

Legislation Tracker New Mexico Restaurant

as of Monday, February 8, 2010

Bill #	Date Introduced	Location	Position / Comments	1st Action	2nd Action	3rd Action	4th Action
- HB8	Jan 19, 2010	House2: Hpass Comm	Support	Do Pass	Do Pass	No Action	No Action
- HB9	Jan 20, 2010	House2: SCORC Comm	We have supported this in the past Oppose	HLC DP/a	HAFC No Action	No Action	No Action
- HB31	Jan 7, 2010	House1: HRC Comm	EC & ACI Oppose	Amended to increase surtax to 1.5% No Action	SCORC No Action	SFC No Action	No Action
- HB32	Jan 7, 2010	House1: HCal Comm	Support	Do Pass	Do Pass	No Action	No Action
- HB34 Liquor GRT Tax	Jan 11, 2010	House1: Tabled - HBIC Comm	Oppose	Tabled	No Action	No Action	No Action

Egolf (D47) — Imposes on holders of a retailer’s license a surtax of 2.5 percent of the retail price of alcoholic beverages sold. The surtax is to be reported monthly to the Taxation and Revenue Department. Earmarks proceeds for the Public School Fund.

HBIC

	Jan 20, 2010	Jan 20, 2010	House1: Comm	HRC	No Position	No Action	No Action	No Action	No Action
- HB59	Giannini (D30) — Creates the Plastic Bag Recycling Act to require retail stores, defined as stores of at least 7,000 square feet with three or more locations in the state, to establish a recycling program that encourages customers to return clean plastic carry-out bags to the store. By January 1, 2011, requires all plastic carry-out bags provided by the store to be 100 percent recyclable and made of polyethylene film marked with the SPI resin identification code of 2 or 4.				affects grocery stores - restaurants are carved out				
- HB62	Jan 20, 2010	Jan 20, 2010	House1: Comm	HBIC	Oppose	No Action	No Action	No Action	No Action
	Begaye (D4) — (Duplicates SB90; similar to 2009’s SB389 and 2008’s HB51) Requires almost all corporations operating in New Mexico that are members of a family of corporations engaging in a unitary business to file a combined return for New Mexico corporate income tax purposes. Manufacturers new to the state that have not filed previously a New Mexico corporate income tax return instead may file on a separate corporate entity basis. Repeals the existing option for corporate families to file on federal consolidated basis. Watch SB 259 (Wirth) - Bill curbs income shifting tactics but stops short of combined reporting.				Parties working on substitute. NMRA has asked for carve out for restaurants				
- HB65	Jan 20, 2010	Jan 20, 2010	House1: Comm	HCPAC	No Position	No Action	No Action	No Action	No Action

-	HB147	Jan 25, 2010	Jan 25, 2010	House: Comm	HAFc		No Position	Do Pass	No Action	No Action	No Action	
		Gonzales (D42) — Appropriates \$150,000 (GF) to the Economic Development Department for community and small business support, with a focus on rural areas.										
-	HB155	Jan 25, 2010	Jan 25, 2010	House: Comm	HTRC		Watch	Do Pass	No Action	No Action	No Action	
		Sandoval (D17) — (Similar to 2009's HB262 and 2008's HB618) Proposes a substantial reorganization of the state's Income Tax Act in a 52-page bill. Bill proposed by the Taxation and Revenue Department may change tax liabilities for some taxpayers but largely is technical in nature.										
-	HB172	Jan 26, 2010	Jan 26, 2010	House: Comm	HVEC		No Position	No Action	No Action	No Action	No Action	
		Chasey (D18) — (Almost identical to SB49; similar to HB118) Amends the Campaign Reporting Act to prohibit a business entity, lobbyist, state contractor or the principal of a state contractor from either making or soliciting a contribution on behalf of a candidate for public office, or to the candidate's campaign committee. Prohibits a candidate or committee from accepting such a contribution.										
-	HB180	Jan 26, 2010	Jan 26, 2010	House: Comm	HJC	Feb 1, 2010	Oppose	No Action	No Action	No Action	No Action	
		Stewart (D21) — (HEM 67) The Worker Adjustment Retraining and Notification Act requires certain employers to provide advance notice at least 90 days before a mass layoff, a worksite closing or a sale or transfer of operation. Applies to employers of 75 or more full- and part-time employees and includes the parent corporation of a subsidiary that directly owns and operates a business. Provides certain exemptions from the act as well as penalties for its violation. Authorizes the attorney general to pursue complaints.										
-	HB185	Jan 27, 2010	Jan 27, 2010	House: Comm	HJC		No Position	Do Pass	No Action	No Action	No Action	
		Rehm (R31) — (Related to 2009 HB26) (House Executive Message 50) Amends the Criminal Procedures Act and the Tort Claims Act to include commissioned nonsalaried officers in the definition of police officer, peace officer, officer and law enforcement officer. Allows these officers to have rights and perform duties previously reserved only for salaried officers under both acts and in the Motor Vehicle Code. The Tort Claims Act would now cover a police officer commissioned by a governmental entity.										
-	HB187 NIMRA	Jan 27, 2010	Jan 27, 2010	House: Comm	HRC		No Position	No Action	No Action	No Action	No Action	
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Stewart (D21) — (Identical to HB143 and SB25) Requires personal income taxpayers who itemize their deductions to reduce the amount of itemized deductions for New Mexico purposes by the amount of state and local taxes included in the itemized deductions for federal purposes										HTRC			
	Feb 3, 2010	Feb 3, 2010	House1: Comm	HCPAC	Feb 9, 2010	No Position	No Action	No Action	No Action	No Action	No Action	No Action	No Action
- HB281	Lujan, B. (D46) — (Identical to HB244) Closes what is probably an unintended loophole in the compensating tax as a result of the Dell court decision.												
- HB283	Feb 3, 2010	Feb 3, 2010	House1: Comm	HCPAC	Feb 9, 2010	No Position	No Action	No Action	No Action	No Action	No Action	No Action	No Action
	Maestas (D16) — Abolishes the Sports Advisory Committee by repealing a portion of The Tourism Department Act. The committee was created to advise the Sports Authority that was abolished in 2007.												
- HJM2	Dec 18, 2009	Jan 20, 2010	House2: Passed	SRC		No Position	Do Pass	No Action	No Action	No Action	No Action	No Action	No Action
	Picraux (D25) — (For the Legislative Health and Human Services Committee) Asks private managed care plans who operate in New Mexico to adopt the “Medical Home Model of Care.” Declares that major medical health organizations, including the American Medical Association, have endorsed the medical home model as providing high-quality care at a lower overall cost that produces a greater overall patient wellbeing.												
- HJM39	Jan 28, 2010	Jan 28, 2010	House2: Comm	HPass	Feb 5, 2010	No Position	Do Pass	No Action	No Action	No Action	No Action	No Action	No Action
	Chavez, Eleanor (D13) — Requests that the President and Congress of the United States take proactive steps to create jobs and enact fiscal relief for state and local governments. The measures should include an extension of the federal match for Medicaid, additional support for public education and funding for infrastructure projects and public transportation. Copies of the memorial will be forwarded to the President of the United States, the leaders of both chambers of Congress and our congressional delegation.												
- HJR4	Jan 20, 2010	Jan 20, 2010	House1: Comm	Tabled - HHGAC		Support	Tabled	No Action	No Action	No Action	No Action	No Action	No Action

		Keller (D17) — (Almost exactly the same as SB5 of the 2009 Special Session). Requires the Taxation and Department secretary to develop a tax expenditure budget for the upcoming fiscal year by October 15 of each year. The budget will include data from the three years preceding the current fiscal year, the current fiscal year and the upcoming fiscal year. The report will be presented to the Governor and the Legislative Finance Committee. The budget is to report on tax expenditures with revenue impacts of more than \$5 million (\$1 million is the Special Session version of the bill) in the aggregate for specific tax expenditure.											
-	SB25	Dec 17, 2009	Dec 17, 2009	House1: Comm	SCORC	No Position	No Action	No Action	No Action	No Action	No Action	No Action	No Action
		Ortiz y Pino (D12) — Provides that in determining a taxpayer's net income for state income tax purposes the amount paid by that taxpayer in state and local taxes may not be deducted.											
-	SB31	Dec 18, 2009	Dec 18, 2009	House1: Comm	SCORC	Support	No Action	No Action	No Action	No Action	No Action	No Action	No Action
		Feldman (D13) — (See also SB10) Removes the existing gross receipts tax exemption on beverages commonly known as soft drinks.											
-	SB32	Dec 18, 2009	Dec 18, 2009	House2: Comm	HJC	No Position	Do Pass	Do Pass	No Action	No Action	No Action	No Action	No Action
		Feldman (D13) — Raises from \$65 to \$85 the fee to defray costs of testing imposed on a person convicted of driving while under the influence of intoxicating liquor or drugs.							SJC	SJC	SFC	HJC	
-	SB40 Concealed Handguns in Certain Restaurants	Jan 4, 2010	Jan 4, 2010	House1: Comm	SJC	Oppose	Do Pass	Do Pass	No Action	No Action	No Action	No Action	No Action
		Munoz (D4) — (Identical to 2009's Regular Session SB608, as amended) Allows the carrying of a concealed handgun by a person who holds a valid concealed carry license into the premises of a restaurant that is licensed to sell only beer and wine, and whose sales of food for on-premise consumption exceed 60 percent of the annual volume.							SCORC	SJC	SJC		
-	SB47	Jan 8, 2010	Jan 19, 2010	House1: Comm	SFC	No Position	Do Pass	Do Pass	No Action	No Action	No Action	No Action	No Action

<p>LAWS 10A Increase</p>	<p>Lovejoy (D22) — Increases liquor excise taxes as follows: spirituous liquors, from \$1.60 per liter to \$2.73; beer, from \$0.41 per gallon to \$0.95; wine, from \$0.45 per liter to \$0.95; fortified wine, from \$1.50 per liter to \$1.93; microbrewer beer produced and sold in-state, \$0.08 to \$0.62; small winegrower wine produced and sold in-state, from \$0.10 to \$0.44 on the first 80,000 liters, and from \$0.20 to \$0.54 on all liters above, up to 950,000; and cider, from \$0.41 to \$0.95.</p>	<p>Jan 21, 2010 House1: SCORC Comm</p>	<p>No Position</p>	<p>No Action</p>	<p>No Action</p>	<p>No Action</p>	<p>No Action</p>
<p>- SB128</p>	<p>Griego (D14) — (Conflicts with HB9, SB122) For the 2010, 2011 and 2012 tax years, adds a 3.3 percent personal income tax surtax on married individuals filing separate returns with income over \$75,000, on heads of household, surviving spouses and married individuals filing joint returns with income over \$150,000 and on single individuals and estates with income over \$100,000.</p>	<p>Jan 21, 2010 House1: SCORC Comm</p>	<p>Oppose</p>	<p>No Action</p>	<p>No Action</p>	<p>No Action</p>	<p>No Action</p>
<p>- SB142 Liquor Excise Tax Increase</p>	<p>Sanchez, B. (D26) — Effective July 1, 2010, increases liquor excise tax rates, as follows: on spirituous liquors, from \$1.60 to \$2.73 per liter; on beer (except that produced by microbreweries) from \$0.41 to \$0.94 per gallon; on beer produced by microbreweries, from \$0.08 to \$0.61 per gallon; on fortified wine, from \$1.50 to \$1.92 per liter; and on cider, from \$0.41 to \$0.94 per gallon. No increases for unfortified wine. Revenues to be spent by the Human Services Department for mental health and substance abuse treatment.</p>	<p>Jan 25, 2010 House1: SJC Comm</p>	<p>Support</p>	<p>Do Pass</p>	<p>No Action</p>	<p>No Action</p>	<p>No Action</p>
<p>- SB151</p>	<p>Sanchez, M. (D29) — Removes the “slightest impairment standard” for determining DUI and requires the current minimum concentrations for alcohol in the blood or breath for a DUI conviction. This bill would change the standard to “unsafe to drive” instead of impaired to slightest degree.” Impetus for this bill was an editorial that said people were afraid to have a glass of wine at dinner.</p>	<p>Jan 25, 2010 House1: SJC Comm</p>	<p>Support</p>	<p>Do Pass</p>	<p>No Action</p>	<p>No Action</p>	<p>No Action</p>
<p>- SB172</p>	<p>Cravens (R21) — Purports to prohibit any intoxication of a minor by means of alcoholic beverages and provides civil penalties. Exempts minors from criminal penalties pursuant to the Motor Vehicle Code. Does not define minor, but refers to persons under 21 in the title of the bill</p>	<p>Jan 25, 2010 House1: SJC Comm</p>	<p>Support</p>	<p>Do Pass</p>	<p>No Action</p>	<p>No Action</p>	<p>No Action</p>

-	SB210	Jan 27, 2010	Jan 27, 2010	House1: Comm	SCORC		Oppose	No Action	No Action	No Action	No Action	
		Lopez (D11) — (Conflicts with HB9, SB65, SB122 and SB128) Adds a new, permanent personal income tax bracket imposing a rate of 5.9 percent, starting with taxable incomes over \$100,000 for married persons filing jointly, heads of household and surviving spouses and at \$50,000 for single individuals and estates and trusts.										
-	SB212	Jan 27, 2010	Jan 27, 2010	House1: Comm	SJC	Feb 8, 2010	Watch	Do Pass	No Action	No Action	No Action	
		Ingle (R27) — (Identical to 2009 SB507) Eliminates a requirement for a refresher course for persons licensed to carry a concealed handgun. Under current law, a refresher course is required every two years.										
		License renewed every 4 years. Refresher is only a 20 minute shooting range exercise										
-	SB214	Jan 28, 2010	Jan 28, 2010	House1: Comm	SCORC		Oppose	No Action	No Action	No Action	No Action	
		Rodriguez (D24) — Authorizes county commissions of class A counties (Bernalillo, Doña Ana, Santa Fe and San Juan), by ordinance, to impose a liquor excise tax on wholesalers who deliver alcoholic beverages to retailers in the county, including those on tribal lands, that would become effective upon the approval of voters of the county in a general election. Sets forth a mechanism that would apply when the boundaries of a municipality in a county extends into another county.										
-	SB232	Jan 29, 2010	Jan 29, 2010	House1: Comm	SPAC	Feb 9, 2010	Oppose	No Action	No Action	No Action	No Action	
		Adair (R33) — (Related to SB212, 2009 SB507) Authorizes a 10-year license to carry a concealed handgun and eliminates the requirement for licensees to take a refresher course. Under current law, the license is for four years and a refresher course is required every two years.										
-	SB236	Feb 1, 2010	Feb 1, 2010	House1: Comm	SCORC		No Position	No Action	No Action	No Action	No Action	
		Definitely oppose. This would take away the four year										

-	SM3	Dec 23, 2009	Dec 23, 2009	House1: Comm	SRC	No Position	No Action	No Action	No Action	No Action
		Keller (D17) — Requests the Workforce Solutions Department to collaborate with the Economic Development Department to identify, project, and track the future work-force needs of New Mexico businesses and government at least five years into the future.								