

NEW MEXICO SENATE DEMOCRATS

For immediate release

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SENATE PASSES NEXT YEAR'S BUDGET

The Senate on Tuesday unanimously passed the state's budget for next fiscal year that includes emergency funds in anticipation of the unknown consequences of federal sequestration, and allows for increases in education, law enforcement and the promotion of New Mexico through the State Tourism Department.

The \$5.9 billion House Bill 2 represents a 4.4 percent increase over the 2013 fiscal year budget, or about \$224.6 million more, and prudently leaves just under the target goal of 10 percent in cash reserves. The budget also represents a 4.6 percent increase over last year for education, totaling \$2.57 billion.

Governor Susana Martinez has already threatened to veto the budget, demanding that the Legislature pass higher corporate tax cuts to out-of-state companies and questionable teacher merit increases that have proven in other states to be doled out unfairly and brings down morale amongst public school teachers. The Senate amended the House appropriation that includes teacher merit pay and redirected the money to allow for stipends to motivate our teachers to help the state's most struggling schools.

The Senate Finance Committee funded an additional \$4.5 million to an early reading intervention program that the governor is supporting and left in a 1 percent salary increase for all public employees. It also includes incentive pay for outstanding teachers who leave their jobs at A and B rated schools and utilize their talents at D and F rated schools.

"Merit pay does not work," said Senator John Sapien (Bernalillo, District 9). "I have been contacted by many educators here in New Mexico who used to work for the schools in Texas and they have said it doesn't work. The State of Texas has stopped doing it.

“The key is that this was a compromise budget. The governor was asking for number of new initiatives.”

Senator Howie Morales (Catron, Grant, Socorro, District 28) added, “There was a substantial amount of money that went to her initiatives, but there is concern with merit pay. Research has shown that merit pay is very troubling in other states that have initiated it.”

The budget bill also includes a reserve fund that would be used in the event the state loses millions in federal funding for special education as well as the sequestration. The Public Education Department procrastinated in advising legislators that the program was in danger of losing up to \$100 million in special education funding and that a waiver request was in the works.

“We hope for the best and have prepared for the worst,” said Senate Finance Committee Chairman John Arthur Smith (Dona Ana, Hidalgo, Luna, Sierra, District 35) during debate of the bill. “This year has obviously been better than the last three, four, five years.”

The final budget, which will head back to the House for concurrence, also includes a 5.4 percent increase in funding for the Department of Public Safety, and funded the State Tourism Department budget at \$10.3 million, a substantial 24.2 percent increase over last year. Other increases were appropriated to the MainStreet Program, the Local Economic Development Program, the Cumbres & Toltec Scenic Railroad, and the irrigation works construction fund.

Senate Passes Bill Making Violence Committed Against Homeless a Hate Crime

On Tuesday the Senate passed Senate Bill 124, Add Homelessness to Hate Crimes, sponsored by Senator William O’Neill, (Bernalillo, District 13). According to a fiscal impact report, between 1999-2010 there were 1,184 violent assaults against people described as homeless and 312 of them lost their lives as a result of the attacks.

Most of these disconcerting crimes were committed by young men under 30 and teenage boys under 20. Three other states and the District of Columbia already have laws in books that address crimes against the homeless.

SB 124, which adds the homeless to the list on the Hate Crimes Act, defines a homeless person as someone who lacks a fixed, regular and adequate nighttime and is relegated to living or sleeping in cars, parks, public spaces, abandoned buildings, bus or train stations, or a shelter designed to provide temporary living accommodations, People convicted of hate crimes have additional criminal penalties assessed to their regular felony sentences. The bill now heads to the House for review.

Heavy Issues in the Senate Met with Bipartisan Support

The legislative session is winding down and party-line battles have come to the forefront on several divisive issues; driver's licenses and retention come to mind, but when it came down to votes on cornerstone legislation, compromise was the winner of the 2013 session.

"On many important issues that matter to New Mexicans, we have reached across the aisle and found common ground which is fundamental to moving the state forward," Senate Majority Whip Tim Keller (Bernalillo, District 17) said. "We have taken a lot of bipartisan votes on many of the top issues of the day. Some of them include the budget, single sales tax factor and combined reporting, PERA and ERB solvency, reforming NMFA and the PRC, the health insurance exchange and capital outlay."

Other bills that have passed the Senate with bipartisan support include the "Breaking Bad" bill, House Bill 379, sponsored by Representative Antonio "Moe" Maestas (Bernalillo, District 16); the Spaceport Informed Consent Application, Senate Bill 63, sponsored by Senator Mary Kay Papen (Dona Ana, District 38); the Fair Pay for Women Act, Senate Bill 402 and House Bill 216, sponsored by Senator Linda Lopez (Bernalillo, District 11) and Representative Brian Egolf (Santa Fe, District 47); Energy Conservation Bonds, Senate Bill 101, sponsored by Senator Peter Wirth (Santa Fe, District 25); the Uniform Enforcement of Domestic Violence Act, Senate Bill 132, sponsored by Senator Joseph Cervantes (Dona Ana, District 31); the Liquor Tax Microbrew Volume Limits, Senate Bill 81, sponsored by Senator Sue Wilson Beffort (R, Bernalillo, Sandoval, Santa Fe, Torrance, District 19); the Community Schools Act, Senate Bill 179, sponsored by Senator Cisco McSorley (Bernalillo, District 16); and Senate Bill 313, the Biomedical Research Act, sponsored by William O'Neill (Bernalillo, District 13).

"At a time when the public believes that all Democrats and Republicans do is bicker and fight," adds Majority Floor Leader Michael S. Sanchez (Bernalillo, Valencia, District. 29), "we have pulled together on many issues that are important to the people of New Mexico."

In other Senate action:

* "We can see the light at the end of the tunnel and, thank goodness, because I'm getting homesick for the southeastern part of the state and a good ol' dust storm," Senator Finance Committee Chairman John Arthur Smith said on the Senate floor, while introducing House Bill 2, the budget bill, on Tuesday.

* “Yesterday, I voted together with Senator Sharer and the moon didn’t turn to blood,” Senator Jacob Candelaria (Bernalillo, District 26) said Tuesday, while debating Senate Bill 345. Eliminate Some Open Container Exceptions, sponsored by Senator John Sapien (Bernalillo, Sandoval, District 9). The bill passed the Senate and further limits the places where an unsealed container of alcohol may be kept in a moving vehicle, including priests transporting sacramental wine.

* “On a vote of 27-11, Senate Bill 345 has passed the conclave, I mean the Senate,” Lt. Governor John Sanchez quipped upon the conclusion of the debate.

* “I concur with the non concurrence,” said Senator William H .Payne (R, Bernalillo, District 20), while responding to Senator Tim Keller’s (Bernalillo, District 17) motion on Tuesday for non concurrence with the House Judiciary Committee amendment to Senate Bill 8, PRC Commissioner Qualifications.

* “This particular bill is being held together by dental floss, it’s very fragile,” said Senator Benny Shendo Jr. (Bernalillo, McKinley, Rio Arriba, San Juan, Sandoval, District 22), while describing the compromise needed to get the governor to agree to the combined senate bills 221 and 581, which passed the Senate on Monday and will creating the New Mexico Health Insurance Exchange to being administering Obamacare. “Nobody ended up happy on this one so I guess it’s a good bill.”

* “You got this nearly finished pardner, good job,” Senator Stuart Ingle (R, Chaves, Curry, De Baca, Lea, Roosevelt, District 27) said to Senator John Pinto (D, McKinley, San Juan, District 3) after the Senate unanimously passed Senate Joint Memorial 42, which formally encourages New Mexico’s Congressional delegation to secure money to finish improving U.S. 491 between Gallup and Shiprock. Once known as the “Devil’s Highway” because of its old designation as U.S. 666, the thoroughfare is known as one of the state’s most dangerous highways.