

NMBA LEGISLATIVE REPORT

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There are 11 days remaining in the 2020 30-day Legislature. As of the cut-off date for introduction of the legislation, the House had introduced 404 bills and 10 Constitutional amendments, the Senate 322 bills and 10 Constitutional amendments.

Some of the issues and legislation considered this past week are:

- The House passed a \$7.6 billion budget last Wednesday. After hours of debate, the House voted 46-24 along party lines to approve HB 2, which would increase state spending in the next fiscal year by \$529 million or 7.5% over current spending levels. The House found a compromise between the fiscal year 2021 spending plan proposed by the Governor and that recommended by the Legislative Finance Committee. The Governor had called for a \$7.68 billion spending plan, while the finance committee recommended \$7.55 billion. The budget proposed in the bill is \$65 million higher than the Legislative Finance Committee's proposal, with early childhood and K-12 education accounting for the bulk of the difference

HB 2 did not include \$35 million in recurring funds for the Governor's proposal to provide free tuition for all New Mexicans-covering remaining costs for each qualifying student after the state's lottery scholarship and federal Pell Grant are applied. But, the bill includes \$35 million in mostly one-time allocations for existing higher education financial aid programs, such as the Legislative Lottery Scholarship and the Student Incentive Grant.

The bill provides for a 5% salary increase for teachers, a 4% increase for educational workers and 3% of state employees. The bill also includes \$76 million as part of a plan to place the Public Employees Retirement Association pension plan in solvency. Most importantly, the budget bill sets the state's reserve level at 26%. The Senate will likely make significant changes to the House budget during hearings in the Senate Finance Committee this week.

- Bad news, the House Taxation and Revenue Committee tabled HB 29 and HB 77, which would repeal all or part of the state income tax on Social Security income. HB 29 would exempt federally taxable Social Security income from state personal income tax. The estimated revenue loss to the state general fund should HB 29 be enacted is approximately \$115 million. HB 77 would provide for a limited exemption from personal income tax for income from Social Security retirement that is taxable for federal purposes. Each individual may claim an exemption not to exceed \$24,000. The estimated loss to the state general fund if HB 77 were enacted is \$100 million. New Mexico is one of only 13 states that tax Social Security benefits. The committee felt it would be unwise to approve the legislation without having a plan to replace the lost revenue. These bills will be considered during the intervening period before the 2021 legislature by the Governor's Tax Policy Task Force. The task force will study New Mexico's current Taxation Code and make recommendations for revisions to the 2021 Legislature.
- The Senate approved HB 5, the Extreme Risk Protection Order Act, last Friday, 22-20. The bill would allow for court-ordered firearm seizures from persons deemed to pose a threat to themselves or others. The bill has divided New Mexico's law enforcement agencies. Thirty of the state's 33 county sheriffs oppose SB 5, while the State Police and Albuquerque Police Department support the measure. Under the bill, a law enforcement officer would be able to file a petition in state court for an order to prohibit someone from possessing firearms. If a judge found probable cause that an individual posed a threat to themselves or others, an emergency 10-day order requiring them to relinquish their firearms would be issued. A one-year order could then be imposed after a court hearing. Similar laws have been enacted in 17 states and the District of Columbia. A similar measure passed the House in 2019 before being stalled in the Senate.
- To the delight of Governor Grisham, the Senate unanimously approved SB 1, the Wholesale Prescription Drug Importation Act, which sets up a program whereby the state would import prescription medications from Canada (and perhaps other countries) through a wholesaler or wholesalers for resale to New Mexico consumers. Such a program depends on federal implementation of a law passed

by Congress in 2003 to allow drug importation from Canada. The law required the secretary of the federal Department of Health and Human Services establish regulations for such a program before it could be placed into effect, but that is not anticipated to happen until spring or summer 2020.

SB 1 requires NM DOH to convene an interagency committee composed of the secretaries of Health, Human Services and General Services departments, the executive director of the Board of Pharmacy, and the superintendent of insurance, to oversee the design and creation of a program to obtain wholesale prescription drugs in Canada or in other countries allowed by federal law to export drugs into the United States.

Drugs eligible for importation would not violate federal patent law, could not be controlled substances, would generate significant cost savings for New Mexicans, and, would meet U.S. federal drug administration standards for safety and effectiveness. Wholesalers would have to assure that they would comply with federal law on tracking and tracing imported drugs. Drugs obtained could not be re-distributed beyond the state's borders. Mark-ups by intermediaries would not be allowed to jeopardize cost savings to consumers.

Implementation of the plan would require approval by the secretary of the federal Department of Health and Human Services. Once federal approval was obtained, NM DOH would have up to six months to implement the program.

Implementation would also include contracting with one or more wholesalers and one or more Canadian suppliers, consultation with stakeholders (including pharmacies, insurance plans, healthcare providers and consumers), developing a process to register health plans, pharmacies and providers wanting to act as intermediaries, and making a list of eligible drugs and their prices for consumers and all stakeholders.

- The fate of SB 115, the Cannabis Regulation Act, which would legalize adult recreational use of cannabis, is still very much up in the air. If the bill gets to the Senate floor, many believe it will pass or fail by two or three votes. Stay tuned.
- Representative Javier Martinez has introduced HB 350, which would provide for the presidential primary election in New Mexico to be held on the second Tuesday in January in the year in which the U.S. President is elected-starting in the 2024 election cycle. Martinez indicated that by moving New Mexico's presidential primary to the second Tuesday in January instead of the first Tuesday in June, the state would bring in greater revenue in campaign and advertising expenditures.

Key Session Dates:

- December 16, 2019-January 17, 2020: Legislation may be pre-filed
- January 21: Opening day (noon)
- February 5: Deadline for introduction of legislation
- February 20: Session ends at noon
- March 11: Legislation not acted upon by governor is pocket vetoed.
- May 20: Effective date of legislation which is not a general appropriation bill or a bill carrying an emergency clause or other specified date

Bill Finder:

The New Mexico Bankers Association will prepare a weekly LEGISLATIVE REPORT throughout the 2020 Legislative Session. When a bill affecting our industry is first introduced, its pertinent provisions will be summarized. Thereafter, any further action taken on the bill will be reflected in subsequent reports. At any time you should desire a copy of a bill or additional information concerning any legislative matter, please direct your inquiry to the NMBA office at (505) 822-7900. To get copies of House and Senate bills online, go to <http://legis.state.nm.us> and then click on 'bill locator'. For a full text of the governor's "State of the State" address visit: <http://www.governor.state.nm.us>.



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Senate Bills and Resolutions:

SB 63: Tenancy Tax Act (Munoz). The bill creates the Tenancy Tax Act to allow counties and municipalities to impose a tenancy tax not to exceed 5 percent of gross taxable rent. Proceeds from the tax shall be used only for purposes stated in the local ordinance imposing the tax.

SB 68: Social Security Income Tax Exemption (Padilla). The bill proposes a limited exemption from Personal Income Tax for income from Social Security Retirement that is taxable for federal purposes. Each individual may claim an exemption not to exceed

\$25,000. If both partners filing a married joint return individually receive Social Security benefits, then each recipient is entitled to the limited exemption. Individuals claiming this exemption are not permitted to simultaneously claim the Over 65 and Blind Exemption.

SB 72: PERA Solvency (Munoz). The bill makes the following changes to the Public Employees Retirement Act (PERA):

- Beginning in FY21, increases state and local government employee and employer pension contributions by 0.5 percent each year for four years for a total increase of 2 percent with the following exceptions:
 - State police and adult correctional officers;
 - Those earning annual salaries less than \$25 thousand;
 - Increased contributions from local governments will not begin until FY23.
- Creates triggers to automatically reduce pension contributions as the funding of the plans improves;
- Removes the 90 percent cap on pension earnings for all employees;

The bill also makes changes to the cost of living adjustment (COLA) for current retirees:

- Suspends the compounding COLA for three years and replaces it with a non-compounding 2 percent COLA for all members with the exception of those on disability retirement, those with 25 years of service or more and whose pension is less than \$25 thousand per year, and those age 75 or older as of June 30, 2020;
- Beginning in FY24, implements a new COLA calculation tied to investment performance and funded ratio of PERA plans. The new COLA pays an automatic 0.5 percent up to a maximum of 5 percent. Individuals who receive disability retirement, have 25 years of service and an annual pension benefit less than \$25 thousand, and are over age 75 as of June 30, 2020 are exempted from the variable COLA and will instead receive a compounding COLA of 2.5 percent.
- Allows all PERA retirees to be reemployed by ERB-affiliated employers and receive COLAs on their pensions during the course of their re-employment.

SB 81: Exempting Social Security From Income Tax (White). The bill proposes exempting federally taxable social security retirement income from state personal income tax. Individuals claiming this exemption are not permitted to simultaneously claim the Over 65 and Blind Exemption.

SB 116: Enable TRD to Share Data for Tax Programs (Shendo). The bill amends the tax data confidentiality statute to broaden the list of tax information the Tax and Revenue Department (TRD) may legally share with other state agencies to allow and assist the joint administration of certain tax programs. The changes include adding the Health Care Quality Surcharge Act information that can be shared with the Human Services Department and expanded film credit information to share with the Economic

Development Department (EDD). It also adds the Department of Public Safety (DPS) and the Department of Transportation (DOT) for return information for the Weight Distance Tax Act. The bill also allows the Energy, Minerals and Natural Resources Department (EMNRD) and the New Mexico Environment Department (NMED) to receive information concerning tax credits that are certified by EMNRD and claimed pursuant to the Income Tax Act.

SB 120: Expand Allowed County Treasurer Investments (Candelaria). The bill amends Section 6-10-10 NMSA 1978 relating to investment of public funds to allow a treasurer of a class A county, or of a municipality with a population of over 65,000 located within a class A county, to invest in certain mutual funds or exchange-traded funds and pay reasonable administrative costs and investment fees if approved by their boards of finance.

SB 136: Investment in NM Funds and Businesses (Campos). The bill amends Section 7-27-5.15 NMSA 1978, to increase the percentage cap on New Mexico private equity and business investments, from the existing 9 percent of the Severance Tax Permanent Fund (STPF) to 11 percent statutory limitation for the investment program. The bill also makes clear the existing statute, which authorizes the 2 percent small business investment corporation (SBIC) allocation, is wholly separate from the existing authorization for NM private equity funds. Viewing these two separate strategies as exclusive of one another is in line with existing and historical practices by the State Investment Council.

SB 139: Medical Marijuana “Qualified Patient” (Ortiz y Pino). This bill restores the definition of “qualified patient” (i.e. a person who is able to consume medical marijuana) in the Lynn and Erin Compassionate Use Act to what it was prior to 2019 amendment, which requires the patient be a resident of New Mexico.

SB 148: Water Trust Fund (Cervantes). The bill, endorsed by the New Mexico Finance Authority Oversight Committee, appropriates \$41 million from the general fund to the Water Trust Fund for the purpose of carrying out the purposes of the fund. Since 2006, \$55 million has been transferred from the general fund to the Water Trust Fund.

SB 150: Low-Income Emergency and Minor Home Repairs (Gonzales). The bill appropriates \$2 million from the general fund to the Department of Finance and Administration for expenditure in fiscal years 2021 and 2022 for the New Mexico Mortgage Finance Authority (MFA) to provide for emergency and minor repairs of homes occupied by low-income persons in New Mexico.

SB 153: Low-Income Residential Energy Conservation (Martinez). The bill appropriates \$2 million from the general fund to the department of finance administration for expenditure in fiscal years 2021 and 2022 for the Mortgage Finance

Authority (MFA) to provide for a residential energy conservation program to increase energy efficiency and reduce energy expenditures of homes occupied by low-income persons in New Mexico.

SB 162: Foreclosure Prevention Counseling (Ortiz y Pino). The bill appropriates \$2.3 million dollars from the general fund to the Administrative Office of the Courts for the purpose of assisting parties in mortgage foreclosure cases in the 2nd and 13th judicial district courts with coordination from the New Mexico State Bar.

SB 170: Social Security Income Tax Exemption (Campos). The bill stipulates that an individual may claim an exemption in an amount not to exceed thirty thousand dollars (\$30,000) on the individual's net income for income from Social Security payments.

SB 184: Investment Credit Act Changes (Sapien). The bill amends the investment credit for manufacturers to allow a credit equal to the effective gross receipts tax rate, up from current statute allowing a credit equal to the compensating tax rate on qualified equipment purchased or brought into the state.

SB 194: Promotion of NM Agricultural Products (Lopez). This bill makes an appropriation of \$400,000 from the general fund to the Economic Development Department for expenditure in fiscal year 2021 to contract with community economic development centers in Bernalillo and Sandoval counties to promote the expansion and sustained growth of local farms.

SB 256: Income Tax “Manufacturing” Definition (Sanchez). The bill amends the Uniform Division of Income for Tax Purposes Act to clarify the definition of “manufacturing”. The bill clarifies that “manufacturing” does not include electric power generation for which both location approval and a certificate of convenience and necessity are required prior to commencing construction or operation of the facility, pursuant to the Public Utility Act.

SB 257: Eviction Prevention Act (Ortiz y Pino). The bill enacts the Eviction Prevention Act and recognizes the harmful effects of eviction and homelessness on school-age children, including interfering with school attendance and academic performance by contributing to family stress, dysfunction, disintegration, childhood trauma, and high student mobility and absenteeism. The bill establishes the "eviction prevention program", which is created in the authority to provide rent assistance to families of school-age children who are at risk of homelessness. Families with school-age children who qualify for a public school's free or reduced-fee lunch program may be eligible for rent assistance through the eviction prevention program.

SB 259: Escrow Company Surety Bonds (Pirtle). The bill eliminates requirements for surety bonds for escrow companies and imposes requirements for fidelity bonds for escrow companies.

SB 271: Tribe and Pueblo Medical Marijuana Agreements (Shendo). The bill authorizes the Department of Health to enter into intergovernmental agreements with Indian nations, tribes and pueblos regarding implementation and compliance in connection with the Lynn and Erin Compassionate Use Act.

SJR 5: Legislative Term Limits (Griggs). The joint resolution proposes amending Article 4, Section 4 of the Constitution of New Mexico to change the length of the term of state legislators and limit the number of consecutive terms that state legislators may serve. Proposed changes are:

- Senate term changes from four to six years;
- House of Representatives term changes from two to four years;
- Senators shall not serve more than four consecutive terms;
- Representatives shall not serve more than six consecutive terms

SJR 8: Property Tax Changes (Lopez). The joint resolution proposes an amendment to article 8 of the Constitution of New Mexico to require the Legislature to exempt between fifty percent and one hundred percent of the value of residential property of New Mexico residents who are at least 75 years of age, have adjusted gross income of \$34,000 or less, and have owned the property for at least 15 consecutive years.

House Bills and Resolutions:

HB 64: Pleadings Pertaining Construction Claims (Ely). The bill outlines information required to be included in a pleading that makes a claim for relief arising from the defective or unsafe condition of a physical improvement to real property in addition to any information required by applicable judicial rules. Specifically, the bill requires the pleading to include:

- a detailed description of the unsafe or defective condition;
- a detailed description of the injury or damage arising from the unsafe or defective condition;
- a detailed description of the cause of the defective or unsafe condition;
- the address of each residence affected by the defective or unsafe condition;
- a sworn statement by the owner of the residence and alleged injured parties; and
- a statement of satisfaction of the bill's requirements for pleadings.

HB 64 states that it does not supersede the statute of limitations for a claim for relief arising out of the defective or unsafe condition of a physical improvement to property. The bill may be a reaction to a “flurry of lawsuits” filed in and around Albuquerque that have been blamed for increased building costs and negative effects upon the home building industry, including subcontractors.

HB 91: Limit Property Tax Valuation Increases (McQueen). The bill increases the current three percent limit on annual net taxable value currently applicable to all residential properties to ten percent on residential properties that are not occupied by their owners as their primary residences. Properties that are occupied by their owners would continue to be subject to the three percent limitation in net taxable value applicable to residential properties under current law. The impetus for passing the proposed legislation likely stems partially from 1) inequities that resulted from passage of the three percent limitation enacted in 2001, caused by the fact that long-term homeowners may be taxed at higher effective rates than those faced by recent purchasers of residential property and 2) inequities resulting from the fact that rental property owners receive a portion of the tax breaks that are aimed at long-term homeowners.

HB 175: Historically Underutilized Businesses (Maestas). The bill establishes the Historically Underutilized Business Opportunity Act. The purpose of the act is to stimulate economic development and job creation by promoting full and equal business opportunities for all businesses by encouraging and setting goals for the use of historically underutilized businesses by state agencies in all public purchasing decisions and collecting data on the usage of historically underutilized businesses by state agencies.

HB 181: Regional Retail Economic Development Projects (McQueen). The bill authorizes the Economic Development Department to participate with local or regional governments in economic development projects that are primarily engaged in the sale of goods or commodities at retail; provided that the business:

- is located in a municipality with a population of ten thousand or less according to the most recent federal decennial census and the business will not directly compete with an existing business that is located in the municipality and engaged in the sale of the same or similar goods or commodities at retail; or
- is located more than ten miles from the closest municipality with a population greater than ten thousand and would not directly compete with an existing business that is engaged in the sale of the same or similar goods or commodities at retail and is located within ten miles of the project location.

HB 196: Public Contracts and Minimum Wage (Dow). The bill requires that public contracts provide for increased contractor and subcontractor reimbursement and worker wage increases in accordance and concurrent with state minimum wage increases.

HB 202: Enforcement of Certain Liens (Powdrell-Culbert). The bill establishes that no lien of a mechanic or a materialman may be enforced by action or otherwise unless the lien claimant has at least thirty days prior to taking action to enforce the lien given notice in writing that the claimant has filed a lien by either certified mail, return receipt requested, facsimile with acknowledgment or personal delivery to the owner or reputed owner of the property upon which the improvements have been or are being constructed.

HB 214: Regulation of Finished Hemp Product Sales (Lente). The bill adds sections to and amends sections of the Hemp Manufacturing Act. Section 1 adds a new section to the Hemp Manufacturing Act. Section 2 adds a penalty section to the Hemp Manufacturing Act. Section 3 amends definitions in the Hemp Manufacturing Act. Section 4 creates the Hemp Service Sanitation Fund.

HB 223: Agricultural and Natural Resources Trust Act (Small). The bill, the Agricultural and Natural Resources Trust Act, creates the agricultural and natural resources trust fund (trust fund) in the state treasury, which shall be a perpetual trust fund consisting of appropriations, gifts, grants, transfers, bequests, and other donations of money. The State Investment Council will invest the trust fund to obtain the highest return consistent with preservation of the fund. The bill also creates the agricultural and natural resources trust grant fund (grant fund) for a grant program that will support water enhancement projects related to both quality and quantity of water; preservation and conservation of open space, cultural land, and natural resources; and improvement, maintenance and enhancement of existing terrestrial and aquatic habitat. The grant program would also support projects that moderate and reduce anthropogenic impacts, reduce the potential for disease transmission, control and manage invasive species, restore natural fire regimes and watersheds impacted by wildfire, and promote soil and rangeland health and enhance agricultural viability. The bill further creates the Office of the Agricultural and Natural Resources Trust, which will be administratively attached to the Office of the Governor, to administer the grant program.

HB 225: Kiki Saavedra Senior Dignity Fund (Armstrong). The bill appropriates \$25 million from the general fund to the Aging and Long-Term Services Department to address high priority services for senior citizens and adults with disabilities in New Mexico, to include transportation, food insecurity, physical and behavioral health, case management and caregiving. This is one of the Governor's top priorities.

HB 245: Homeowner Association Audit Requirements (Bash). This bill removes the audit requirement for homeowner associations that have less than thirty lots and collect less than \$3,000 in annual dues.

HB 256: Construction Industries “Contractor” (Lente). The bill amends the definition of “contractor” in the Construction Industries Licensing Act to expand the construction-related activities that a person may perform on farms or ranches without a contractor license.

HB 259: Homeowner Association Foreclosures (Stapleton). The bill amends Section 47-16-18 NMSA 1978 relating to the Homeowners Association Act to prohibit a homeowner association (HOA) from initiating foreclosure proceedings against property owners that are delinquent in paying assessments, dues, fines or penalties imposed by an association, unless those amounts exceed \$25 thousand. Additionally, the bill specifies that nothing in this new subsection shall preclude a HOA from seeking another remedy available at law.

HB 264: Public Private Partnership Act (Sanchez). The bill enacts the Public-Private Partnership Act. The act allows public partners to enter into public-private partnership agreements to facilitate public projects.

HB 271: Capital Improvements Gaming Tax Credit (Ruiloba). The bill creates a capital improvements gaming tax credit for qualifying casino operators. In order to qualify for up to \$1.5 million per fiscal year, a casino operator must have:

- actual expenditures for capital improvements or long-term financing for capital improvements, as the tax credit is limited to the amount of expenditures or a maximum of \$1.5 million per year;
- had in the immediately prior calendar year a combined net take of under \$25 million; and
- monthly gaming tax obligation in excess of the amount of credit claimed for that month.

HB 285: Adjoining Properties for Rezoning (Rehm). The bill clarifies that a person other than a county or municipal zoning authority or a special zoning district who proposes to change the zoning classification of real property from a residential classification to a nonresidential classification such as a commercial or industrial classification shall seek the consent of all adjoining property owners. Also, if adjoining property owners do not consent to a proposed zoning change, approval of a zoning change to a nonresidential classification by a county or municipal zoning authority or a special zoning district shall be contingent upon the payment by the person other than a county or municipal zoning authority or a special zoning district requesting the zoning change to each nonconsenting adjoining residentially zoned property owner of a sum

equal to one-half of the fair market value of adjoining parcels of real property owned by the non-consenting property owner.

HB 293: NMED Greenhouse Gas Evaluations (McQueen). The bill appropriates \$150 thousand from the general fund to the New Mexico Environment Department (NMED) for the purpose of finalizing an evaluation of emissions trends and proposed policies to reduce carbon dioxide and other greenhouse gas emissions, to include market-based approaches.

HB 303: Renewable Energy Project Financing (Rubio). This bill authorizes renewable energy financing to occur through renewable energy improving financial institutions. The financial institutions division of the regulation and licensing department shall promulgate rules for the certification of financial institutions or other entities as renewable energy improvement financing institutions. The rules shall ensure that a renewable energy improvement financing institution is a member institution of the Federal Deposit Insurance Corporation or the National Credit Union Administration or is an entity that the financial institutions division finds meets generally accepted criteria for financial stability and soundness.

HB 325: Criminal Records Considered for Employment (Romero). The bill expands the list of criminal records that cannot be considered in an application for public employment or licensure. This includes a conviction that has been sealed, dismissed, expunged or pardoned; a juvenile adjudication; or a conviction for a crime that is not directly related to the duties or responsibilities of the employment or licensed occupation. It also requires public agencies to promulgate rules identifying mitigating circumstances and disqualifying criminal convictions. In addition, the bill requires notice of disqualifying events and an applicant's right to challenge or provide justification of qualifying events.

HB 332: Local Liquor Dispenser's License (Maestas). The bill establishes that the governmental body of a local option district may by ordinance or resolution approve the issuance of local non-transferable dispenser's licenses in an amount not to exceed five new licenses per calendar year. The bill also establishes that a taxpayer who is a liquor license lessor may claim a deduction from net income in an amount equal to the gross receipts from sales of alcoholic beverages made by each liquor license lessee.

HB 333: Study Parental Paid Family and Medical Leave (Chandler). This bill appropriates \$1 million from the general fund to the Workforce Solutions Department for expenditure in fiscal year 2021 to study and make recommendations for the establishment of a parental paid leave and paid family- and medical-leave program.

HB 334: Cannabis Research Act (Martinez). The bill enacts the Cannabis Research Act (Act), which authorizes the production, testing, manufacturing and transportation of

cannabis products for research purposes by licensed cannabis research laboratories. The bill creates the Cannabis Control Division (Division) in the Regulation and Licensing Department (RLD) which must promulgate rules necessary to carry out its duties under the Act by January 1, 2021, including those related to licensing and otherwise regulating cannabis research laboratories. It creates the Cannabis Research Regulation Fund, administered by the Division, upon appropriation, to fund the Division's duties under the Act. The bill authorizes the imposition of fees on licensees and provides sanctions and penalties up to \$10 thousand for violation of the Act or any rule promulgated by the Division, although sanctions against post-secondary educational institutions are limited to suspension or revocation of a license. It allows a person to seek review of a licensing decision by the Division within 30 days, and any hearing on that matter must be conducted in accordance with the Uniform Licensing Act (ULA). HB 334 allows local jurisdictions to adopt reasonable time, place and manner restrictions on activities under the Act, but prohibits an outright ban on them. It also exempts from Schedule I of the Controlled Substances Act (and from prosecution) marijuana (and tetrahydrocannabinols and their chemical derivatives) when used in a manner authorized by the Division's rules under the Act.

HJR 5: Limit Expenditures and Tax Increases (Montoya) The bill proposes to amend Articles IV and VIII of the New Mexico Constitution in order to limit state expenditures and tax increases. In particular, it proposes to create a new Section 43 in Article IV to limit state expenditures from the general fund. The new Section 43 would generally limit expenditures, starting in fiscal year 2022, to the total expenditures from the general fund made in the immediately prior fiscal year plus the products of multiplying the prior fiscal year's expenditures by the state's population increase in the prior calendar year and, separately, 3.6 percent. The state could exceed this expenditure limit only through a three-fifths majority vote of both houses of the legislature.

HM 10: Financial Abuse of Senior Citizens Task Force (Armstrong) The memorial directs the executive director of the senior citizens law office to assemble a task force to study means of protecting New Mexico's elderly as well as adults with disability from financial abuse perpetrated both by strangers and by acquaintances and family members of these senior citizens and disabled persons. The memorial makes note of the increasing population of senior citizens and disabled persons in the United States and in New Mexico and increasing reports of financial abuse within the state. It states that senior citizens and disabled persons living in rural areas may be at increased risk. Other states have taken action to prevent financial abuse of senior citizens; the memorial suggests that the task force study those other states' efforts and their results.

Status of Senate Bills and Resolutions Previously Summarized in Volume I:

SB 49: Public Funds Investments (Rodriguez). Senate floor

SB 68: Social Security Taxation (Padilla). Senate Corporations Committee

SB 81: Social Security Taxation (White). Senate Corporations Committee

SB 102: Natural Resources (Neville). Senate Committee's Committee

SB 104: Hydraulic Fracturing Permits (Sebillo Lopez). Senate Committee's Committee

SB 115: Cannabis Regulation Act (Ortiz y Pino). Senate Judiciary Committee

Status of House Bills and Resolutions Previously Summarized in Volume I:

HB 29: Social Security Taxation (Brown). Tabled in House Taxation and Revenue Committee

HB 77: Social Security Taxation (Ely). Tabled in House Taxation and Revenue Committee

HB 82: Minimum Wage (Caballero). House Rules Committee

HB 120: Public Funds Investments (Cook). House Rules Committee

HB 123: Conservatorship Liability (Ely). House Rules Committee

HB 130: Social Security Taxation (G. Armstrong). Tabled in House Labor Committee

HJR 1: Permanent Funds for Early Childhood Education (Maestas). Passed House 44-25.

Status of Senate Bills and Resolutions Previously Summarized in Volume II:

SB 1: Wholesale Prescription Drug Importation (Papen). Passed Senate 35-0. House Health Committee.

SB 3: Early Childhood Education (Smith). Passed Senate 40-0. House Appropriations and Finance Committee.

SB 12: Unemployment Compensation During Apprenticeship (Padilla). Senate Committee's Committee

SB 17: Tax Deductions for Broadband Infrastructure (Padilla). Senate Finance Committee

SB 18: Renewable Energy Production Tax (Padilla). Senate Conservation Committee

SB 24: Individual Development Account Act (Tallman). Senate Finance Committee

SB 30: Research Grant Closing Fund (Soules). Senate Committee's Committee

SB 43: Oversight of the Regional Housing Authorities (Papen). Senate Finance Committee

SB 49: Types of Federally Insured Obligations (Rodriguez). Senate Floor

SB 120: Public Finance (Candelaria). Senate Finance Committee

SB 136: Public Investments (Campos). Senate Finance Committee

SB 139: Medical Cannabis (Ortiz y Pino). Senate Judiciary Committee

Status of House Bills and Resolutions Previously Summarized in Volume II:

HB 24: Telecommunication Cramming and Slamming (Ruilobo). House Rules Committee

HB 26: Highway and Transportation Project Funds (Lundstrom). House Transportation Committee

HB 27: Public Project Resolving Fund Projects (Lundstrom). House Floor

HB 44: NM Work and Savings Act (Salazar). House State Government Committee

HB 48: Furnace Replacement Program Funding (Alcon). Tabled in House Appropriations and Finance Committee

HB 57: Unemployment Compensation for Apprenticeships (Trujillo). House Rules Committee

HB 60: Differential Rate Investments (Stapleton). House Rules Committee

HB 77: Social Security Income Tax Exemption (Ely). Tabled in House Taxation and Revenue Committee

HB 78: Expand Phone Solicitation Restrictions (McQueen). House Rules Committee

HB 81: Lower Small Loan APR Rate (Roybal Caballero). House Rules Committee

HB 82: Increase Minimum Wage (Roybal Caballero). House Rules Committee

HB 83: Efficient Use of Energy Act Changes (McQueen). House Floor

HB 94: Capital Outlay Reporting (McQueen). House Rules Committee

HB 99: Renewable Energy Investment Policy Funding (Sanchez). House Appropriations and Finance Committee

HB 118: Designation as Benefit Corporation (Cook). Passed House 63-0. Senate Corporations Committee.

HB 146: Expand Biomass Income Tax Credit (Martinez). House Taxation and Revenue Committee

HB 169: Medical Cannabis Water Utilization (Chandler). House Rules Committee

HB 173: Gas Taxation (McQueen). House Appropriations Committee

