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SENATE BILL 251

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

John Arthur Smith

AN ACT

RELATING TO PUBLIC EMPLOYEES RETIREMENT; LIMITING THE VALUE OF CONTRIBUTIONS THAT CAN BE ACCEPTED BY A CANDIDATE FOR RETIREMENT BOARD MEMBERSHIP.

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

Section 1. Section 10-11-130.1 NMSA 1978 (being Laws 1999, Chapter 153, Section 1) is amended to read:

"10-11-130.1. RESTRICTIONS ON RECEIPT OF GIFTS-- RESTRICTION ON CAMPAIGN CONTRIBUTIONS--REQUIRED REPORTING. --

A. Except for gifts of food or beverage given in a place of public accommodation, consumed at the time of receipt, not exceeding fifty dollars (\$50.00) for a single gift and the aggregate value of which gifts may not exceed one hundred fifty dollars (\$150) in a calendar year, neither a retirement board member nor an employee of the retirement board or association

underscoring material = new
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1 shall receive or accept anything of value directly or
2 indirectly from a person who:

3 (1) has a current contract with the retirement
4 board or association;

5 (2) is a potential bidder, offeror or
6 contractor for the provision of services or personal property
7 to the retirement board or association;

8 (3) is authorized to invest public funds
9 pursuant to state or federal law or is an employee or agent of
10 such a person; or

11 (4) is an organization, association or other
12 entity having a membership that includes persons described in
13 Paragraphs (1) through (3) of this subsection.

14 B. No person who is a candidate in a primary or
15 general election for a position that qualifies the person for
16 ex-officio membership on the retirement board, no member
17 serving ex officio on the retirement board and no person who is
18 a nominee for retirement board membership by election by some
19 or all of the members of the association pursuant to the Public
20 Employees Retirement Act shall accept anything of a value of
21 more than twenty-five dollars (\$25.00) as a contribution to an
22 ex-officio member's statewide campaign in a primary or general
23 election or as a contribution to the campaign of a nominee for
24 membership on the board as a member elected by all or some of
25 the members of the association from a person who:

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1 (1) has a current contract with the retirement
2 board or association;

3 (2) is a potential bidder, offeror or
4 contractor for the provision of services or personal property
5 to the retirement board or association;

6 (3) is authorized to invest public funds
7 pursuant to state or federal law or is an employee or agent of
8 such a person; or

9 (4) is an organization, association or other
10 entity having a membership that includes persons described in
11 Paragraphs (1) through (3) of this subsection.

12 C. No person who is a candidate for retirement
13 board membership by election by some or all of the members of
14 the association pursuant to the Public Employees Retirement Act
15 shall accept a contribution with a value of more than two
16 hundred dollars (\$200) directly or indirectly from any
17 corporation, labor organization or other person. No person
18 shall act as a conduit for a contribution in excess of the
19 limit set forth in this subsection.

20 [~~C.~~] D. Within ten days after an election in which
21 one or more board members are elected by some or all of the
22 members of the association pursuant to the Public Employees
23 Retirement Act, all persons who were candidates for board
24 membership in that election shall file with the association a
25 report disclosing all contributions to their respective

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1 campaigns whether made directly to the candidate, a political
2 action committee or to some other entity supporting the
3 candidate's election. The contributions shall be reported by
4 amount and specific source. Within sixty days after the
5 election, the association shall publish the reports required by
6 this subsection. "

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