



CONFLICTS

FIFTY-SECOND LEGISLATURE
First Session, 2015

FINAL

NEW MEXICO LEGISLATIVE COUNCIL SERVICE
411 STATE CAPITOL
SANTA FE, NEW MEXICO 87501

NEW MEXICO LEGISLATIVE COUNCIL SERVICE
411 State Capitol
Santa Fe, New Mexico 87501
(505) 986-4600
Wednesday, May 13, 2015

Information Memorandum

TO: Interested Persons

FROM: Legislative Council Service

SUBJECT: CONFLICTS

Attached is a list of possible conflicts between two or more bills including all action taken up to the date of this report.

The list shows the sections of the New Mexico Statutes Annotated (NMSA 1978), the bill or chapter numbers and the primary sponsors.

This list includes only bills that propose to amend or repeal existing sections of the NMSA 1978, or bills that specifically assign new NMSA 1978 section numbers to the bills' provisions. Other bills that propose new sections of the NMSA 1978 may conflict but are not listed here because compilation numbers have not been assigned.

Bills identified as having potential conflicts should be read in light of the New Mexico Supreme Court decision in *New Mexico v. Smith*, stating that when two or more acts are enacted during the same session that amend the same section of law, and there is no conflict, the acts are law and must be read together so as to give effect to each when possible.

Laws 2013, Chapter 176 (HB 546) provides for reconciliation by the compilation commission of multiple amendments to the same section of law when those amendments are reconcilable, in which case the commission will incorporate the provisions the multiple amendments into the compiled section of law. However, if a conflict is irreconcilable, a later-enacted statute will generally govern. Ultimately, whether there is an actual or perceived conflict, the courts determine which law rules.

Regardless of whether there is an actual conflict or not, multiple amendments to the same section of law may create uncertainty and should, therefore, be avoided. The Legislative Council Service can work with the sponsors of bills to resolve conflicts.

**New Mexico Legislature
Fifty-Second Legislature
First Regular Session, 2015**

Final Conflicts in NMSA Sections

Statutory								
Citation	Legislation	Action	Title				Sponsor	
7- 1- 6. 15	S 669	A	LOCAL OPTION GRT DISTRIBUTION ADJUSTMENTS Ch. 100	200555.1	SCORC	SCORC		
7- 1- 6. 15	H 581	A	LOCAL OPTION GRT DISTRIBUTION ADJUSTMENTS Ch. 89	198312.3	HGEIC	HGEIC		
7- 1- 8. 9	S 669	A	LOCAL OPTION GRT DISTRIBUTION ADJUSTMENTS Ch. 100	200555.1	SCORC	SCORC		
7- 1- 8. 9	H 581	A	LOCAL OPTION GRT DISTRIBUTION ADJUSTMENTS Ch. 89	198312.3	HGEIC	HGEIC		
9-15- 51	S 318	A	SUNSET DATES FOR CERTAIN AGENCIES Ch. 119	198588.1	Cisneros			
9-15- 51	S 369	R	MILITARY BASE PLANNING OFFICE & BOARD Ch. 123	198680.1	Burt			
21- 1- 27. 7	S 341	A	USE OF NURSE EDUCATORS FUND FOR DEGREE Ch. 47	198320.1SA	Campos			
21- 1- 27. 7	H 121	A	USE OF NURSE EDUCATORS FUND Ch. 41	198787.1	McMillan			
22- 1- 2	S 148	A	CHARTER SCHOOL RESPONSIBILITIES Ch. 108	197716.3	Stewart			
22- 1- 2	H 165	A	REMOVE AYP REFERENCES IN SCHOOL CODE Ch. 58	198340.1	Roch			
22- 2C- 11	S 357	A	HIGH SCHOOL EQUIVALENCY CREDENTIALS Ch. 122	198539.1	Ivey-Soto			
22- 2C- 11	H 165	A	REMOVE AYP REFERENCES IN SCHOOL CODE Ch. 58	198340.1	Roch			
22-10A- 11	S 153	A	STREAMLINE TEACHER ADMINISTRATIVE LICENSURE Ch. 74	198428.2	Senate Floor			
22-10A- 11	H 318	A	EDUCATION COUNSELOR SALARY ELIGIBILITY Ch. 103	199093.1	Pacheco			
24- 1- 2	H 84	A	FREESTANDING BIRTH CENTER LICENSURE Ch. 153	197945.2	Trujillo CH			
24- 1- 2	H 212	A	CRISIS TRIAGE SERVICE REIMBURSEMENT RATE Ch. 61	198754.1	HAFC	HAFC		
60- 3A- 1	H 243	A	LIQUOR LICENSES & DEFINITIONS Ch. 102	197520.5	Rodella			
60- 3A- 1	S 95	A	REORGANIZE DEPT. OF PUBLIC SAFETY Ch. 3	197504.3SA	Senate Floor			
60- 3A- 3	H 243	A	LIQUOR LICENSES & DEFINITIONS Ch. 102	197520.5	Rodella			
60- 3A- 3	S 95	A	REORGANIZE DEPT. OF PUBLIC SAFETY Ch. 3	197504.3SA	Senate Floor			
60- 6A- 11	S 440	A	SMALL BREWER & WINEGROWER RECIPROCITY Ch. 124	199587.1	Martinez			
60- 6A- 11	H 243	A	LIQUOR LICENSES & DEFINITIONS Ch. 102	197520.5	Rodella			
60- 6A- 11	H 489	A	INTERNET WINE SALES Ch. 105	199973.1	Irwin			
60- 6A- 26. 1	S 440	A	SMALL BREWER & WINEGROWER RECIPROCITY Ch. 124	199587.1	Martinez			
60- 6A- 26. 1	H 243	A	LIQUOR LICENSES & DEFINITIONS Ch. 102	197520.5	Rodella			
62-15- 35	H 263	A	GEOTHERMAL RENEWABLE ENERGY CERTIFICATES Ch. 64	199066.1	Dodge			
62-15- 35	S 249	A	GEOTHERMAL RENEWABLE ENERGY CERTIFICATES Ch. 71	197626.1	Ingle			
62-15- 37	H 263	A	GEOTHERMAL RENEWABLE ENERGY CERTIFICATES Ch. 64	199066.1	Dodge			
62-15- 37	S 249	A	GEOTHERMAL RENEWABLE ENERGY CERTIFICATES Ch. 71	197626.1	Ingle			
66- 7- 415	S 95	A	REORGANIZE DEPT. OF PUBLIC SAFETY Ch. 3	197504.3SA	Senate Floor			
66- 7- 415	S 52	A	EXTEND PORT OF ENTRY OVERWEIGHT ZONES Ch. 48	197825.3	Papen			
70- 2- 14	H 383	A	FINANCIAL ASSURANCE FOR ABANDONED OIL WELLS Ch. 79	199517.2	HEENC	HEENC		
70- 2- 14	S 442	A	FINANCIAL ASSURANCE FOR ABANDONED OIL WELLS Ch. 99	199579.1	SCONC	SCONC		

New Mexico Legislature
Fifty-Second Legislature
First Regular Session, 2015

Final Conflicts in NMSA Sections

Statutory

Citation Legislation Action Title

Sponsor

Action Codes:

A	- Amended section	R	- Repealed section
N	- New section	D/R	- Delayed repeal
R/C	- Recompiled to new number	R/N	- Repealed and enacted
N/C	- Newly compiled as this number	D/R/N	- Delayed repeal and enacted
N/C/A	- Newly compiled and amended	D/RCMP	- Delayed and recompiled
D/N	- Delayed new	*	- Multiple entry
D/A	- Delayed amended		