

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

HOUSE BILL 645

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Max Coll

AN ACT

RELATING TO BOARDS; PROHIBITING, RESTRICTING AND REQUIRING  
REPORTING OF CERTAIN GIFTS TO MEMBERS OF THE RETIREMENT BOARD;  
DECLARING AN EMERGENCY.

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

Section 1. A new section of the Public Employees  
Retirement Act is enacted to read:

" [NEW MATERIAL] 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

underscored material = new  
[bracketed material] = delete

underscored material = new  
[bracketed material] = delete

1 board or association shall receive or accept anything of value  
2 directly or indirectly from a person who:

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

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.

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

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

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

4 (3) is authorized to invest public funds  
5 pursuant to state or federal law or is an employee or agent of  
6 such a person. "

7 Section 2. EMERGENCY.--It is necessary for the public  
8 peace, health and safety that this act take effect  
9 immediately.

10 - 3 -

11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
underscored material = new  
[bracketed material] = delete

1 FORTY-FOURTH LEGISLATURE

2 FIRST SESSION, 1999

3  
4  
5  
6 February 18, 1999

7  
8 Mr. Speaker:

9  
10 Your GOVERNMENT AND URBAN AFFAIRS COMMITTEE, to  
11 whom has been referred

12  
13 HOUSE BILL 645

14  
15 has had it under consideration and reports same with  
16 recommendation that it DO PASS.

17 Respectfully submitted,

18  
19  
20  
21 \_\_\_\_\_  
22 James G. Taylor, Chairman  
23  
24  
25

FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999

HGUAC/HB 645

Page 5

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 7 For 0 Against

Yes: 7

Excused: None

Absent: None

J: \99BillSWP\H0645

underscored material = new  
[bracketed material] = delete

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

FORTY-FOURTH LEGISLATURE  
FIRST SESSION

February 22, 1999

HOUSE FLOOR AMENDMENT number \_\_\_\_\_ to HOUSE BILL 645

Amendment sponsored by Representative Max Coll

1. On page 2, line 7, after the semicolon strike "or".

2. On page 2, line 10, strike the period and insert in lieu thereof "; or" and between lines 10 and 11, insert the following:

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

3. On page 3, line 3, after the semicolon strike "or".

4. On page 3, line 6, strike the period and the quotation mark and insert "; or" and between lines 6 and 7, insert the following:

"(4) is an organization, association or other entity having a membership that includes persons described in Paragraphs (1)

FORTY- FOURTH LEGISLATURE  
FIRST SESSION

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

HF1/ HB 645

Page 7

through (3) of this subsection.

C. Within ten days after an election in which one or more board members are elected by some or all of the members of the association pursuant to the Public Employees Retirement Act, all persons who were candidates for board membership in that election shall file with the association a report disclosing all contributions to their respective campaigns whether made directly to the candidate, a political action committee or to some other entity supporting the candidate's election. The contributions shall be reported by amount and specific source. Within sixty days after the election, the association shall publish the reports required by this subsection."

Section 2. A new section of the Educational Retirement Act is enacted to read:

"[NEW MATERIAL] 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 board member nor an employee of the board shall receive or accept anything of value directly or indirectly from

underscored material = new  
[bracketed material] = delete

FORTY-FOURTH LEGISLATURE  
FIRST SESSION

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

HF1/ HB 645

Page 8

a person who:

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

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

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

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

---

Max Coll

Adopted \_\_\_\_\_  
(Chief Clerk)

Not Adopted \_\_\_\_\_  
(Chief Clerk)

underscored material = new  
[bracketed material] = delete

FORTY- FOURTH LEGISLATURE  
FIRST SESSION

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

HF1/ HB 645

Page 9

Date \_\_\_\_\_

underscoring = new  
~~[bracketed material]~~ = delete

FORTY-FOURTH LEGISLATURE  
FIRST SESSION

HF1/HB 645

Page 10

FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999

March 8, 1999

Mr. President:

Your PUBLIC AFFAIRS COMMITTEE, to whom has been referred

HOUSE BILL 645, as amended

has had it under consideration and reports same with recommendation  
that it DO PASS, and thence referred to the JUDICIARY  
COMMITTEE.

Respectfully submitted,

\_\_\_\_\_  
Shannon Robinson, Chairman

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

FORTY- FOURTH LEGISLATURE  
FIRST SESSION

1 HF1 / HB 645

Page 11

2

(Chief Clerk)

(Chief Clerk)

3

4

Date \_\_\_\_\_

5

6

7

The roll call vote was 5 For 0 Against

8

Yes: 5

9

No: 0

10

Excused: Boitano, Garcia, Leavell, Stockard

11

Absent: None

12

13

H0645PA1

14

15

16

17

18

19

20

21

22

23

24

25

underscored material = new  
[bracketed material] = delete