

NEW MEXICO SENATE DEMOCRATS

For immediate release
Contact: Arnold Vigil, (505) 986-4263
www.nmsenate.com

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Dogs and Miniature Horses Specifically Defined as Service Animals in Bill

A bill that would rename the “Assistance Animal Act” to the “Service Animal Act,” and would specify the animals defined as service animals as dogs and miniature horses, passed the Senate Judiciary Committee on Friday.

Senate Bill 320, “Assistance Animal Act Changes,” is sponsored by Senator Nancy Rodriguez (Santa Fe, District 24) specifies that the “qualified service dog” and “qualified service miniature horse” be added to the language of what constitutes a legal animal companion that assists someone with a disability. Such service animals, which are covered under the Americans with Disabilities Act, when under the direct control of a disabled person cannot be denied entry into any public places in the state, regardless of any existing no-pets policy, according to language in the bill.

SB 329 would not apply to the animals if they are on private property or not in direct control of their owner or handler, or if they are in a situation where they are in danger to others. Anyone who denies entry to these qualified animals could be charged with a misdemeanor. The bill now heads to the Senate floor for a vote.

Amended DWI Bill Reduces Fifth Conviction Ban Down to Four

A bill originally introduced that would have taken a person’s driver’s license away for life after a fifth conviction for DWI, was amended by the Senate Public Affairs Committee on Friday. Senate Bill 460, “Lifetime License Loss for Fifth DWI,” now stipulates that a person convicted of a fourth DWI would lose their license for life.

However, the amended bill now states that a person convicted of a fourth DWI would have the option to ask the court to have their driving privileges restored with an ignition interlock license that would be in effect for the rest of their life. The interlock clause requires that the driver only operate vehicles that have an interlock device installed at their own expense.

Currently, a person convicted of a fourth DWI is afforded the same interlock license opportunities, but they have the option of petitioning the court to have the interlock-driving

requirement removed after five years. The five-year option is now no longer an option for a fourth timer under the proposed law.

The convicted driver would not be able to legally drive for the rest of their life until they petition for the lifelong interlock license. The bill now heads to the Senate Judiciary Committee for review.

Bill Would Save Low-Income Elderly Property Owners Annual Trip to the County

A bill passed by the Senate on Friday, would enable low-income property owners over 65-years-old, as well as disabled property owners, to not have to apply every year to extend their eligibility for a freeze on their property values. Senate Bill 289/a, sponsored by Senator Benny Shendo Jr. (Bernalillo, McKinley, Rio Arriba, San Juan, Sandoval, District 22), which passed unanimously, allows county assessors to keep the eligible property evaluations on the books indefinitely until a change in status of the property ownership occurs.

“(The tax-valuation freeze exists) already,” Senator Shendo said. “This bill just enables our elderly from having to come into the county to apply for the tax break every year

“A lot of seniors are on fixed income and oftentimes it’s hard for them to have to keep going to the county to apply in person year after year.”

SB 289/a, which also was freshman Senator Shendo’s first passed bill, stipulates that a freeze in property value will not occur automatically to property owners who meet the criteria, and that the freeze will be subject to inflation indexes. Those who are eligible for the first time will have to apply for the tax freeze and prove that they were eligible for the freeze for three years prior. Although those property owners who have already taken advantage of the tax valuation freeze for three consecutive years are automatically eligible.

It will be up to individual county governments to design the application forms. A property owner’s maximum annual income is set at a threshold of \$32,000 after 2009 to qualify along with proof of age and disability requirements after 2009. It will be up to a property owner to notify the county if there has been a change in their income or if a change in property ownership has occurred, otherwise, the owner would be liable for back taxes, interest and fine three times the amount of taxes due.

The bill now heads to the House of Representatives.

Pro Tem Papen Sponsors Bill Related to Early College High Schools

Senate Bill 363 passed the Senate Education Committee this morning. The bill would create a new section of the Public School Code to address rules for establishing early college high schools.

The high schools would be required to have a commitment that each participating student graduate with a New Mexico diploma of excellence and an associate of arts degree and prepare them to enter the workforce. The bill also mandates curriculum areas and sets guidelines for the high schools contact with higher education programs to establish dual-credit courses and for administering a plan toward earning an associate's degree.

Many school districts currently offer dual-credit programs to high school juniors and seniors. The programs allow students to take college classes while working toward their high school diploma.

The bill now goes to Senate Finance Committee. According the fiscal impact report, adding a new section to the Public School Code entails no new financing.

In other Senate action:

* On Friday, the Senate confirmed the reappointment of Butch Mathews and the appointment of Robert Wallach to the State Transportation Commission.

* The Senate recognized retired District Court Judge Michael Vigil, Division I, as sponsored by Senator Nancy Rodriguez (Santa Fe, District 24). Vigil, who presided over many high-profile and controversial cases during his tenure as judge in Santa Fe, made headlines around the time of his retirement last year when he was identified as a \$1 million lottery winner.

*As part of "Film and Media Day" day at the Capitol on Friday, the Senate recognized Hollywood movie star and Santa Fe resident Wes Studi, who gained fame as playing authentic Native American roles in productions such as Dances with Wolves, The Last of the Mohicans, Avatar, Geronimo: An American Legend and more recently Hell on Wheels, among many others. Senator Jerry Ortiz y Pino (Bernalillo, District 12) noted Studi's Cherokee heritage, upbringing in Oklahoma and political activism, including taking part in the American Indian Movement protest at Wounded Knee in 1973