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SENATE BILL 1069

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

INTRODUCED BY

Mark Boitano

AN ACT

RELATING TO THE LEGISLATIVE BRANCH; PROVIDING FOR FAMILY IMPACT REPORTS; AMENDING A SECTION OF THE NMSA 1978.

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

Section 1. Section 2-5-4.1 NMSA 1978 (being Laws 1979, Chapter 229, Section 1, as amended) is amended to read:

"2-5-4.1. LEGISLATIVE SYSTEMS-- COORDINATION WITH OTHER AGENCIES-- FISCAL IMPACT INFORMATION-- DYNAMIC FORECASTING PILOT PROJECT-- FAMILY IMPACT REPORTS. --

A. The legislative finance committee shall cooperate with the office of the governor, the department of finance and administration and the taxation and revenue department in designing a timely and accurate system of providing fiscal impact and other pertinent information to the legislature concerning pending legislation.

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1 B. Beginning January 1, 2004, a two-year dynamic
2 forecasting pilot project shall be conducted by the legislative
3 finance committee, the department of finance and
4 administration, the taxation and revenue department and the
5 [~~state highway and~~] department of transportation [~~department~~]
6 in which fiscal impact information provided to the legislature
7 concerning legislation that proposes one or more changes to
8 laws on taxation shall be prepared on the basis of assumptions
9 that estimate the probable behavioral response of taxpayers,
10 businesses and other persons to the proposed changes. This
11 requirement applies only to legislation:

12 (1) introduced during the second session of
13 the forty-sixth legislature and the first session of the forty-
14 seventh legislature; and

15 (2) determined by the legislative finance
16 committee, pursuant to a static fiscal estimate, to have a
17 fiscal impact when fully implemented in excess of ten million
18 dollars (\$10,000,000) in a fiscal year.

19 C. The legislative finance committee shall
20 cooperate with the department of finance and administration and
21 other necessary executive agencies to develop the methodology
22 to implement the dynamic forecasting pilot project pursuant to
23 the requirements of Subsection B of this section.

24 D. Following the first session of the forty-seventh
25 legislature, the legislative finance committee shall evaluate

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1 the success of the dynamic forecasting pilot project required
2 by Subsection B of this section and determine if dynamic
3 forecasting should become a permanent feature of fiscal impact
4 analyses. In making this determination, the legislative
5 finance committee shall consider if this process:

6 (1) provides a reliable and reasonably
7 accurate analytic tool to aid legislators in determining the
8 effect of proposed legislation;

9 (2) can be accomplished with a reasonable
10 amount of resources; and

11 (3) can be incorporated into fiscal impact
12 estimates in a form that is easily understood and usable.

13 E. In preparing fiscal impact information on
14 proposed legislation, the legislative finance committee shall
15 also determine whether a family impact report shall be required
16 due to the content of the legislation. The committee shall
17 request the appropriate state agency to prepare a family impact
18 report that provides the information required in Subsection F
19 of this section. The state agency information may be included
20 in the fiscal impact information prepared by the legislative
21 finance committee.

22 F. A family impact report shall provide
23 information, as appropriate in consideration of the subject
24 matter of the proposed legislation, on whether the proposed
25 legislation:

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1 (1) supports and supplements parents' or other
2 family members' ability to carry out their responsibilities;

3 (2) provides incentives for other persons to
4 take over family functions when doing so may not be necessary;

5 (3) sets unrealistic expectations for families
6 to assume financial or caregiving responsibilities for
7 dependents or seriously ill or disabled family members;

8 (4) enforces absent parents' obligations to
9 provide financial support for their children;

10 (5) encourages and reinforces marital,
11 parental and family commitment and stability, especially when
12 children are involved;

13 (6) provides incentives or disincentives to
14 marry, separate or divorce;

15 (7) provides incentives or disincentives to
16 give birth to, foster or adopt children;

17 (8) strengthens marital commitment or parental
18 obligations;

19 (9) uses appropriate criteria to justify
20 removal of a child or adult from the family;

21 (10) allocates resources to help keep the
22 marriage or family together when this is the appropriate goal;

23 (11) recognizes that the major changes in the
24 family relationship, such as divorce or adoption, are processes
25 that extend over time and require continuing support and

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1 attention;

2 (12) recognizes the interdependence of family
3 relationships and the strength of family ties;

4 (13) recognizes the reciprocal influence of
5 family needs on individual needs and that of individual needs
6 on family needs;

7 (14) recognizes the complexity and
8 responsibilities involved in caring for family members with
9 special physical or psychological needs;

10 (15) involves immediate and extended family
11 members in working toward a solution;

12 (16) builds on informal social support
13 networks that are essential to families' lives;

14 (17) respects family decisions about division
15 of labor;

16 (18) ensures that perspectives of all family
17 members are represented;

18 (19) protects the rights and safety of
19 families while respecting parents' rights and family integrity;

20 (20) encourages persons and close family
21 members to collaborate with representatives of social service
22 programs;

23 (21) provides full information and a range of
24 choices to families;

25 (22) respects family autonomy and allows

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1 families to make their own decisions;

2 (23) encourages professionals to work in
3 collaboration with the families of their clients, patients or
4 students;

5 (24) takes into account the family's need to
6 coordinate the multiple services that the family may require
7 and the need to integrate them with other programs and services
8 that families use;

9 (25) makes services easily accessible in terms
10 of location, operating hours and easy-to-use application and
11 intake forms;

12 (26) prevents participating families from
13 being devalued, stigmatized or subject to humiliating
14 circumstances;

15 (27) involves parents and family
16 representatives in policy and program development,
17 implementation and evaluation;

18 (28) recognizes the diversity in family types
19 and does not discriminate against or penalize certain types;

20 (29) affects various types of families;

21 (30) provides good justification for targeting
22 only certain family types, such as single parents;

23 (31) identifies and respects the different
24 values, attitudes and behavior of families from various racial,
25 ethnic, religious, cultural and geographic backgrounds that are

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1 relevant to the effectiveness of the legislation;

2 (32) assists families that are in greatest
3 economic and social need;

4 (33) gives support to families who are most
5 vulnerable to breakdown and who have the fewest resources; and

6 (34) targets efforts and resources toward
7 preventing family problems before the problems become serious
8 crises or chronic situations. "

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