

Legislative Update February 15, 2020
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Big news this week is the passage of both **SB 5 Extreme Risk Fire Arm Protection Order Act (Sen. Joseph Cervantes)** and **HB 83 Early Childhood Education and Care Fund (Rep. Doreen Gallegos and Sen. John Arthur Smith)**. Both bills await the Governor's signature.

Both **HB 73 Injectable Opioid Treatment Program (Rep. Miguel Garcia)** and **HB 246 Medical School Scholarship Act (Rep. Javier Martinez)** saw no action this week. Their hope is a Senate amendment to HB 2 General Appropriation Act of 2020. There is no information at this time to confirm Senate amendments.

The session ends Thursday February 20th at noon.

SB 5 Extreme Risk Fire Arm Protection Order Act (Sen. Joseph Cervantes)

SB 5 passed both chambers with a concluding vote on the House Floor February 13th, 39-31. The bill is sent to the Governor's desk.

A handful of House democrats broke with their party to vote against this legislation. As with Senate Bill 8 passed last year requiring background checks on most gun purchases, the opponents claim this bill is unconstitutional violating both the 2nd and 4th Amendments to the Constitution. Proponents consider this legislation an important step in the right direction to reducing gun violence. The Governor stated she would sign the bill into law.

Senate Bill 5 creates the Extreme Risk Firearm Protection Order Act. The Act provides for a new civil process where a household member or a law enforcement officer can petition the appropriate district court for an Extreme Risk Firearm Protective Order against an individual who poses an immediate danger of causing personal injury to self or others by having custody, control or possession of a firearm or ammunition.

HB 83 Early Childhood Education and Care Fund are duplicate bills (Rep. Doreen Gallegos and Sen. John Arthur Smith)

HB 83 passed both chambers with a concluding Senate Floor vote on February 14th, 37-1. The bill is sent to the Governor's desk.

HB 2 General Appropriation Act of 2020 currently contains \$300 million, reducing the asking amount from \$320 million. Senator Smith's intent is to amend HB 2 to add an additional \$20 million in Senate Finance Committee. Senator Ortiz y Pino wants the \$20 million that Senator Smith intends to add to be used immediately for the existing needs of children. Senator Smith concedes that the \$20 million additional investment now would not yield a larger first time distribution for use in 2022. The only No vote on the Senate floor was from Senator Ortiz y Pino, a staunch supporter of funding for early childhood education, on the principle that the \$20 million should be used immediately and not used to add to the initial investment to the fund.

House Memorial 39 Interdisciplinary Primary Care Task Force (Rep. Nathan Small)

HM 39 passed the House Health and Human Services Committee unopposed on February 10th. It is a single chamber memorial. It currently sits on the House Calendar for a final vote. Memorials do not require the Governor's signature, thus passage in the House will create the Interdisciplinary Primary Care Task Force.

This memorial would form an Interdisciplinary Primary Care Task Force to adopt a shared definition of primary care and analyze New Mexico's Medicaid expenditures allocated to primary care. The Task Force will report its findings to the Governor and the Interim Legislative Health and Human Services Committee by November 1, 2020.

SB 1 Wholesale Prescription Drug Importation Act (Sen. Mary Kay Papen)

SB 1 passed the House State Government, Elections and Indian Affairs Committee by unanimous bipartisan vote. It currently sits as item # 6 on the House Calendar for Saturday February 15th.

The bill would create the Office of Wholesale Drug Importation at the Department of Health to develop, plan, apply for, and negotiate with the federal government for approval of a Canadian wholesale drug importation plan, ensuring drug safety and significantly reducing drug costs.

There is little to no opposition to this bill as it continues to move through the House. Its final hurdle is a House Floor vote. This bill is a priority for the Governor and she is expected to sign the bill into law.

HJR 1 Permanent Funds for Early Childhood, CA (Rep. Antonio Maestas)

HJR 1 passed a House Floor vote last weekend 44-25 along party lines. The bill was heard in Senate Rules Committee on February 15th with no action taken. The minority party members left the committee meeting prior to an opportunity for a motion.

This Joint Resolution proposes a constitutional amendment to allow for distribution from the Permanent School Fund of 1% for Early Childhood Education Services. The amendment must be approved by the voters of New Mexico.

Sole opposition in Senate Rules came from the Chamber of Commerce wishing to maintain the health of the fund. Supporters continue to stress the value of the investment and the long term benefits to the state.