

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

SENATE BILL 98

43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998

INTRODUCED BY

MANNY M. ARAGON

AN ACT

RELATING TO CRIMINAL SENTENCING; PROVIDING THAT CERTAIN  
CRIMINAL OFFENDERS BE SENTENCED TO LIFE IMPRISONMENT WITHOUT  
THE POSSIBILITY OF PAROLE; PROVIDING THAT PRISONERS SENTENCED  
TO LIFE WITHOUT PAROLE SHALL BE CONFINED TO PRISON AND SHALL  
NOT BE ELIGIBLE FOR SENTENCE SUSPENSION OR DEFERRAL OR FOR  
MERITORIOUS DEDUCTION, INMATE RELEASE OR COMMUNITY RELEASE  
PROGRAMS; AMENDING AND ENACTING SECTIONS OF THE NMSA 1978.

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

Section 1. A new section of the Criminal Code is enacted  
to read:

" [NEW MATERIAL] LIFE IMPRISONMENT WITHOUT THE POSSIBILITY  
OF PAROLE--PRISON CONFINEMENT.--An inmate of an institution  
who is sentenced to life imprisonment without the possibility  
of parole shall never be eligible for a sentence suspension or

Underscored material = new  
[bracketed material] = delete

1 deferral or to leave the physical confines of a prison  
2 pursuant to any program, including an inmate release,  
3 community release or work release program, that may be  
4 available to other prison inmates. "

5 Section 2. Section 31-18-23 NMSA 1978 (being Laws 1994,  
6 Chapter 24, Section 2, as amended) is amended to read:

7 "31-18-23. THREE VIOLENT FELONY CONVICTIONS--MANDATORY  
8 LIFE IMPRISONMENT--EXCEPTION. --

9 A. When a defendant is convicted of a third  
10 violent felony, and each violent felony conviction is part of  
11 a separate transaction or occurrence, and at least the third  
12 violent felony conviction is in New Mexico, the defendant  
13 shall, [~~in addition to~~] when the sentence imposed for the  
14 third violent conviction [~~when that sentence~~] does not result  
15 in death, be punished by a sentence of life imprisonment [ ~~The~~  
16 ~~life imprisonment sentence shall be subject to parole pursuant~~  
17 ~~to the provisions of Section 31-21-10 NMSA 1978~~] without the  
18 possibility of parole.

19 B. The sentence of life imprisonment shall be  
20 imposed after a sentencing hearing, separate from the trial or  
21 guilty plea proceeding resulting in the third violent felony  
22 conviction, pursuant to the provisions of Section 31-18-24  
23 NMSA 1978.

24 C. For the purpose of this section, a violent  
25 felony conviction incurred by a defendant before he reaches

Underscored material = new  
[bracketed material] = delete

1 the age of eighteen shall not count as a violent felony  
2 conviction.

3 D. When a defendant has a felony conviction from  
4 another state, the felony conviction shall be considered a  
5 violent felony for the purposes of the Criminal Sentencing Act  
6 if that crime would be considered a violent felony in New  
7 Mexico.

8 E. As used in the Criminal Sentencing Act:

9 (1) "great bodily harm" means an injury to  
10 the person that creates a high probability of death or that  
11 causes serious disfigurement or that results in permanent loss  
12 or impairment of the function of any member or organ of the  
13 body; and

14 (2) "violent felony" means:

15 (a) murder in the first or second  
16 degree, as provided in Section 30-2-1 NMSA 1978;

17 (b) shooting at or from a motor vehicle  
18 resulting in great bodily harm, as provided in Subsection B of  
19 Section 30-3-8 NMSA 1978;

20 (c) kidnapping resulting in great  
21 bodily harm inflicted upon the victim by his captor, as  
22 provided in Subsection B of Section 30-4-1 NMSA 1978; [ and]

23 (d) criminal sexual penetration, as  
24 provided in Subsection C or Paragraph (5) or (6) of Subsection  
25 D of Section 30-9-11 NMSA 1978; and

. 121523. 1

Underscored material = new  
[bracketed material] = delete

1 (e) robbery while armed with a deadly  
2 weapon resulting in great bodily harm as provided in Section  
3 30-16-2 NMSA 1978 and Subsection A of Section 30-1-12 NMSA  
4 1978. "

5 Section 3. Section 31-18-25 NMSA 1978 (being Laws 1996,  
6 Chapter 79, Section 1, as amended) is amended to read:

7 "31-18-25. TWO VIOLENT SEXUAL OFFENSE CONVICTIONS--  
8 MANDATORY LIFE IMPRISONMENT-- EXCEPTION. --

9 A. When a defendant is convicted of a second  
10 violent sexual offense, and each violent sexual offense  
11 conviction is part of a separate transaction or occurrence,  
12 and at least the second violent sexual offense conviction is  
13 in New Mexico, the defendant shall [ ~~in addition to the~~  
14 ~~punishment imposed for the second violent sexual offense~~  
15 ~~conviction~~] be punished by a sentence of life imprisonment  
16 [ ~~The life imprisonment sentence shall be subject to parole~~  
17 ~~pursuant to the provisions of Section 31-21-10 NMSA 1978~~ ]  
18 without the possibility of parole.

19 [ ~~B. Notwithstanding the provisions of Subsection A~~  
20 ~~of this section, when a defendant is convicted of a second~~  
21 ~~violent sexual offense, and each violent sexual offense~~  
22 ~~conviction is part of a separate transaction or occurrence,~~  
23 ~~and the victim of each violent sexual offense was less than~~  
24 ~~thirteen years of age at the time of the offense, and at least~~  
25 ~~the second violent sexual offense conviction is in New Mexico,~~

Underscored material = new  
[bracketed material] = delete

1 ~~the defendant shall be punished by a sentence of life~~  
2 ~~imprisonment without the possibility of parole.]~~

3 [C.] B. The sentence of life imprisonment shall be  
4 imposed after a sentencing hearing, separate from the trial or  
5 guilty plea proceeding resulting in the second violent sexual  
6 offense conviction, pursuant to the provisions of Section  
7 31-18-26 NMSA 1978.

8 [D.] C. For the purposes of this section, a  
9 violent sexual offense conviction incurred by a defendant  
10 before he reaches the age of eighteen shall not count as a  
11 violent sexual offense conviction.

12 [E.] D. When a defendant has a felony conviction  
13 from another state, the felony conviction shall be considered  
14 a violent sexual offense for the purposes of the Criminal  
15 Sentencing Act if the crime would be considered a violent  
16 sexual offense in New Mexico.

17 [F.] E. As used in the Criminal Sentencing Act,  
18 "violent sexual offense" means:

19 (1) criminal sexual penetration in the first  
20 degree, as provided in Subsection C of Section 30-9-11 NMSA  
21 1978; or

22 (2) criminal sexual penetration in the second  
23 degree, as provided in Subsection D of Section 30-9-11 NMSA  
24 1978. "

25 Section 4. Section 31-20-3 NMSA 1978 (being Laws 1963,  
. 121523. 1

Underscored material = new  
[bracketed material] = delete

1 Chapter 303, Section 29-15, as amended) is amended to read:  
2 "31-20-3. ORDER DEFERRING OR SUSPENDING SENTENCE--  
3 DIAGNOSTIC COMMITMENT.-- Upon entry of a judgment of conviction  
4 of any crime not constituting a capital [ ~~or~~ ] felony, a first  
5 degree felony or a felony that requires a sentence of life  
6 imprisonment without the possibility of parole, any court  
7 having jurisdiction, when it is satisfied that the ends of  
8 justice and the best interest of the public as well as the  
9 defendant will be served thereby, may either:  
10 A. enter an order deferring the imposition of  
11 sentence;  
12 B. sentence the defendant and enter an order  
13 suspending in whole or in part the execution of the sentence;  
14 or  
15 C. commit the convicted person, if convicted of a  
16 felony and not committed for diagnostic purposes within the  
17 twelve-month period immediately preceding that conviction, to  
18 the [ ~~department of~~ ] corrections department for an  
19 indeterminate period not to exceed sixty days for purposes of  
20 diagnosis, with direction that the court be given a report  
21 when the diagnosis is complete as to what disposition appears  
22 best when the interest of the public and the individual are  
23 evaluated. "  
24 Section 5. Section 31-20A-3 NMSA 1978 (being Laws 1979,  
25 Chapter 150, Section 4) is amended to read:

. 121523. 1

Underscored material = new  
[bracketed material] = delete

1 "31-20A-3. COURT SENTENCING. -- In a jury sentencing  
2 proceeding in which the jury unanimously finds beyond a  
3 reasonable doubt and specifies at least one of the aggravating  
4 circumstances enumerated in Section [~~6 of this act~~] 31-20A-5  
5 NMSA 1978, and unanimously specifies the sentence of death  
6 pursuant to Section [~~3 of this act~~] 31-20A-2 NMSA 1978, the  
7 court shall sentence the defendant to death. Where a sentence  
8 of death is not unanimously specified, or the jury does not  
9 make the required finding, or the jury is unable to reach a  
10 unanimous verdict, the court shall sentence the defendant to  
11 life imprisonment without the possibility of parole. In a  
12 nonjury sentencing proceeding and in cases involving a plea of  
13 guilty, where no jury has been demanded, the judge shall  
14 determine and impose the sentence, but he shall not impose the  
15 sentence of death except upon a finding beyond a reasonable  
16 doubt and specification of at least one of the aggravating  
17 circumstances enumerated in Section [~~6 of this act~~] 31-20A-5  
18 NMSA 1978. "

19 Section 6. Section 31-21-10 NMSA 1978 (being Laws 1980,  
20 Chapter 28, Section 1, as amended) is amended to read:

21 "31-21-10. PAROLE AUTHORITY AND PROCEDURE. --  
22 A. An inmate of an institution who was sentenced  
23 to life imprisonment is not eligible for parole if he:  
24 (1) was sentenced as the result of the  
25 commission of a capital felony; [who]

Underscored material = new  
[bracketed material] = delete

1                   (2) was convicted of three violent felonies  
2 and sentenced pursuant to Sections 31-18-23 and 31-18-24 NMSA  
3 1978; or [who]

4                   (3) was convicted of two violent sexual  
5 offenses and sentenced pursuant to Subsection A of Section  
6 31-18-25 NMSA 1978 and Section 31-18-26 NMSA 1978. [ becomes  
7 eligible for a parole hearing after he has served thirty years  
8 of his sentence. Before ordering the parole of an inmate  
9 sentenced to life imprisonment, the board shall:-

10                   (1) ~~interview the inmate at the institution~~  
11 ~~where he is committed;~~

12                   (2) ~~consider all pertinent information~~  
13 ~~concerning the inmate, including:-~~

14                                   (a) ~~the circumstances of the offense;~~

15                                   (b) ~~mitigating and aggravating~~  
16 ~~circumstances;~~

17                                   (c) ~~whether a deadly weapon was used in~~  
18 ~~the commission of the offense;~~

19                                   (d) ~~whether the inmate is a habitual~~  
20 ~~offender;~~

21                                   (e) ~~the reports filed under Section~~  
22 ~~31-21-9 NMSA 1978; and~~

23                                   (f) ~~the reports of such physical and~~  
24 ~~mental examinations as have been made while in prison;~~

25                   (3) ~~make a finding that a parole is in the~~



Underscored material = new  
[bracketed material] = delete

1 ~~best interest of society and the inmate; and~~

2 ~~(4) make a finding that the inmate is able~~  
3 ~~and willing to fulfill the obligations of a law-abiding~~  
4 ~~citizen.~~

5 ~~If parole is denied, the inmate sentenced to life~~  
6 ~~imprisonment shall again become entitled to a parole hearing~~  
7 ~~at two-year intervals. The board may, on its own motion,~~  
8 ~~reopen any case in which a hearing has already been granted~~  
9 ~~and parole denied.~~

10 ~~B. Unless the board finds that it is in the best~~  
11 ~~interest of society and the parolee to reduce the period of~~  
12 ~~parole, a person who was convicted of a capital felony shall~~  
13 ~~be required to undergo a minimum period of parole of five~~  
14 ~~years. During the period of parole, the person shall be under~~  
15 ~~the guidance and supervision of the board.~~

16 ~~C.]~~ B. An inmate who was convicted of a first,  
17 second or third degree felony and who has served the sentence  
18 of imprisonment imposed by the court in a corrections facility  
19 designated by the corrections department shall be required to  
20 undergo a two-year period of parole. An inmate who was  
21 convicted of a fourth degree felony and who has served the  
22 sentence of imprisonment imposed by the court in a corrections  
23 facility designated by the corrections department shall be  
24 required to undergo a one-year period of parole. During the  
25 period of parole, the person shall be under the guidance and

Underscored material = new  
[bracketed material] = delete

1 supervision of the board.

2           ~~[D-]~~ C. Every person while on parole shall remain  
3 in the legal custody of the institution from which he was  
4 released, but shall be subject to the orders of the board.  
5 The board shall furnish to each inmate as a prerequisite to  
6 his release under its supervision a written statement of the  
7 conditions of parole that shall be accepted and agreed to by  
8 the inmate as evidenced by his signature affixed to a  
9 duplicate copy to be retained in the files of the board. The  
10 board shall also require as a prerequisite to release the  
11 submission and approval of a parole plan. If an inmate  
12 refuses to affix his signature to the written statement of the  
13 conditions of his parole or does not have an approved parole  
14 plan, he shall not be released and shall remain in the custody  
15 of the corrections facility in which he has served his  
16 sentence, excepting parole, until such time as the period of  
17 parole he was required to serve, less meritorious deductions,  
18 if any, expires, at which time he shall be released from that  
19 facility without parole, or until such time that he evidences  
20 his acceptance and agreement to the conditions of parole as  
21 required or receives approval for his parole plan or both.  
22 Time served from the date that an inmate refuses to accept and  
23 agree to the conditions of parole or fails to receive approval  
24 for his parole plan shall reduce the period, if any, to be  
25 served under parole at a later date. If the district court

. 121523. 1

Underscored material = new  
[bracketed material] = delete

1 has ordered that the inmate make restitution to a victim as  
2 provided in Section 31-17-1 NMSA 1978, the board shall include  
3 restitution as a condition of parole. The board shall also  
4 personally apprise the inmate of the conditions of parole and  
5 his duties relating thereto.

6 ~~[E-]~~ D. When a person on parole has performed the  
7 obligations of his release for the period of parole provided  
8 in this section, the board shall make a final order of  
9 discharge and issue him a certificate of discharge.

10 ~~[F-]~~ E. Pursuant to the provisions of Section  
11 31-18-15 NMSA 1978, the board shall require the inmate as a  
12 condition of parole:

13 (1) to pay the actual costs of his parole  
14 services to the adult probation and parole division of the  
15 corrections department for deposit to the corrections  
16 department intensive supervision fund not exceeding one  
17 thousand twenty dollars (\$1,020) annually to be paid in  
18 monthly installments of not less than fifteen dollars (\$15.00)  
19 and not more than eighty-five dollars (\$85.00), subject to  
20 modification by the adult probation and parole division on the  
21 basis of changed financial circumstances; and

22 (2) to reimburse a law enforcement agency or  
23 local crime stopper program for the amount of any reward paid  
24 by the agency or program for information leading to his  
25 arrest, prosecution or conviction.

Underscored material = new  
[bracketed material] = delete

1                   [~~G-~~] F. The provisions of this section shall apply  
2 to all inmates except geriatric, permanently incapacitated and  
3 terminally ill inmates eligible for the medical and geriatric  
4 parole program as provided by the Parole Board Act. "

5                   Section 7. Section 33-2-34 NMSA 1978 (being Laws 1978,  
6 Chapter 40, Section 1, as amended) is amended to read:

7                   "33-2-34. MERITORIOUS DEDUCTIONS. --

8                   A. Any inmate confined in the penitentiary of New  
9 Mexico or other institution or reintegration program  
10 designated by the corrections department for the confinement  
11 of adult criminal offenders may be awarded a meritorious  
12 deduction of thirty days per month upon recommendation of the  
13 classification committee and approval of the warden; provided  
14 that an inmate who:

15                                   (1) is sentenced to life imprisonment without  
16 the possibility of parole shall not be eligible for  
17 meritorious deductions;

18                                   [~~(1)~~] (2) disobeys an order to perform labor  
19 pursuant to Section 33-8-4 NMSA 1978 shall not be eligible for  
20 meritorious deductions;

21                                   [~~(2)~~] (3) is in disciplinary segregation  
22 shall not be eligible for meritorious deductions;

23                                   [~~(3)~~] (4) is within his first sixty days of  
24 receipt by the department shall not be eligible for  
25 meritorious deductions; or

Underscored material = new  
[bracketed material] = delete

1                    [~~(4)~~] (5) is not engaged in programs  
2 recommended and approved for him by the classification  
3 committee shall not be eligible for meritorious deductions.  
4 Programs include but are not limited to education, work,  
5 counseling and the like.

6                    The corrections department may award meritorious  
7 deductions to New Mexico inmates confined in federal and out-  
8 of-state corrections facilities on the basis of inmate conduct  
9 reports, which shall be furnished by those facilities on a  
10 periodic basis.

11                    B. An inmate whose record of conduct shows that he  
12 has performed exceptionally meritorious service and whose  
13 record of conduct shows that he has otherwise faithfully  
14 observed the rules of the institution may be eligible for a  
15 lump-sum good time award, not to exceed one year per award and  
16 not to exceed a total of one year for all lump-sum good time  
17 awards awarded in any consecutive twelve-month period, which  
18 may be deducted from the length of the sentence then remaining  
19 unserved. Exceptionally meritorious service shall include  
20 heroic acts of saving life or property, but shall not include  
21 acts in performance of normal work duties or program  
22 assignments. The classification committee and the warden may  
23 recommend the number of days to be awarded in each case based  
24 upon the particular merits, but any award shall be determined  
25 by the director of the adult institutions division of the

. 121523. 1

Underscored material = new  
[bracketed material] = delete

1 corrections department. Allowance for exceptionally  
2 meritorious service shall be in addition to the meritorious  
3 deduction provided for in Subsection A of this section, and in  
4 the event two or more consecutive sentences are being served,  
5 the aggregate of the several sentences shall be the basis upon  
6 which the deduction shall be computed.

7 C. The meritorious deductions provided for in  
8 Subsections A and B of this section shall pertain to both the  
9 basic sentence to be served and any enhanced term of  
10 imprisonment pursuant to the provisions of the Criminal  
11 Sentencing Act. For inmates convicted of crimes committed on  
12 or after the effective date of this 1988 act, meritorious  
13 deductions of up to ninety days per occurrence shall be  
14 permanently forfeited upon recommendation of the  
15 classification committee and approval of the warden if the  
16 inmate does not properly maintain the standard upon which the  
17 award was based. For those inmates, permanent forfeitures in  
18 excess of ninety days may be made upon approval of the  
19 director of the adult institutions division. For inmates  
20 convicted of crimes committed prior to the effective date of  
21 this 1988 act, meritorious deductions may be terminated upon  
22 recommendation of the classification committee and approval of  
23 the warden if the inmate does not properly maintain the  
24 standard upon which the award was based; provided that no  
25 inmate shall forfeit more than fifty percent of his

. 121523. 1

Underscored material = new  
[bracketed material] = delete

1 meritorious deductions accrued during the previous twelve  
2 months; and further provided that after forfeiture of any  
3 portion of an inmate's accrued meritorious deductions, the  
4 remainder shall vest and shall not be subject to further  
5 forfeiture.

6 D. The corrections department shall promulgate  
7 rules and regulations for the implementation and determination  
8 of meritorious deductions pursuant to this section, and the  
9 rules or regulations shall be matters of public record. A  
10 concise summary of the rules and regulations shall be provided  
11 to every inmate, and every inmate shall receive a quarterly  
12 statement of his accrued meritorious deductions. "

13 Section 8. Section 33-2-44 NMSA 1978 (being Laws 1969,  
14 Chapter 166, Section 2, as amended) is amended to read:

15 "33-2-44. INMATE-RELEASE PROGRAM - STANDARDS FOR  
16 PARTICIPATION. --The [~~superintendent~~] warden may, under the  
17 inmate-release program and at the request of a prisoner,  
18 extend the limits of confinement beyond the penitentiary of  
19 New Mexico by authorizing the prisoner to work at paid  
20 employment in private business or in public employment or to  
21 attend a school while continuing as a prisoner, if the  
22 prisoner:

- 23 A. is a trusty or a ~~minimum~~-custody inmate;  
24 B. has physical and mental ability to fully  
25 perform the proposed assignment consistent with his capacities

Underscored material = new  
[bracketed material] = delete

1 and free from any out-patient care that would interfere with  
2 full performance;

3 C. is not afflicted with any serious emotional or  
4 personality defect;

5 D. has not been sentenced to life imprisonment  
6 without the possibility of parole, convicted of a crime  
7 involving assaultive sexual conduct [~~nor~~] or violence to a  
8 child nor has been linked with organized criminal activity;  
9 and

10 E. would not, in the opinion of the  
11 [~~superintendent~~] warden, be likely to evoke an adverse public  
12 reaction by his presence in the community."

13 Section 9. Section 33-9-7 NMSA 1978 (being Laws 1983,  
14 Chapter 202, Section 7, as amended) is amended to read:

15 "33-9-7. STATE SELECTION PANEL. --

16 A. The department shall establish a state panel,  
17 whose duties shall be to immediately screen and identify  
18 criminal offenders sentenced to imprisonment in a correctional  
19 facility of the department, except individuals sentenced or  
20 transferred from a judicial district [~~which~~] that has  
21 established a local panel to exercise these duties pursuant to  
22 the provisions of Section 33-9-8 NMSA 1978, who meet the  
23 following criteria:

24 (1) the offender has not been sentenced to  
25 life imprisonment without the possibility of parole;



Underscored material = new  
[bracketed material] = delete

1                    [~~(1)~~] (2) the crime involved is one for which  
2 community service or reasonable restitution may be made using  
3 a payment schedule compatible with the total amount of  
4 restitution to be paid and the time the offender is to  
5 participate in a program; and

6                    [~~(2)~~] (3) the offender is willing to enter  
7 into a contract [~~which~~] that establishes objectives [~~which~~]  
8 that shall be achieved before release from the program.

9                    B. The department may establish criteria in  
10 addition to those established in Subsection A of this section  
11 for the screening of criminal offenders who would benefit from  
12 participation in a program and who would not pose a threat to  
13 the community.

14                    C. If the state panel determines that a criminal  
15 offender is suitable for placement in a program, a  
16 recommendation to that effect and for modification of sentence  
17 shall be presented as soon as possible to the sentencing  
18 judge, who may, notwithstanding any provision of law, accept,  
19 modify or reject the recommendation. The sentencing judge's  
20 determination shall be presented to the county, municipality  
21 or private nonprofit organization, as applicable, for approval  
22 or rejection. In no event shall the sentencing judge order to  
23 be placed into a program any criminal offender whom the state  
24 selection panel has not approved. "

1 FORTY-THIRD LEGISLATURE

2 SECOND SESSION, 1998

3  
4  
5  
6 January 30, 1998

7  
8 Mr. President:

9  
10 Your COMMITTEES' COMMITTEE, to whom has been referred

11  
12 SENATE BILL 98

13  
14 has had it under consideration and finds same to be GERMANE, in  
15 accordance with constitutional provisions, and thence referred to the  
16 PUBLIC AFFAIRS COMMITTEE.

17  
18  
19 Respectfully submitted,

20  
21  
22  
23  
24 \_\_\_\_\_  
25 Manny M. Aragon, Chairman

Underscored material = new  
~~[bracketed material] = delete~~

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

S0098CC1

1 FORTY-THIRD LEGISLATURE

2 SECOND SESSION, 1998

3  
4  
5 February 4, 1998

6  
7 Mr. President:

8  
9 Your PUBLIC AFFAIRS COMMITTEE, to whom has been referred

10  
11 SENATE BILL 98

12  
13 has had it under consideration and reports same with recommendation  
14 that it DO PASS, and thence referred to the JUDICIARY  
15 COMMITTEE.  
16

17  
18 Respectfully submitted,

19  
20  
21  
22 \_\_\_\_\_  
23 Shannon Robinson, Chairman  
24  
25

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Date \_\_\_\_\_

The roll call vote was 5 For 0 Against

Yes: 5

No: 0

Excused: Boitano, Garcia, Rodarte, Smith

Absent: None

S0098PA1

Underscored material = new  
[bracketed material] = delete