

Round House Round Up

Week 4

We are now a month into the 60 day session and the bills are coming out fast and furious. We have nearly 900 bills when we combine both houses and the Representatives and the Senators have until the 17th to submit their bills. Who knows we might hit a thousand. Will all these bills get heard? Probably not, more than likely we will run out of time and the unheard bills and the tabled bills will get slipped into a folder and pulled out again next year. I will give you the exact number of bills this session next week. Let's take a look at what happened this week. I am going to break the bills up into groups to make it a little easier.

Elections:

HB 261

SUMMARY

Synopsis of Bill

House Bill 261 would **prohibit issuing a driver's license to any person who is not a citizen of the United States or who does not have valid documentation issued by the federal government authorizing the applicant's presence in the United States.** The bill creates a process for early expiration of driver's licenses (no later than December 31, 2011) previously issued to foreign nationals without federal documentation authorizing presence in the United States. Provisions are included for the surrender of existing licenses, and administrative hearings regarding the surrender of a license. The bill also creates a new "driving permit" for foreign nationals that do not provide federal documentation authorizing presence in the United States. ***This bill would have cleaned up our driver's license problem, but it was tabled.*** What does tabled mean? It means it was set aside for now. It is possible that if enough people call, write, fax, or visit we could have it back on the schedule. Those who were against this bill were there in large numbers, they called it discriminatory, racist, and profiling. There was no one there to speak out for support of this bill. **Without this bill to clean up our drivers license, HB 308 Voter ID won't do much to stop illegal aliens from voting as our drivers license would be used as an ID. Only you can get this bill put back on the schedule, you have to decide.**

HB105

House Bill 105 adds new language to the Election Code to allow for electronic submission of a voter's certificate of registration form. This section requires the Sec. of State to obtain a digital copy of the applicant's driver's license or identification card signature from Taxation and

Revenue Department. It also adds language detailing the reasons and procedures for changing a voter's certificate of registration.

I talked about this bill awhile back. It started life totally different from what it is now. The first iteration of this bill would have allowed you to register from home on your computer using your driver's license. This was a very bad bill. Is it any better now? Yes and no; you cannot register from home, you have to go to the MVD and you can register on a computer there, but you still use your driver's license. The whole problem we have is with our **DRIVERS LICENSE**, we issue it to illegal aliens and now we want to use it to register to vote and to vote. Are our elected representatives crazy? Do we really want non-US citizens voting in our elections? If that is our goal, then this bill will accomplish that. It **PASSED** and is on its way to **House and Voters Election Committee**. I will let you know when it comes up.

HB308

House Bill 308 changes voter identification requirements. The bill eliminates the following forms of identification: utility bills, bank statements, government checks, and student identification cards. Verbal and written statements would also no longer be acceptable as forms of identification. Acceptable forms of identification would be limited to the following: a photo ID of the voter, issued by the state or the United States, with an unexpired expiration date or, identification without a photo if issued by an Indian nation, tribe or pueblo, which includes the person's tribal enrollment number. The name on the document must conform to the name of the person's certificate of registration. The bill also provides procedures for challenging a voter's identification, but allows the polling judge to simply ask the person's birth year from the voter registry, if they state that correctly they can vote. *This is a good start, but it does not close the loop. You can still use your **driver's license**. Without fixing the drivers license we will still have illegal aliens voting. We need HB261 and HB308 to truly fix our voting problems; together these two bills would do it.*

Education

HB 85

House Bill 85 amends Section 9-2A-7 NMSA 1978 adding language that child care providers that do not receive any state or federal funds may apply for and, upon application, are to receive from the secretary of Children, Youth and Families Department exemptions from department rules and regulations regarding discipline and curriculum, except for the following:

- Rules and regulations regarding screening of a child care center's personnel; and
- The minimum requirements of applicable local/state governing bodies as to health, sanitation and safety.

This bill was **tabled**. I have spoken about this bill before. As it stands now all faith based Day Care Centers and Private Centers; whether you accept state money or not, will have to abide by state ideology. You may say is that so bad? Well decide for yourself. The Secretary of Children Youth and Family services stated that her ideology in regards to discipline is this she stated "I believe in discipline without punishment". This is the state ideology to be followed in all day care centers throughout the state public or private. I believe that discipline without teeth is no

discipline at all. Keep in mind that punishment is not abusive treatment. Right now according to the state a threatening look could get you written up, giving a “time-out” could get you written up, asking a child to stay in his seat or saying, “I will call your mother” are all forbidden by CYFD standards, and the list goes on. It is no wonder that our children do not know how to function in school and it is no wonder that so many young people get into trouble. They have been indoctrinated from Pre-K on to believe that they can do whatever they want, rules do not apply to them. This is just one aspect of this issue we also have issues with separation of church and state going on here as well. I don’t believe this will be the end of the story. CYFD may soon wish they had let this bill pass. If you don’t like what is going on in CYFD, if you don’t like the indoctrination of our children, if you believe in parental choice in the type of discipline and curriculum their child, then you should make a call and let CYFD know.

Here is how the vote went:

Kintigh and Anderson -----Opposed

O’Neill, Chasey, Maestas---- In favor

Concealed Carry

HB104

House Bill 104 eliminates the requirement that a concealed carry licensee must attend a refresher course at the midpoint of a four year license.

This bill was **Passed** on to House Judiciary Committee

HB136

House Bill 136 (HB 136) would allow individuals with a valid license to carry a concealed handgun to carry more than one concealed handgun at one time. The bill would also allow a concealed handgun permittee to carry concealed handguns on school premises, preschool premises, university premises and into all licensed liquor establishments. The current law limits the individual with a license to carrying only one concealed handgun at a time, and does not allow him to legally carry a concealed handgun onto any school, preschool, university or into any liquor establishment unless the establishment does not allow consumption on premises or is a restaurant meeting certain requirements. The bill also allows those individuals with valid concealed handgun licenses to carry their handguns on buses and into state parks and recreation areas.

This bill was tabled. There were many people there against this bill, but no one there for it. I was surprised that no gun enthusiast cared. I learned something from Chairwomen Chasey though, apparently when concealed carry was passed in this state the NRA made a deal with the state legislature that it would not support any legislation that would broaden the the existing concealed carry regulations. I thought it was strange that the NRA was present to support HB 104, but left right after that. Now I know why. This week I am going to find out what kind of deal the NRA made and if I am successful I will let you know what it is. I may have to rethink my membership. I was unhappy about them supporting Lujan, Teague and Heinrich in the elections, but this just takes the cake.

Elections

HB 155 Representative EG OFF

House Bill 155 adds a new section to the Campaign Reporting Act requiring the reporting of

finances associated with express advocacy and the functional equivalent of express advocacy. It defines these communications as statements asking the addressee to vote for or against a specific candidate for state public office that is distributed by broadcast, cable, satellite, print or electronic media. **The functional equivalent of such is regarded as any communication that, when taken as a whole, can be reasonably interpreted as express advocacy.**

This bill is aimed at non-profits and corporations. The key is the highlighted section.

Comparisons and contrast of candidates could be determined as expressed advocacy of a candidate. This bill would require non-profits to provide the names, addresses, and donation amounts for any monies that were used in expressed advocacy. This bill is a very dangerous bill especially for non-profits. This bill was **Passed** is now on to **House Voters and Elections**.

HB 154

House Bill 154 amends the Business Corporation Act to forbid corporations registered in the State of New Mexico, both foreign and domestic, from making expenditures to influence the outcome of any state, county, or local election.

This is another one of Representative Egoff's bills. Representative Egoff seems to be slightly confused; he can't seem to decide whether a corporation is a person or whether it is a non entity. In HB 155 Representative Egoff wants corporations to be treated as individuals. He wants them to report all monies used for expressed advocacy and he wants a limit on what they can spend. In HB 154 he says they are non entities and therefore cannot donate monies in elections to the candidates of their choice. Never mind that the Supreme Court ruled in 2010 that corporations could donate monies to the candidates of their choice. When asked about that; he stated that the Supreme Court had no right to, "act like a bunch of god's on Mt. Olympus telling us what we should do". He continued, "NM needs to take matters in its own hands and stop elections from being bought by the wealthy". In his bill any corporation that wanted to do business in the state would sign a paper saying they would not get involved in local or state elections. When asked about the constitutionality of this bill he stated he was abiding by James Madison's 11th amendment which never got into the constitution. Key words here are never got into the constitution. Bottom line this bill will never stand up in court, but Chairwoman Chasey, representative Maestas, and representative O'Neill loved it and it was **Passed** on to Voters and Election Committee.

MISC Bills

HB45 EMINENT DOMAIN FEDERAL PROPERTY CONDEMNATION Passed, next committee House Government Affairs, no date set.

HB110 LIMITED USE OF EMINENT DOMAIN Passed, next committee House Judiciary, no date set.

These are just a few of the bills from this past week. Below is a list of what will be happening for the first three days of next week. If you have the time, please come up to the Round House and let your voice be heard on these bills. The big bill you all know about this week is **HB 308** it will be heard this coming Tuesday.

Upcoming Bills Week of 2/14/11

Monday 2/14/11

Committee Hearings will be going on but no major bills will be heard. There will be a march on the capitol for the sanctity of Marriage.

Tuesday 2/15/11

House Voters and Elections Committee Rm 317 8:30am

HB 308 Voter Identification Requirements

House Taxation and Revenue Rm 317 1:30pm

HB 165 Define "Modified Combined Tax Liability"

Thursday 2/17/11

House Voters and Elections Rm 309 8:30am

HB 306 ESCAFCA District Authority and Elections

House Consumer and Public Affairs Rm 315 1:30pm

HB 235 Veteran National Cemetery Fund

HB 215 Implementation of Utility Rates without Hearings

For up to date tweets

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