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SENATE BILL 257

48TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2008

INTRODUCED BY

Bernadette M. Sanchez

AN ACT

MAKING TECHNICAL CORRECTIONS TO THE ENROLLED AND ENGROSSED
COPIES OF CERTAIN 2007 LAWS; CONFORMING THE LAW RELATING TO
HOSPITALITY FEE PROCEEDS TO THE ACTIONS OF THE LEGISLATURE;
CONFORMING THE LAW RELATING TO CHARTER SCHOOL EMPLOYMENT
DECISIONS TO THE ACTIONS OF THE LEGISLATURE; DECLARING AN
EMERGENCY.

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

Section 1. Section 3-38A-3 NMSA 1978 (being Laws 2003,
Chapter 417, Section 3, as amended) is amended to read:

"3-38A-3. HOSPITALITY FEE AUTHORIZED--RATE--PURPOSE.--

A. A municipality may impose by ordinance a
hospitality fee on the gross rent received by proprietors of
tourist accommodations within the municipality in an amount not
to exceed one percent of the gross rent. The fee imposed by

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underscored material = new
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1 this subsection may be referred to as the "hospitality fee".

2 B. Proceeds from the hospitality fee shall be used
3 as follows:

4 (1) fifty percent of the proceeds shall be
5 used to equip and furnish a municipal convention center; and

6 (2) [~~twenty-five~~] fifty percent of the
7 proceeds shall be used by the municipality to contract to
8 purchase advertising that publicizes and promotes tourist-
9 related attractions, facilities and events in the municipality
10 and the county and tourist facilities or attractions within the
11 area [~~and~~

12 (~~3) twenty-five percent of the proceeds~~
13 ~~shall be used to extinguish debt incurred by a municipality~~
14 ~~for a metropolitan court facility]."~~

15 Section 2. Section 22-8B-10 NMSA 1978 (being Laws 1999,
16 Chapter 281, Section 10, as amended) is amended to read:

17 "22-8B-10. CHARTER SCHOOLS--EMPLOYEES.--

18 A. A charter school shall hire its own employees.
19 The provisions of the School Personnel Act shall apply to
20 such employees [~~provided, however, that a charter school may~~
21 ~~determine by indicating in its charter that either its~~
22 ~~governing body or head administrator shall make all~~
23 ~~employment decisions. The governing body shall be deemed to~~
24 ~~be responsible for making all employment decisions if the~~
25 ~~charter does not specify the decision maker]. The head~~

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underscored material = new
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1 administrator of the charter school shall employ, fix the
2 salaries of, assign, terminate and discharge all employees of
3 the charter school.

4 B. The head administrator of a charter school
5 shall not initially employ or approve the initial employment
6 in any capacity of a person who is the spouse, father,
7 father-in-law, mother, mother-in-law, son, son-in-law,
8 daughter or daughter-in-law of a member of the governing body
9 or the head administrator. The governing body may waive the
10 nepotism rule for family members of a head administrator.

11 C. Nothing in this section shall prohibit the
12 continued employment of a person employed on or before July
13 1, 2007."

14 Section 3. EMERGENCY.--It is necessary for the public
15 peace, health and safety that this act take effect
16 immediately.