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HOUSE BILL 1056

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

SAMUEL F. VIGIL

AN ACT

RELATING TO LEGISLATIVE RETIREMENT; PROVIDING FOR REINSTATEMENT
OF CERTAIN MEMBERS.

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

Section 1. Section 10-11-39 NMSA 1978 (being Laws 1987,
Chapter 253, Section 39) is amended to read:

"10-11-39. STATE LEGISLATOR MEMBER COVERAGE PLAN 1--
APPLICABILITY. --

A. State legislator member coverage plan 1 is applicable to state legislators and lieutenant governors, including state legislators who withdrew from membership in the public employee retirement system pursuant to court judgments entered after December 29, 1988 and prior to November 22, 1995, who are reinstated pursuant to Subsection B of this section.

B. State legislators who withdrew from membership

1 between December 29, 1988 and November 22, 1995, or their
2 personal representatives, may apply for and shall be granted
3 reinstatement as provided in this subsection. Application shall
4 be made in the manner the association shall prescribe. Those
5 who withdrew their contributions shall repay all amounts
6 withdrawn. Those who repaid any portion of the retirement
7 benefits received shall be refunded the amounts repaid upon
8 reinstatement. Upon request, refund amounts shall be credited
9 against amounts withdrawn and only the balance, if any, shall be
10 refunded or due. Reinstatement shall be effective retroactively
11 to the date of withdrawal from membership. Unpaid benefits due
12 shall be paid in a lump sum upon reinstatement. "

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State of New Mexico
House of Representatives

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

February 27, 1997

Mr. Speaker:

Your TRANSPORTATION COMMITTEE, to whom has been referred

HOUSE BILL 1156

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

1. On page 2, line 10, after the comma insert "and upon payment of a ten dollar (\$10.00) transfer fee in addition to the regular motor vehicle registration fees,".
2. On page 2, line 11, strike the quotation mark.

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

HTC/HB 1156

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3. On page 2, between lines 11 and 12, insert the following new subsection:

"E. Ten dollars (\$10.00) of the fee collected pursuant to Subsection C of this section shall be retained by the department and is appropriated to the department to defray the cost of issuing the special year-of-manufacture registration plates.".

Respectfully submitted,

Daniel P. Silva, Chairman

Adopted _____

Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

HTC/HB 1156

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The roll call vote was 7 For 0 Against

Yes: 7

Excused: Olguin, Rodella, Watchman, Whitaker

Absent: W. C. Williams

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State of New Mexico House of Representatives

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

March 5, 1997

Mr. Speaker:

Your APPROPRIATIONS AND FINANCE COMMITTEE, to
whom has been referred

HOUSE BILL 1056

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

1. On page 1, line 25, after "membership" insert "pursuant
to the court judgments entered".

2. On page 2, line 6, after "withdrawn" insert ", including
any interest".

3. On page 2, line 8, after the period strike the remainder
of the line, strike all of line 9 and strike all of line 10
through the period.

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

HAF C/HB 1056

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Respectfully submitted,

Max Coll, Chairman

Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 12 For 0 Against

Yes: 12

Excused: Bird, Marquardt, Picraux, Saavedra, Watchman

Absent: None

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[bracketed material] = delete

1 FORTY-THIRD LEGISLATURE
2 FIRST SESSION, 1997

HB 1056/a

3
4 March 14, 1997

5
6 Mr. President:

7
8 Your FINANCE COMMITTEE, to whom has been referred

9 HOUSE BILL 1056, as amended

10
11 has had it under consideration and reports same with
12 recommendation that it DO PASS, amended as follows:

13
14 1. On page 2, line 12, strike the closing quotation mark and
15 between lines 12 and 13, insert the following new subsection:

16 "C. State legislator member coverage plan 1 is also
17 applicable to a state legislator who:

18
19 (1) was unable to become a member or unable to make
20 member contributions during the period from December 29, 1988
21 through July 15, 1996 because administration of state legislator
22 member coverage plan 1 was suspended due to litigation; and

23 (2) because of the death of the legislator after
24 the November 22, 1995 New Mexico supreme court decision in Udall
25 v. P. E. R. B. et al. 120 N. M. 786 (1995) but prior to June 15, 1996,

**FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997**

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SFC/H1056

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was unable to comply with the public employees retirement association June 15, 1996 rule establishing procedures for acquiring benefits. The eligible surviving spouse of the legislator, as defined by Section 10-11-14.5 NMSA 1978, may on behalf of the legislator enroll in the plan by making application and paying member contributions as the association may prescribe. "".

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Respectfully submitted,

**FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997**

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SFC/H1056

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Ben D. Altami rano, Chair man

Adopted _____ Not Adopted _____
(Chi ef Clerk) (Chi ef Clerk)

Date _____

The roll call vote was 6 For 0 Against

Yes: 6

No: None

Excused: Aragon, Altami rano, Carraro, Ingle, Lyons

Absent: None

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Underscored material = new
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