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SENATE BILL 653

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Manny M Aragon

AN ACT

RELATING TO THE CIGARETTE TAX; PROVIDING FOR DISTRIBUTION OF
CIGARETTE TAX REVENUES CONTINGENT UPON AN INCREASE IN THE RATE
OF THE CIGARETTE TAX; DISTRIBUTING CERTAIN REVENUES FOR PUBLIC
SCHOOL SMOKING PREVENTION AND CESSATION PROGRAMS; MAKING
APPROPRIATIONS.

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

Section 1. Section 7-1-6.11 NMSA 1978 (being Laws 1983,
Chapter 211, Section 16, as amended) is amended to read:

"7-1-6.11. DISTRIBUTIONS OF CIGARETTE TAXES. --

A. A distribution pursuant to Section 7-1-6.1 NMSA
1978 shall be made to the county and municipality recreational
fund in an amount equal to [~~four and three-quarters~~] three and
seven-tenths percent of the net receipts, exclusive of
penalties and interest, attributable to the cigarette tax.

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1 B. A distribution pursuant to Section 7-1-6.1 NMSA
2 1978 shall be made to the county and municipal cigarette tax
3 fund in an amount equal to [~~nine and one-half~~] seven and four-
4 tenths percent of the net receipts, exclusive of penalties and
5 interest, attributable to the cigarette tax.

6 C. A distribution pursuant to Section 7-1-6.1 NMSA
7 1978 shall be made to the cancer center at the university of
8 New Mexico school of medicine in an amount equal to [~~four and~~
9 ~~three-quarters~~] eleven and one-tenth percent of the net
10 receipts, exclusive of penalties and interest, attributable to
11 the cigarette tax.

12 D. A distribution pursuant to Section 7-1-6.1 NMSA
13 1978 shall be made to the New Mexico finance authority in an
14 amount equal to [~~seven and one-eighth~~] five and six-tenths
15 percent of the net receipts, exclusive of penalties and
16 interest, attributable to the cigarette tax.

17 E. A distribution pursuant to Section 7-1-6.1 NMSA
18 1978 shall be made to the state department of public education
19 in an amount equal to three and seven-tenths percent of the
20 net receipts, exclusive of penalties and interest,
21 attributable to the cigarette tax for distribution annually to
22 each school district for smoking prevention and cessation
23 programs for elementary and secondary school students in an
24 amount determined by the state department of public education
25 on a per program unit basis by adding this annual amount to

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1 the state equalization guarantee distribution made pursuant to
2 the general appropriation act. "

3 Section 2. EFFECTIVE DATE. --The effective date of the
4 provisions of this act is August 1, 1999 contingent upon the
5 enactment into law in the first session of the forty-fourth
6 legislature of a bill amending the Cigarette Tax Act to impose
7 the cigarette tax at a rate of one and thirty-five hundredths
8 cents (\$.0135) for each cigarette sold, given or consumed in
9 this state.

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1 FORTY-FOURTH LEGISLATURE

2 FIRST SESSION, 1999

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6 February 24, 1999

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8 Mr. President:

9
10 Your FINANCE COMMITTEE, to whom has been referred

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12 SENATE BILL 653

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

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18 Respectfully submitted,

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24 Ben D. Altamirano, Chairman

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Adopted _____ Not

1 Adopted _____

2 (Chief Clerk)

(Chief Clerk)

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6 Date _____

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9 The roll call vote was 8 For 0 Against

10 Yes: 8

11 No: 0

12 Excused: Campos, Carraro, Ingle, Smith, Tsosie

13 Absent: None

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FORTY- FOURTH LEGISLATURE

FIRST SESSION

March 2, 1999

SENATE FLOOR AMENDMENT number _____ to SENATE BILL 653

Amendment sponsored by Senator Joseph J. Carraro

**1. On page 2, line 9, strike "eleven and one-tenth" and
insert in lieu thereof "twenty-two and two-tenths".**

Joseph J. Carraro

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FORTY- FOURTH LEGISLATURE
FIRST SESSION

SF1/SB 653

Page 7

Adopted _____ Not Adopted

(Chief Clerk)

(Chief Clerk)

Date _____

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128536. 2

1 FORTY-FOURTH LEGISLATURE

2 FIRST SESSION, 1999

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6 March 12, 1999

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8 Mr. Speaker:

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10 Your TAXATION AND REVENUE COMMITTEE, to whom has
11 been referred

12
13 SENATE BILL 653, as amended

14
15 has had it under consideration and reports same with
16 recommendation that it DO PASS, amended as follows:

- 17 1. Strike Senate Floor Amendment 1.
- 18
- 19 2. On page 1, lines 23 and 24, strike "three and seven-
- 20 tenths" and insert in lieu thereof "four".
- 21
- 22 3. On page 2, lines 3 and 4, strike "seven and four-
- 23 tenths" and insert in lieu thereof "eight".
- 24
- 25 4. On page 2, line 9, strike "eleven and one-tenth" and
insert in lieu thereof "twenty".

FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

HTRC/SB 653aa

Page 9

5. On page 2, line 14, strike "five and six-tenths" and insert in lieu thereof "six".

6. On page 2, insert a closing quotation mark at the end of line 16.

7. On page 2, strike lines 17 through 25 and on page 3, strike lines 1 and 2.

8. On page 3, lines 7 and 8, strike "one and thirty-five hundredths cents (\$.0135)" and insert in lieu thereof "one and one-fourth cents (\$.0125)".,

and thence referred to the APPROPRIATIONS AND FINANCE COMMITTEE.

Respectfully submitted,

Jerry W. Sandel, Chairman

FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

3 HTRC/SB 653aa

Page 10

4 Adopted _____ Not Adopted _____
5 (Chief Clerk) (Chief Clerk)

7 Date _____

9 The roll call vote was 11 For 3 Against

10 Yes: 11

11 No: Crook, Gubbels, Hanosh

12 Excused: Russell

13 Absent: None

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1 FORTY- FOURTH LEGISLATURE
2 FIRST SESSION, 1999

3
4 March 20, 1999

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7 Mr. Speaker:

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9 Your APPROPRIATIONS AND FINANCE COMMITTEE, to
10 whom has been referred

11 SENATE BILL 653, as amended

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

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16 Respectfully submitted,

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21 Max Coll, Chairman
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FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

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

Date _____

The roll call vote was 10 For 1 Against

Yes: 10

No: Pearce

Excused: Buffett, MH Garcia, Heaton, Parsons, JP Taylor, Saavedra

Absent: None

J: \99Bill\SWP\S0653

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