempted from the provisions of that act,
23 no person shall teach barbering, cosmetology or electrology for
24 compensation.

25 D. Unless [~~certified~~] licensed by the board pursuant

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1 to the Barbers and Cosmetologists Act, no person shall practice
2 as a manicurist-pedicurist, esthetician or electrologist for
3 compensation. "

4 Section 3. Section 61-17A-6 NMSA 1978 (being Laws 1993,
5 Chapter 171, Section 6) is amended to read:

6 "61-17A-6. BOARD CREATED--MEMBERSHIP. --

7 A. The "board of barbers and cosmetologists" is
8 created. The board shall be administratively attached to the
9 regulation and licensing department. The board shall consist of
10 nine members appointed by the governor. Members shall serve
11 three-year terms; provided that at the time of initial
12 appointment, the governor shall appoint members to abbreviated
13 terms to allow staggering of subsequent appointments. Vacancies
14 shall be filled in the manner of the original appointment.

15 B. Of the nine members of the board, five shall be
16 licensed pursuant to the Barbers and Cosmetologists Act and
17 shall have at least five years' practical experience in their
18 respective occupations. Of those five, two members shall be
19 licensed barbers, two members shall be licensed cosmetologists
20 and one member shall represent school owners. The remaining
21 four members shall be public members. Neither the public
22 members nor their spouses shall have ever been licensed [~~or~~
23 ~~certified~~] pursuant to the provisions of the Barbers and
24 Cosmetologists Act or similar prior legislation or have a
25 financial interest in a school or establishment.

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1 C. Members of the board shall be reimbursed pursuant
2 to the Per Diem and Mileage Act and shall receive no other
3 compensation, perquisite or allowance.

4 D. The board shall elect from among its members a
5 chairman and such other officers as it deems necessary. The
6 board shall meet at the call of the chairman, not less than four
7 times each year. A majority of members currently serving shall
8 constitute a quorum for the conduct of business.

9 E. No board member shall serve more than two full
10 consecutive terms and any member who fails to attend, after
11 proper notice, three meetings shall automatically be recommended
12 for removal unless excused for reasons set forth by board
13 regulation. "

14 Section 4. Section 61-17A-7 NMSA 1978 (being Laws 1993,
15 Chapter 171, Section 7) is amended to read:

16 "61-17A-7. BOARD POWERS AND DUTIES. --

17 A. The board shall:

18 (1) adopt and file, in accordance with the
19 State Rules Act, rules and regulations necessary to carry out
20 the provisions of the Barbers and Cosmetologists Act;

21 (2) establish fees;

22 (3) provide for the examination, licensure and
23 license renewal of applicants for licensure;

24 (4) establish standards for and provide for the
25 examination, [~~certification~~] licensure and license renewal [~~of~~

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1 ~~certification~~] of manicurists-pedicurists, estheticians and
2 electrologists;

3 (5) adopt a seal;

4 (6) furnish copies of rules and regulations and
5 sanitary requirements adopted by the board to each owner or
6 manager of an establishment, enterprise or school;

7 (7) keep a record of its proceedings and a
8 register of applicants for [~~certification or~~] licensure;

9 (8) provide for the licensure of barbers, [~~and~~]
10 cosmetologists, [~~the certification of~~] manicurist-pedicurists,
11 estheticians, [~~and~~] electrologists, [~~and the licensure of~~]
12 instructors, schools, enterprises and establishments;

13 (9) establish administrative penalties and
14 fines;

15 (10) create and establish standards and
16 fees for special licenses; [~~and~~]

17 (11) hire an executive director and such other
18 staff as is necessary to carry out the provisions of the Barbers
19 and Cosmetologists Act; and

20 (12) establish guidelines for schools to
21 calculate tuition refunds for withdrawing students.

22 B. The board may establish continuing education
23 requirements as requirements for licensure.

24 C. Any member of the board, its employees or agents
25 may enter and inspect any school, enterprise or establishment,

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1 at any time during regular business hours for the purpose of
2 determining compliance with the Barbers and Cosmetologists Act. "

3 Section 5. Section 61-17A-8 NMSA 1978 (being Laws 1993,
4 Chapter 171, Section 8) is amended to read:

5 "61-17A-8. LICENSURE REQUIREMENTS [~~FOR LICENSURE~~]- -
6 BARBERS. - -

7 A. A barber license shall be issued to any person
8 who files a completed application, accompanied by the required
9 fees and documentation, and who [~~submits satisfactory evidence~~
10 ~~that he~~]:

11 (1) has an education equivalent to the
12 completion of the second year of high school;

13 (2) is at least seventeen years of age;

14 (3) has completed a course in barbering of at
15 least [~~twelve~~] one thousand two hundred hours in a school
16 approved by the board; and

17 (4) has passed an examination approved by the
18 board.

19 B. The holder of a barber license has the right and
20 privilege to use the title "barber" [~~and~~], the initials "R. B."
21 following the holder's surname and to use a barber pole, the
22 traditional striped, vertical emblem of the barbering trade. "

23 Section 6. Section 61-17A-9 NMSA 1978 (being Laws 1993,
24 Chapter 171, Section 9) is amended to read:

25 "61-17A-9. LICENSURE REQUIREMENTS- - COSMETOLOGISTS. - -

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1 A. A cosmetologist license shall be issued to any
2 person who files a completed application, accompanied by the
3 required fees and documentation, and who [~~submits satisfactory~~
4 ~~evidence that he~~]:

5 (1) is at least seventeen years of age;

6 (2) has an education equivalent to the
7 completion of the second year of high school;

8 (3) has completed a course in cosmetology of at
9 least [~~sixteen~~] one thousand six hundred hours at a school
10 approved by the board; and

11 (4) has passed an examination approved by the
12 board.

13 B. [~~The holder of a cosmetologist license has the~~
14 ~~right and privilege to place the initials "R.C." immediately~~
15 ~~following his name to indicate his licensure as a cosmetologist~~]
16 The name of a licensed cosmetologist may be immediately followed
17 by the initials "R.C.", as a right and privilege of licensure."

18 Section 7. Section 61-17A-10 NMSA 1978 (being Laws 1993,
19 Chapter 171, Section 10) is amended to read:

20 "61-17A-10. [~~CERTIFICATION~~] LICENSURE REQUIREMENTS OF
21 MANICURISTS-PEDICURISTS, ESTHETICIANS AND ELECTROLOGISTS. --

22 A. The board shall provide for the [~~certification~~]
23 licensure of manicurists-pedicurists. The board shall issue a
24 manicurist-pedicurist [~~certificate~~] license to any person who
25 files a completed application, accompanied by the required fees

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1 and documentation, and who submits satisfactory evidence [~~that~~
2 ~~he complies~~] of compliance with all requirements established by
3 the board. [~~Any person holding a manicurist-pedicurist~~
4 ~~certificate has the right and privilege to place the initials~~
5 ~~"R.M." immediately following his name~~] The name of a licensed
6 manicurist-pedicurist may be immediately followed by the
7 initials "R.M.", as a right and privilege of licensure.

8 B. The board shall provide for the [~~certification~~]
9 licensure of estheticians. The board shall issue [~~a~~] an
10 esthetician [~~certification~~] license to any person who files a
11 completed application, accompanied by the required fees and
12 documentation, and who submits satisfactory evidence [~~that he~~
13 ~~complies~~] of compliance with all requirements established by the
14 board. [~~Any person holding an esthetician certificate has the~~
15 ~~right and privilege to place the initials "R.F." immediately~~
16 ~~following his name~~] The name of a licensed esthetician may be
17 immediately followed by the initials "R.F.", as a right and
18 privilege of licensure.

19 C. The board shall provide for the [~~certification~~]
20 licensure of electrologists. The board shall issue an
21 electrologist [~~certificate~~] license to any person who files a
22 completed application, accompanied by the required fees and
23 documentation, and who submits satisfactory evidence [~~that he~~
24 ~~complies~~] of compliance with all requirements established by the
25 board. [~~Any person holding an electrologist certificate has the~~

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1 ~~right and privilege to place the initials "R. E. " immediately~~
2 ~~following his name]~~ The name of a licensed electrologist may be
3 immediately followed by the initials "R. E. ", as a right and
4 privilege of licensure. "

5 Section 8. Section 61-17A-11 NMSA 1978 (being Laws 1993,
6 Chapter 171, Section 11) is amended to read:

7 "61-17A-11. LICENSURE OF INSTRUCTORS. --

8 A. A cosmetologist instructor license shall be
9 issued to any person who files a completed application,
10 accompanied by the required fees and documentation, and who
11 [~~submits satisfactory evidence that he~~]:

12 (1) is a licensed cosmetologist;

13 (2) has completed at least a four-year high
14 school course of study or its equivalent as approved by the
15 board;

16 (3) has met all requirements established by the
17 board; and

18 (4) has passed an examination approved by the
19 board.

20 B. A barber instructor license shall be issued to
21 any person who files a completed application, accompanied by the
22 required fees and documentation, and who [~~submits satisfactory~~
23 ~~evidence that he~~]:

24 (1) is a licensed barber;

25 (2) has completed at least a four-year high

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1 school course of study or its equivalent as approved by the
2 board;

3 (3) has met all requirements established by the
4 board; and

5 (4) has passed an examination approved by the
6 board.

7 C. An electrologist instructor license shall be
8 issued to any person who files a completed application,
9 accompanied by the required fees and documentation, and who
10 submits satisfactory evidence [~~that he complies~~] of compliance
11 with all requirements established by the board.

12 D. [~~The holder of an instructor license has the~~
13 ~~right and privilege to place the initials "R.I." immediately~~
14 ~~following his name to designate that he is a licensed~~
15 ~~instructor~~] The name of a licensed instructor may be immediately
16 followed by the initials "R.I.", as a right and privilege of
17 licensure. "

18 Section 9. Section 61-17A-12 NMSA 1978 (being Laws 1993,
19 Chapter 171, Section 12) is amended to read:

20 "61-17A-12. LICENSURE OF SCHOOLS. --

21 A. The board shall provide for the licensure of
22 barber schools. The board shall issue a barber school license
23 to any barber school that submits a completed application,
24 accompanied by the required fees and documentation, and that
25 submits satisfactory evidence that it complies with all

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1 enrollment, curriculum, instructional and graduation
2 requirements and record-keeping procedures established by the
3 board.

4 B. The board shall provide for the licensure of
5 cosmetology schools. The board shall issue a cosmetology school
6 license to any cosmetology school that submits a completed
7 application, accompanied by the required fees and documentation,
8 and that submits satisfactory evidence that it complies with all
9 enrollment, curriculum, instructional and graduation
10 requirements and record-keeping procedures established by the
11 board.

12 C. The board shall provide for the licensure of
13 electrology schools. The board shall issue an electrology
14 school license to any electrology school that submits a
15 completed application, accompanied by the required fees and
16 documentation, and that submits satisfactory evidence that it
17 complies with all enrollment, curriculum, instructional and
18 graduation requirements and record-keeping procedures
19 established by the board.

20 D. The board shall provide for the licensure of
21 specialty schools. The board shall issue a specialty school
22 license to any specialty school that submits a completed
23 application, accompanied by the required fees and documentation,
24 and that submits satisfactory evidence that it complies with all
25 enrollment, curriculum, instructional and graduation

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1 requirements and record-keeping procedures established by the
2 board.

3 E. The board shall establish crossover credit
4 standards for training available at either barber schools or
5 cosmetology schools that may be used in meeting licensure
6 requirements in either profession.

7 F. ~~[In providing for licensure of schools, the board
8 shall establish procedures for alternative teaching agreements,
9 or "teach-out" arrangements in the event a school is unable to
10 meet its contracted teaching obligations]~~ The board shall
11 establish a corporate surety bond requirement for schools to
12 indemnify students for fees and tuition paid to a school if the
13 school ceases operation or terminates a program prior to the
14 completion of a student's contract with the school. "

15 Section 10. Section 61-17A-15 NMSA 1978 (being Laws 1993,
16 Chapter 171, Section 15) is amended to read:

17 "61-17A-15. LICENSURE OF ALL ESTABLISHMENTS AND
18 ENTERPRISES. --The board shall provide for the licensure of all
19 establishments and enterprises. The board shall issue a license
20 to establishments, enterprises and clinics that submit a
21 completed application, accompanied by the required fees and
22 documentation, and that submit satisfactory evidence of
23 compliance with all requirements established by the board. "

24 Section 11. Section 61-17A-16 NMSA 1978 (being Laws 1993,
25 Chapter 171, Section 16) is amended to read:

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1 "61-17A-16. FEES. -- The board may, by regulation, establish
2 initial license and renewal fees not to exceed the following:

- 3 establishment license. [~~\$125~~] \$200
- 4 school license \$600
- 5 relocation of a school \$300
- 6 cosmetologist license [~~\$25.00~~] \$50.00
- 7 barber license [~~\$25.00~~] \$50.00
- 8 specialty [~~certificate~~] license. [~~\$25.00~~] \$50.00
- 9 instructor license [~~\$30.00~~] \$50.00
- 10 duplicate license. [~~\$20.00~~] \$50.00
- 11 temporary license. [~~\$20.00~~] \$25.00
- 12 administrative fee. [~~\$20.00~~] \$100
- 13 limited license fee. \$100
- 14 licensure through reciprocity. [~~\$150~~] \$200
- 15 transcript [~~\$20.00~~] \$50.00
- 16 examinations [~~\$50.00~~] \$100. "

17 Section 12. Section 61-17A-17 NMSA 1978 (being Laws 1993,
18 Chapter 171, Section 17, as amended) is amended to read:

19 "61-17A-17. LICENSURE UNDER PRIOR LAW - ENDORSEMENT. --

20 A. Any person licensed [~~or certified~~] as a barber,
21 [~~or~~] a cosmetologist, an esthetician, an electrologist, an
22 instructor of cosmetology or barbering or an instructor of
23 electrology, a manicurist-pedicurist or any person holding an
24 establishment license, clinic license or school owner's license
25 under any prior laws of this state, which license is valid on

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1 the effective date of the Barbers and Cosmetologists Act, shall
2 be held to be licensed [~~or certified~~] under the provisions of
3 that act and shall be entitled to the renewal of his license [~~or~~
4 ~~certificate~~] as provided in that act.

5 B. The board may grant a license pursuant to the
6 provisions of the Barbers and Cosmetologists Act without an
7 examination, upon payment of the required fee, provided that the
8 applicant [~~submits proof that he~~]:

9 (1) holds a current license [~~or certification~~]
10 from another state, territory or possession of the United
11 States, or the District of Columbia, that has training hours and
12 qualifications similar to or exceeding those required for
13 licensure in New Mexico; and

14 (2) meets all other requirements for
15 reciprocity as determined by regulation of the board. "

16 Section 13. Section 61-17A-18 NMSA 1978 (being Laws 1993,
17 Chapter 171, Section 18) is amended to read:

18 "61-17A-18. LICENSE [~~OR CERTIFICATE~~] TO BE DISPLAYED--
19 NOTICE OF CHANGE OF PLACE OF BUSINESS. --Every holder of a
20 license shall notify the executive director of [~~his new~~] any
21 change in place of business [~~and~~]. Upon receipt of the
22 notification, the executive director shall make the necessary
23 change in the books. [~~Every holder of~~] A license [~~or~~
24 ~~certificate~~] shall [~~display it in a conspicuous place at his~~
25 ~~workplace~~] be displayed conspicuously at the holder's place of

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1 business. "

2 Section 14. Section 61-17A-20 NMSA 1978 (being Laws 1993,
3 Chapter 171, Section 20) is amended to read:

4 "61-17A-20. DURATION, RESTORATION AND RENEWAL OF LICENSES
5 [~~AND CERTIFICATES~~]. --

6 A. The original issuance and renewal of licenses to
7 practice as a barber, cosmetologist, [~~or~~] instructor, [~~or the~~
8 ~~certification as an~~] esthetician, manicurist-pedicurist or
9 electrologist shall be for a period of one year or less from the
10 date of issuance. If the licensee [~~or certificate holder~~] fails
11 to renew the license [~~or certificate~~] for the next year, [~~his~~]
12 the license [~~or certificate~~] is void; provided [~~he may restore~~
13 ~~his~~] the license [~~or certificate~~] may be restored at any time
14 during the year following expiration upon [~~paying~~] the payment
15 of the appropriate fee and a late charge not to exceed one
16 hundred dollars (\$100) as set forth by board rules. If the
17 licensee [~~or certificate holder~~] fails to restore [~~his~~] the
18 license [~~or certificate~~] within one year following its
19 expiration, [~~his~~] the license [~~or certificate~~] may not be
20 restored. [~~and, in order for such licensee or certificate~~
21 ~~holder~~] To again obtain a license, [~~or certificate, he shall pay~~
22 ~~the fees and furnish the proofs and submit to such examinations~~
23 ~~as are required of applicants~~] the licensee shall satisfy
24 requirements for original licensure [~~or certification~~].

25 B. The original issuance and annual renewal of

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1 licenses to operate an establishment or school shall be for a
2 period of twelve months or less following the issuance of the
3 license. If the licensee fails to renew ~~[his]~~ the license
4 within thirty days after ~~[the date his license expires, his]~~ its
5 expiration, the license is void, and, ~~[in order]~~ to again obtain
6 a license, ~~[he shall be required to submit]~~ an application,
7 ~~[any]~~ required documentation, ~~[pay]~~ payment of the renewal fee
8 and a late fee not to exceed one hundred dollars (\$100) as ~~[set~~
9 ~~forth]~~ established by board rules is required.

10 C. The board may establish a staggered system of
11 license expiration ~~[and a procedure for proration of fees for~~
12 ~~licenses issued for less than a full year]. "~~

13 Section 15. Section 61-17A-21 NMSA 1978 (being Laws 1993,
14 Chapter 171, Section 21) is amended to read:

15 "61-17A-21. GROUNDS FOR REFUSAL TO ISSUE, RENEW, SUSPEND
16 OR REVOKE A LICENSE. --

17 A. The board shall, in accordance with the
18 provisions of the Uniform Licensing Act, issue a fine or
19 penalty, restrict, refuse to issue or renew or shall suspend or
20 revoke a license for any one or more of the following causes:

21 (1) the commission of any offense described in
22 the Barbers and Cosmetologists Act;

23 (2) the violation of any sanitary regulation
24 promulgated by the board;

25 (3) malpractice or incompetency;

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1 (4) advertising by means of knowingly false or
2 deceptive statements;

3 (5) habitual drunkenness or habitual addiction
4 to the use of habit-forming drugs;

5 (6) continuing to [~~be employed or practicing~~]
6 practice in or be employed by an establishment, an enterprise, a
7 school or an electrology clinic in which the sanitary
8 regulations of the board, of the department of health or of any
9 other lawfully constituted board, promulgated for the regulation
10 of establishments, enterprises, schools or electrology clinics,
11 are known by the licensee to be violated;

12 (7) [~~notification of a licensee's~~] default of a
13 licensee on a student loan;

14 (8) gross continued negligence in observing the
15 rules and regulations;

16 (9) renting, loaning or allowing the use of the
17 license to any [~~unlicensed~~] person not licensed under the
18 provisions of the Barbers and Cosmetologists Act;

19 (10) dishonesty or unfair or deceptive
20 practices;

21 (11) sexual, racial or religious harassment;

22 (12) conduct of illegal activities in an
23 establishment, enterprise, school or electrology clinic or by a
24 licensee;

25 (13) conviction of a crime involving moral

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1 turpitude; or

2 (14) aiding, abetting or conspiring to evade or
3 violate the provisions of the Barbers and Cosmetologists Act.

4 B. Any license suspended or revoked shall be
5 delivered to the board or any agent of the board upon demand."

6 Section 16. Section 61-17A-25 NMSA 1978 (being Laws 1993,
7 Chapter 171, Section 27) is amended to read:

8 "61-17A-25. TERMINATION OF AGENCY LIFE--DELAYED
9 REPEAL.--The board of barbers and cosmetologists is terminated
10 on July 1, [~~1998~~] 2001 pursuant to the Sunset Act. The board
11 shall continue to operate according to the provisions of the
12 Barbers and Cosmetologists Act until July 1, [~~1999~~] 2002.
13 Effective July 1, [~~1999~~] 2002, the Barbers and Cosmetologists
14 Act is repealed."

15 Section 17. TEMPORARY PROVISION.--Any money remaining in
16 the tuition recovery fund upon the effective date of this 1997
17 act shall be transferred to the barbers and cosmetologists fund.

18 Section 18. REPEAL.--Section 61-17A-13 NMSA 1978 (being
19 Laws 1993, Chapter 171, Section 13) is repealed.

1 FORTY-THIRD LEGISLATURE
2 FIRST SESSION, 1997
3
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5 March 14, 1997
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7 Mr. President:
8

9 Your PUBLIC AFFAIRS COMMITTEE, to whom has been
10 referred

11
12 SENATE BILL 943
13

14 has had it under consideration and reports same with
15 recommendation that it DO PASS.
16

17 Respectfully submitted,
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22 Shannon Robinson, Chairman
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Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

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Date _____

The roll call vote was 5 For 0 Against

Yes: 5

No: 0

Excused: Garcia, Ingle, Adair, Smith

Absent: None

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State of New Mexico House of Representatives

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

March 18, 1997

Mr. Speaker:

Your BUSINESS AND INDUSTRY COMMITTEE, to whom has
been referred

SENATE BILL 943

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

Respectfully submitted,

Fred Luna, Chairman

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

HBI C/SB 943

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

Date _____

The roll call vote was 9 For 0 Against

Yes: 9

Excused: Alwin, Hobbs, Varela

Absent: Getty

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