

S T A T E O F N E W M E X I C O

SENATE
SANTA FE, NEW MEXICO

FIFTY-THIRD LEGISLATURE
FIRST SESSION, 2017

FIRST LEGISLATIVE DAY

JANUARY 17, 2017

This being the first day designated for the convening of the First Session of the Fifty-Third Legislature of the Senate of the State of New Mexico, the members of the Senate assembled in the Senate Chamber in the State Capitol in the City of Santa Fe, New Mexico, on the 17th day of January, 2017, A.D.

The Senate was called to order by the Honorable John A. Sanchez, Lieutenant Governor of the State of New Mexico, at 12:00 p.m.

By unanimous consent, requested by President Pro Tempore Mary Kay Papen "God Bless America" was performed by Orlando Antonio Carillo-Jimenez.

Father Richard W. Murphy delivered the invocation.

The entire body stood for the Pledge of Allegiance to the Flag and Salute to the New Mexico Flag.

The President, Lieutenant Governor John A. Sanchez, appointed Lenore M. Naranjo to serve as temporary Senate Chief Clerk to assist him and to record the proceedings of the convening of the Senate and appointed David Pacheco to serve as temporary Sergeant-at-Arms.

The Chief Clerk called the roll and the following Senators responded to their names:

Gregory A. Baca, District 29; Craig W. Brandt, District 40; William F. Burt, District 33; Pete Campos, District 8; Jacob R. Candelaria, District 26; Joseph Cervantes, District 31; Carlos R. Cisneros, District 6; Candace Ruth Gould, District 10; Ron Griggs, District 34; Stuart Ingle, District 27; Daniel A. Ivey-Soto, District 15; Gay G. Kernan, District 42; Carroll H. Leavell, District 41; Linda M. Lopez, District 11; Richard C. Martinez, District 5; Cisco McSorley, District 16; Mark Moores, District 21; Howie C. Morales, District 28; George K. Muñoz, District 4; Steven P. Neville, District 2; Bill B. O'Neill, District 13; Gerald Ortiz y Pino, District 12; Michael Padilla, District 14; Mary Kay Papen, District 38; William H. Payne, District 20; John Pinto, District 3; Cliff R. Pirtle, District 32; Nancy Rodriguez, District 24; Sander Rue, District 23; Clemente Sanchez, District 30; John M. Sapien, District 9; William E. Sharer, District 1; Benny Shendo, Jr., District 22; John Arthur Smith, District 35; William P. Soules, District 37; Elizabeth "Liz" Stefanics, District 39; Jeff Steinborn, District 36; Mimi Stewart, District 17; Bill G. Tallman, District 18; James P. White, District 19; Peter Wirth, District 25 and Pat Woods, District 7.

The PUBLIC AFFAIRS COMMITTEE reported on SENATE BILL 275 with recommendation that it DO PASS, amended as follows:

1. On page 3, line 7, strike "and" and insert in lieu thereof "or".
2. On page 18, line 6, strike "and joints" and insert in lieu thereof "structures".
3. On page 18, line 8, strike "joints by manipulation" and insert in lieu thereof "joint movement within the normal physiologic range of motion".,

and thence referred to the JUDICIARY COMMITTEE. On motion of Senator Ortiz y Pino, which carried, the Committee Report was ADOPTED.

The PUBLIC AFFAIRS COMMITTEE reported on SENATE BILL 277 with recommendation that it DO PASS and thence referred to the JUDICIARY COMMITTEE. On motion of Senator Ortiz y Pino, which carried, the Committee Report was ADOPTED.

The PUBLIC AFFAIRS COMMITTEE reported on SENATE BILL 511 with recommendation that it DO NOT PASS, but that SENATE PUBLIC AFFAIRS COMMITTEE SUBSTITUTE FOR SENATE BILL 511, entitled:

AN ACT RELATING TO THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE; REQUIRING COUNTIES TO PROVIDE FACILITIES FOR PUBLIC DEFENDER OPERATIONS,

is reported WITHOUT RECOMMENDATION and further recommends that it now be referred to the JUDICIARY COMMITTEE and thence to the FINANCE COMMITTEE. On motion of Senator Ortiz y Pino, which carried, the Committee Report was ADOPTED.

The CORPORATIONS AND TRANSPORTATION COMMITTEE reported on SENATE BILL 308 WITHOUT RECOMMENDATION and thence referred to the FINANCE COMMITTEE. On motion of Senator Sanchez, which carried, the Committee Report was ADOPTED.

The CORPORATIONS AND TRANSPORTATION COMMITTEE reported on SENATE BILL 356 with recommendation that it DO PASS and thence referred to the JUDICIARY COMMITTEE. On motion of Senator Sanchez, which carried, the Committee Report was ADOPTED.

The CORPORATIONS AND TRANSPORTATION COMMITTEE reported on SENATE BILL 357 with recommendation that it DO PASS and thence referred to the FINANCE COMMITTEE. On motion of Senator Sanchez, which carried, the Committee Report was ADOPTED.

The CORPORATIONS AND TRANSPORTATION COMMITTEE reported on SENATE MEMORIAL 6 with recommendation that it DO PASS. On motion of Senator Sanchez, which carried, the Committee Report was ADOPTED.

The RULES COMMITTEE reported on SENATE EXECUTIVE LETTER NO. 10 dated January 17, 2017, in which the Governor appointed BRADFORD CHRISTMAS as Member of the New Mexico Military Institute Board of Regents for a term commencing upon confirmation and expiring December 31, 2022, with recommendation that the Senate CONFIRM this appointment. On motion of Senator Lopez, which carried, the Committee Report was ADOPTED.

The RULES COMMITTEE reported on SENATE EXECUTIVE LETTER NO. 3 dated September 12, 2016, in which the Governor appointed BILLY "BUTCH" TONGATE as Secretary of the Department of Environment for a term commencing on September 12, 2016 to be served at the pleasure of the Governor, with recommendation that the Senate CONFIRM this appointment. On motion of Senator Lopez, which carried, the Committee Report was ADOPTED.

The President announced that

SENATE MEMORIAL 63
SENATE MEMORIAL 81
SENATE MEMORIAL 86

had been SIGNED by the Officers of the Senate in open session.

CONFIRMATIONS

On motion of Senator Campos, which carried, pursuant to SENATE EXECUTIVE LETTER NO. 10 dated January 17, 2017, the appointment of BRADFORD CHRISTMAS as Member of the New Mexico Military Institute Board of Regents for a term commencing upon confirmation and expiring December 31, 2022 was CONFIRMED by a vote of 36 FOR and 0 AGAINST.

YES: 36

ABSENT: Brandt, Candelaria, Griggs, Pirtle, Rue and White

On motion of Senator Payne, which carried, pursuant to SENATE EXECUTIVE LETTER NO. 3 dated September 12, 2016, the appointment of BILLY "BUTCH" TONGATE as Secretary of the Department of Environment for a term commencing on September 12, 2016 to be served at the pleasure of the Governor was CONFIRMED by a vote of 41 FOR and 0 AGAINST.

YES: 41

ABSENT: Rue

On motion of Senator Cervantes, which carried, pursuant to SENATE EXECUTIVE LETTER NO. 1 dated April 29, 2016, the appointment of SCOTT WEAVER as Secretary of the Department of Public Safety for a term commencing on March 10, 2016 to be served at the pleasure of the Governor was CONFIRMED by a vote of 40 FOR and 0 AGAINST.

YES: 40

ABSENT: Baca and Rue

THIRD READING OF LEGISLATION

SB 200, was read the third time in full. On motion of Senator Sapien, which carried, SENATE BILL 200 was placed on final passage, subject to debate, amendment or substitution.

On motion of Senator Sapien, which carried, SENATE BILL 200 PASSED by a vote of 41 FOR and 0 AGAINST.

YES: 41

ABSENT: Pinto