

The 2012 New Mexico Legislature adjourned at noon on February 16. Of the 35 veteran-related pieces of legislation introduced during this thirty-day session, seven Bills or Joint Memorials were passed by both the state Senate and House of Representatives and sent to Governor Susana Martinez, who has until March 7 to sign these into state law.

She may also choose to issue a veto, or let them go unsigned. In both instances, the result halts the legislation from enactment into state law.

Another seven Memorials were approved by the Senate or House individually and do not need the Governor's signature.

Below are the fourteen pieces of veteran-related legislation passed by legislators.

HB10 - Tax Credit for Hiring Veterans

Session 2012RS

Sponsors Rep. Terry H. McMillan (R)

Summary SFC amendment to HTRC substitute for HBs10 and 154 requires TRD to compile an annual report to the interim RSTPC and LFC setting forth the number of taxpayers approved to receive the Veteran Employment Tax Credit, the aggregate amount of credits approved and their average and median individual amounts. TRD would advise those committees in 2015 if the tax credit is achieving its purpose.

Analysis - 2/15/2012 - SFC Amendment

All SFC amendment to HTRC substitute for HBs10 and 154 requires TRD to compile an annual report to the interim RSTPC and LFC setting forth the number of taxpayers approved to receive the Veteran Employment Tax Credit, the aggregate amount of credits approved and their average and median individual amounts. TRD would advise those committees in 2015 if the tax credit is

achieving its purpose.

Acceptance of the credit by a taxpayer authorizes the TRD to reveal the amount of credit claimed and other information from the taxpayer's reports needed to make a full report to the committees. Bill goes to the Senate Calendar.

2/7/2012 - HTRC Substitute

HTRC substitute for HB10 and HB154 tracks very closely with HB10, except that the substitute removes a provision that allowed for a veteran's time spent in rehabilitation to be disregarded in calculating the two-year time limit.

Like the original, the substitute provides personal income tax and corporate income tax credits to businesses hiring qualified military veterans. Credit amount equals \$1,000 for employment for a full year; which may be reduced proportionally. No more than one year's worth of credit may be claimed by an employer for any veteran.

If the amount of credit granted exceeds the taxpayer's tax liability, the excess may be carried forward for up to three years. Only one employer in a year may claim this tax credit with respect to an individual veteran.

Defines "qualified military veteran" as an individual hired within two years of an honorable discharge from the U.S. military who works at least 40 hours per week during the year for which the credit is claimed.

Applies to tax years beginning on or after January 1, 2012 but ending on or before January 1, 2017.

Goes on House Calendar.

1/18/2012 - Introduced

Enacts personal income tax and corporate income tax credits to businesses hiring qualified military veterans. Credit amount equals \$1,000 for employment for a full year. No more than one year's worth of credit may be claimed by an employer for any veteran.

If the amount of credit granted exceeds the taxpayer's tax liability, the excess may be carried forward for up to three years. Only one employer in a year may claim this tax credit with respect to an individual veteran.

Defines "qualified military veteran" as an individual hired within two years of an honorable discharge from the U.S. military who works at least 40 hours per week during the year for which the credit is claimed. Directs that any time the veteran spent in rehabilitation to enable the veteran to function in the veteran's job will be disregarded in determining the two-year time limit.

Applies to tax years beginning on or after January 1, 2012 but ending on or before January 1, 2017.

Status Passed in the Senate

Last
Action 02/16/2012 - S - Passed 38 - 0 [Listen]

HB97 - Procurement Advantages for Veterans' Businesses and Recycled Goods

Session 2012RS

Sponsors Rep. Ben Lujan (D)

Summary Senate Floor Amendment 1 (Senator Ulibarri) to HB97 stratifies the resident veteran business and contractor preferences based on the revenues of the contractors involved in the procurement process.

Analysis - 2/15/2012 - Senate Floor Amendment

All

Senate Floor Amendment 1 (Senator Ulibarri) to HB97 stratifies the resident veteran business and contractor preferences based on the revenues of the contractors involved in the procurement process.

The floor amendment requires that bids from resident veteran businesses and contractors be considered as 10% lower than the bid submitted if the revenues of the resident veteran businesses are less than \$1 million per annum. Those with annual revenues between \$1 million and \$5 million shall be given an eight percent preference; those with annual revenues between \$5 million and \$10 million shall be given a seven percent preference.

The floor amendment specifies that in the procurement process a resident veteran's business or contractor with annual revenues less than or equal to \$1 million be given both a 10% weighting factor evaluation advantage and awarded an additional 10% evaluation points. For those with revenues between \$1 million and 5 million, the preference advantage shall be 8 percent for both the weighting factor and the evaluation points; for those with annual revenues of between \$5 million and \$10 million the advantages shall be 7 percent for both the weighting factor and the evaluation

points.

Requires those applying for resident veteran business or contractor certification to provide an affidavit from a certified public accountant attesting to the prior year's revenues. A variety of detailed specifications for certification are also provided. The new certification requirements are effective July 1, 2022.

The floor amendment also clarifies that resident businesses that are not owned by veterans are entitled to a five percent procurement preference, and that no business or contractor may receive preference as both a resident business and as a resident veteran business.

2/8/2012 - HBIC Committee Report

HBIC amendment to HB97 makes clarifying language changes that do not affect the substance of the bill. Goes to House Calendar.

1/19/2012 - Introduced

Amends the Procurement Code to provide certain advantages to veterans and recycled goods for public body procurement process.

Defines "recycled content goods" as those having 25% or more recycled materials provided it meets bid specifications. Defines "resident veteran business" as those having a valid resident veteran business certificate.

Requires that bids from "resident veteran business" be considered as 10% lower than the bid submitted. Requires that bids that include recycled goods for a public body purchase be considered as 5% lower than the actual bid. Requires bids submitted by "resident veteran business" which include recycled goods be

considered as 10% lower than the actual bill. Requires that in the procurement process “resident veterans business” be given both a 10% weighing factor evaluation advantage and awarded an additional 10% evaluation points. Requires advantages for combined veteran and resident business be based on the percentage of veteran business involved.

Requires “resident veteran business” contractors to submit a valid “veteran resident business” certificate. Requires those applying “resident veteran business” certificate or contractor provide appropriate verification from the Federal Department of Veteran Affairs or from the Department of Defense.

Status House concurred with Senate amendments

Last 02/16/2012 - H - House concurred with Senate amendments

Action [\[Listen\]](#)

HB98 - Military Reserve and National Guard Members Designated

Session 2012RS

Sponsors Rep. Rudolpho Martinez (D)

Summary HHGAC amendment to HB98 adds a new subsection to reconcile the measure with provisions of identical SB369 by including two other groups within the definition of a "veteran"— commissioned officers from the Public health Service or the National Oceanic and

Atmospheric Administration who served on active duty in defense of the United States. Bill goes to the House Calendar.

Analysis - 2/2/2012 - HHGAC Committee Report

All

HHGAC amendment to HB98 adds a new subsection to reconcile the measure with provisions of identical SB369 by including two other groups within the definition of a “veteran”— commissioned officers from the Public health Service or the National Oceanic and Atmospheric Administration who served on active duty in defense of the United States. Bill goes to the House Calendar.

1/19/2012 - Introduced

Amends the Veterans’ Services Department Act to include as “veterans” members of the Army Reserve, Navy Reserve, Marine Reserve, Air Force Reserve, Coast Guard Reserve, Army National Guard or Air National Guard who have served for six continuous years.

Status Passed in the Senate

HB131 - Income Tax Refund Check-off for Veterans' Enterprise Fund

Session 2012RS

Sponsors Rep. Yvette Herrell (R)

Summary Allows taxpayers owed a refund of state income tax to donate all or part of the refund to the veterans' enterprise fund.

Analysis - 1/19/2012 - Introduced

All

Allows taxpayers owed a refund of state income tax to donate all or part of the refund to the veterans' enterprise fund.

(NMLR note: The veterans' enterprise fund was created in 2011 and is administered by the Veterans' Services Department. Money in the fund can be used by the department to carry out its programs, duties or services.)

Status Passed in the Senate

Last
Action 02/16/2012 - S - Passed 38 - 0 [Listen]

HB178 - Check-off Option for Veterans' Enterprise Fund

Session 2012RS

Sponsors Rep. Yvette Herrell (R)

Summary (Executive Message #59). Provides a check-off option for drivers to contribute to the Veterans' Enterprise Fund.

Analysis - 1/24/2012 - Introduced

All (Executive Message #59). Provides a check-off option for drivers to contribute to the Veterans' Enterprise Fund.

Requires the vehicle registration form in use as of January 1, 2013 to include a check-off option to contribute one dollar or five dollars to the Veterans' Enterprise Fund. Fees shall be paid to the fund within two months of receipt.

Status Passed in the Senate

Last
Action 02/16/2012 - S - Passed 39 - 0 [Listen]

HJM4 - 150th Anniversary of the Battle of Glorieta Pass

Session 2012RS

Sponsors Rep. Jim R. Trujillo (D)

Summary Requests New Mexico's congressional delegation to seek passage of a congressional resolution requesting the U.S. Postal Service to issue a commemorative stamp honoring the sesquicentennial anniversary of the Battle of Glorieta Pass.

Analysis - 1/18/2012 - Introduced

All Requests New Mexico's congressional delegation to seek passage of a congressional resolution requesting the U.S. Postal Service to issue a commemorative stamp honoring the sesquicentennial anniversary of the Battle of Glorieta Pass.

Status Passed in the Senate

Last Action 02/15/2012 - S - Passed 33 - 0 [Listen]

HM10 - Burial of Veterans and others at Ft. Stanton Cemetery

Session 2012RS

Sponsors Rep. Zachary J. Cook (R)

Summary HCPAC amendment to HM10 specifies that the study explore federally assisted expansion of the Fort Stanton Cemetery for "veterans and eligible family member" not for "other populations." Clarifies that it is the Board of Regents of the Museum of New Mexico that is requested to conduct the study. Goes to calendar.

Analysis - 1/27/2012 - Committee Report 9

All HCPAC amendment to HM10 specifies that the study explore federally assisted expansion of the Fort Stanton Cemetery for "veterans and eligible family member" not for "other populations." Clarifies that it is the Board of Regents of the Museum of New Mexico that is requested to conduct the study. Goes to calendar.

1/18/2012 - Introduced

Requests the Cultural Affairs Department to conduct a study to establish the appropriate procedures for the burial of veterans and eligible family members at Ft. Stanton Cemetery. Requests that the study include analyzing the potential for the expansion of the

cemetery to include others persons. Requests that its name be changed to "Fort Stanton Veterans Cemetery."

Status Signed by Officers of House

Last Action 02/01/2012 - H - Signed by Officers of House [Listen]

HM20 - Alzheimer's Disease Task Force

Session 2012RS

Sponsors Rep. Danice Picraux (D)

Summary Requests that the Secretary of Aging and Long Term Services establish a New Mexico Alzheimer's Disease task force, composed of members of those agencies and organizations that are concerned with this disease, to assess its impacts and make recommendations how to best to confront the disease.

Analysis - 1/23/2012 - Introduced

All Requests that the Secretary of Aging and Long Term Services establish a New Mexico Alzheimer's Disease task force, composed of members of those agencies and organizations that are concerned with this disease, to assess its impacts and make recommendations how to best to confront the disease.

Status Signed by Officers of House

Last Action 02/09/2012 - H - Signed by Officers of House [Listen]

Action

HM27 - Kirtland Fuel Spill Cleanup Appreciation

Session 2012RS

Sponsors Rep. Sheryl Williams Stapleton (D)

Summary HENRC substitute for HM27 continues as an expression of appreciation to Kirtland Air Force Base, the City of Albuquerque and the state Environment Department for their cooperation in cleaning up ground water contamination on the base caused by the escape of fuel from a bulk storage facility.

Analysis - 2/10/2012 - Substitute

All

HENRC substitute for HM27 continues as an expression of appreciation to Kirtland Air Force Base, the City of Albuquerque and the state Environment Department for their cooperation in cleaning up ground water contamination on the base caused by the escape of fuel from a bulk storage facility.

The substitute measure changes the title of the bill to reflect that the problem addressed by the cleanup was the result of fuel line leakage rather than a facility spill. The substitute also removes language asking that work continue "until every last drop of ground water and every last air vapor is ameliorated."

1/24/2012 - Introduced

(Identical to SM2) Thanks Kirtland Air Force Base, the City of Albuquerque and the state Environment Department for their partnership efforts in cleaning up groundwater contamination from

bulk fuel leakage during a 40-year period on the base. Asks the entities to continue their work until mitigation is complete.

Copies of the memorial shall be delivered to the Secretary of the United States Air Force, the Secretary of Defense, the state congressional delegation, the Secretary of Environment and the Mayor of Albuquerque.

Status Signed by Officers of House

Last Action 02/12/2012 - H - Enrolled and engrossed [Listen]

SB369 - National Guard and Reserves Defined as Veterans

Session 2012RS

Sponsors Sen. William F. Burt (R)

Summary Amends the Veterans' Services Department Act to include within the definition of "veteran" a New Mexico resident who was regularly enlisted, drafted, inducted or commissioned in the Army Reserve, Navy Reserve, Marine Corps Reserve, Air Force Reserve, Coast Guard Reserve, Army National Guard or Air National Guard and was accepted for and assigned to duty for a minimum of six continuous years.

Analysis - 2/1/2012 - Introduced

All Amends the Veterans' Services Department Act to include within

the definition of “veteran” a New Mexico resident who was regularly enlisted, drafted, inducted or commissioned in the Army Reserve, Navy Reserve, Marine Corps Reserve, Air Force Reserve, Coast Guard Reserve, Army National Guard or Air National Guard and was accepted for and assigned to duty for a minimum of six continuous years.

Also includes within the definition of “veteran” a U.S. Public Health Service “commissioned corps” or the National Oceanic and Atmospheric Administration “commissioned officer corps” who served in the capacity of a commissioned officer while on active duty in the defense of the United States.

Status Passed in the House

Last
Action 02/15/2012 - H - Passed 67 - 0 [Listen]

SM2 - Kirtland Fuel Spill Cleanup Appreciation

Session 2012RS

Sponsors Sen. Timothy M. Keller (D)

Summary SRC substitute for SM2 makes nonsubstantive language cleanup changes; includes the

Analysis - 1/30/2012 - Substitute

All

SRC substitute for SM2 makes nonsubstantive language cleanup changes; includes the Albuquerque-Bernalillo County Water Utility Authority among those to be thanked for their groundwater cleanup efforts; and removes the time restriction for the installation of new wells in the Siesta Hills and Elder Homestead neighborhoods. Adds the Executive Director of the Albuquerque-Bernalillo County Water Utility Authority to the list of entities to receive copies of the memorial. Goes to SCONC.

12/28/2011 - Introduced

Thanks Kirtland Air Force Base, the City of Albuquerque and the state Environment Department for their partnership efforts in cleaning up groundwater contamination from bulk fuel leakage during a 40-year period on the base. Asks the entities to continue their work until mitigation is complete.

Copies of the memorial shall be delivered to the Secretary of the United States Air Force, the Secretary of Defense, the state congressional delegation, the Secretary of Environment and the Mayor of Albuquerque.

Status Passed in the Senate

SM34 - Alzheimer's Disease Task Force

Session 2012RS

Sponsors Sen. Dede Feldman (D)

Summary (Identical to HM20) Requests that the Secretary of Aging and Long-Term Services establish a New Mexico Alzheimer's Disease task force, composed of members of those agencies and organizations that are concerned with this disease, to assess its impacts and make recommendations on how best to confront the disease.

Analysis - 1/26/2012 - Introduced

All

(Identical to HM20) Requests that the Secretary of Aging and Long-Term Services establish a New Mexico Alzheimer's Disease task force, composed of members of those agencies and organizations that are concerned with this disease, to assess its impacts and make recommendations on how best to confront the disease.

Findings should be submitted by November 1, 2013 to the Governor and the Legislative Health and Human Services Committee.

Copies of this memorial shall be transmitted to each official or organization being requested to serve on or select a member of the task force, and to the chair and vice chair of the Legislative Health and Human Services Committee.

Status Senate Calendar

Last 02/15/2012 - S - Reported Do Pass by Senate Public Affairs
Action [Listen]

SM38 - Requesting All Cemeteries to Fly the Veterans Remembered Flag

Session 2012RS

Sponsors Sen. Mary Jane M. Garcia (D)

Summary Requests that all cemeteries fly the Veterans Remembered Flag of the American Legion, in honor of the millions of former military personnel who have served the nation.

Analysis - 1/27/2012 - Introduced

All

Requests that all cemeteries fly the Veterans Remembered Flag of the American Legion, in honor of the millions of former military personnel who have served the nation.

A copy of this memorial shall be transmitted to the Secretary of Veterans' Services.

Status Passed in the Senate

Last 02/16/2012 - S - Passed 41 - 0 [Listen]
Action

SM66 - Navajo Code Talkers Museum and Veterans Center

Session 2012RS

Sponsors Sen. John Pinto (D)

Summary (Related to SB160) Requests that the concept of a Navajo Code Talkers Museum and Veterans Center be supported. To that end, recommends a feasibility and market study, and to plan the process needed to make the center a reality.

Analysis - 2/3/2012 - Introduced

All

(Related to SB160) Requests that the concept of a Navajo Code Talkers Museum and Veterans Center be supported. To that end, recommends a feasibility and market study, and to plan the process needed to make the center a reality.

A copy of this memorial shall be transmitted to the Secretary of Indian Affairs.

Status Passed in the Senate

Last Action 02/15/2012 - S - Opened for floor debate [Listen]