

# 2019 Greater Albuquerque Chamber of Commerce Legislative Agenda

## *Building a Stronger New Mexico Together: A Growing Economy, High-Performing Schools, and Safer Communities*

### 54<sup>th</sup> Legislature, First Session

#### **FY20 BUDGET/ FY20 CAPITAL BUDGET**

##### **SUPPORT**

- Prioritize the spending of \$1.1 billion in “projected new money” on efforts to grow the economy, improve K-12 student achievement, and enhance public safety, as well as guard against future fluctuations in energy markets by restraining recurring spending growth to a reasonable level
- Prioritize the spending of \$1 billion in non-recurring surplus funds from FY19 on bolstering reserves and funding one-time expenses, such as large capital projects, replenishing certain state accounts, and new IT systems to improve government performance
- Maintain reserves of between 20% and 25% of recurring revenue
- Provide salary increases to teachers and certain groups of state employees, including staff and practitioners in judicial agencies (district attorneys, public defenders, courts, etc.) and other hard-to-recruit/retain positions; consider reasonable across-the-board increases for all other state employees of 3% or less
- Focus statewide capital spending on large-scale infrastructure projects (roads, water, buildings, etc.) that have a significant economic impact and that local governments often cannot afford themselves; reform the capital outlay process to make spending decisions more transparent
- Expand the state’s rainy day fund (Tax Stabilization Reserve Fund) by capturing excess rents and royalties
- Full funding of the Medicaid program; leverage Medicaid funds to expand certified high-quality home visiting programs

##### **OPPOSE**

- Any use of Permanent Fund dollars for purposes not intended
- The use of severance tax bonds for capital expenditures, given that New Mexico has up to \$1 billion in non-recurring revenue available for this purpose

#### **ECONOMY**

##### **SUPPORT**

- Comprehensive tax reform that lowers the gross receipts tax rate, broadens the gross receipts tax base, eliminates some egregious tax pyramiding issues for businesses, stabilizes state revenue streams, and encourages economic growth and business investment
- Close the online sales tax loophole that currently allows Internet retailers to avoid charging the NM gross receipts tax
- Increase the current cap on annual film incentive payouts due to strong growth in recent years, maintain cost effectiveness and budget predictability of the program, and continually re-examine its structure and impact
- Eliminate the lodger’s tax exemption on rental properties such as Airbnb
- Increase the Tourism Department’s advertising budget by at least \$3.5 million to expand the New Mexico True campaign into additional markets
- Increase Job Training Incentive Program funding to at least \$11 million and move a portion of this funding into the recurring base budget of the Economic Development Department
- Maintain a closing fund for economic development projects of between \$50-\$75 million (Local Economic Development Act)

- Support the Energy Transition Act as a financing tool to reduce costs to customers affected by retirement of a coal plant
- Increase staffing and capital expenditures at Spaceport America to encourage and accommodate future growth
- Constitutional amendment to make the Public Regulation Commission an appointed – not elected – body
- Raise the cap and consider other reasonable expansions of the Angel Investment Tax Credit
- Preserve the single sales factor apportionment for manufacturers in New Mexico
- City of Albuquerque request for \$15 million in capital outlay funding for the redevelopment of the 27-acre historic Rail Yards site, to include environmental remediation, expanding the market and event space, and improvements to allow for the relocation of CNM's Film School of Excellence to the site
- Innovate ABQ request of \$7 million in capital outlay funding for the renovation of the First Baptist Church site
- Creation of a Public-Private Partnership (P3) framework that would allow New Mexico communities to build and maintain the necessary infrastructure to retain jobs and expand economic opportunities
- Establish a state ethics commission that operates under fair and transparent processes
- Create a dedicated, recurring funding stream for forest restoration activities (\$25M in the Forest Land Protection Revolving Fund, to be expended over the next 3-5 years)
- Decriminalization of first-time offenses for the possession of one ounce or less of cannabis
- Continuation and appropriate implementation of the State's medical cannabis program

#### **OPPOSE**

- Any reduction in funding for – or any additional limitations and earmarks attached to – key job-creating economic development incentives, especially JTIP and LEDA
- Repeal of New Mexico's capital gains tax deduction or increase in personal income tax rates
- Any minimum wage increase that would reduce New Mexico's economic competitiveness in our region or impose annual indexed increases
- Any paid sick leave proposal that places onerous and unreasonable requirements on businesses, including failing to exempt or accommodate small businesses, failing to recognize existing generous paid-time-off policies as equivalent, establishing a costly and unfair process for resolving sick leave disputes, and requiring too many hours of leave to be provided each year
- Any proposal to legalize recreational cannabis that does not provide detailed answers to serious questions relating to job performance and workplace safety, driving under the influence, drug testing protocols, the right of employers to have a drug-free workplace, and alignment with policies at federal government or federal contractors' workplaces; support the creation of a bipartisan group to study these issues further
- Major regulatory changes relating to the collection of consumer data by companies, without proper further study

#### **EDUCATION**

##### **SUPPORT**

- Increase public education funding to comply with a recent District Court ruling, including additional funding for at-risk students and higher teacher pay; consistent with the Court order, couple any additional funding with a strong accountability framework for districts and schools, a focus on funding proven strategies and programs, and the provision of greater authority to the State to ensure education dollars are spent properly, effectively, and in the classroom by districts
- Expand early childhood education programs in an aggressive, but responsible and incremental, manner; maintain a differentiated delivery system for early childhood services that relies on public and private providers; support dedicated funding for the development of a high-quality early childhood workforce; require rigor and high standards

- Establish a new cabinet-level department, led by a governor-appointed secretary, to oversee and manage the funding, coordination, and execution of the State's various early childhood programs; consolidate other cabinet departments
- Maintain high academic standards and relative consistency in the annual assessment used to gauge student performance, given the high cost of moving to a completely different exam, the time and effort that teachers have made to adjust to our current standards and exam, and the challenge of setting a new baseline for evaluating student progress
- Continue and expand key initiatives, including but not limited to: teacher and principal mentoring programs (TPE and PPE, specifically), adding instructional days for certain students and schools via K-3 Plus, the early dropout warning system, and providing the state's highest-performing teachers with bonuses or additional pay
- Establish minimum percentages that New Mexico school districts must commit to classroom spending
- Policies that promote and encourage the opening and replication of high-quality charter schools, while providing for the swift closure of low-performing charter schools

## **OPPOSE**

- Changes to the State's school rating system that would significantly reduce the use of student achievement data to evaluate school performance, do away with a summative rating for each school, or alter the presentation of school ratings in ways that would make it harder for the public to understand how a school is performing
- The use of state statutes to dictate the specific student assessment that should (or should not) be given in New Mexico
- Moratorium on the opening of new charter schools
- Imposition of a cap on either the number of charter schools in NM or the number of students served by charter schools
- Changes to charter school authorizing statutes that would make it harder to open/replicate high quality charter schools
- Increase in the distribution from the State's permanent funds to pay for an increase in early childhood services
- Move Pre-K funding into the state equalization guarantee (SEG), to be distributed to districts via the funding formula
- Constitutional amendment that would eliminate the secretary of education position and turn the current PEC into a partially elected state school board that would select a state superintendent of education

## **PUBLIC SAFETY**

### **SUPPORT**

- Substantial increase in funding for judicial branch agencies, including district attorneys' offices, the New Mexico Public Defender, and the Courts, with a focus on making salaries more competitive in order to hire/retain the best
- Expand the use of loan-for-service programs to recruit and retain justice system workers (police officers, prosecutors, public defenders, corrections officers, mental health workers, etc.)
- Allow police officers – and potentially other justice system workers, including prosecutors – to retire, collect their pensions, and return to public work under certain conditions (i.e. non-supervisory role)
- City of Albuquerque request for \$28 million in capital outlay funding for land, design and construction of a centrally-located, around-the-clock emergency housing center for the homeless, as well as a one-time appropriation of \$5 million to cover operating costs associated with keeping the emergency shelter on Albuquerque's westside open year-round
- Bernalillo County and University of New Mexico request for \$30 million in capital outlay funding for the construction of an adult psychiatric crisis triage center in Albuquerque
- Funding to upgrade the metro area's emergency communications infrastructure (land mobile radio operations), which is used by more than 22 agencies – including police departments; the current radio system does not meet federal standards, lacks interoperability, and has significant coverage gaps that prevent communication between agencies during emergencies
- Funding for the Gun Intelligence Center at APD (to connect the use of firearms with violent offenders and gangs), a gunshot detection system at crime hotspots across the city, technology to speed up the processing of DNA evidence, and anti-auto theft monitoring devices to identify and track stolen vehicles.

- Require the use of a unique identifier for those who come into the justice system across all agencies and provide the funding for the technology (i.e. fingerprint machines) and data systems needed to improve data sharing statewide
- Fund grant programs statewide to encourage the development and deployment of data-driven and analytics-based policing and prosecution strategies (such as the crime-fighting tool being built by New Mexico Tech for the Bern Co. D.A.'s Office)
- Expand the use of specialty courts, crisis intervention teams, and proven diversion programs (i.e. law enforcement assisted diversion); increase prosecutorial discretion on pre-prosecution probation
- Increase funding to establish more robust pre-trial services and monitoring programs statewide
- Amend confidentiality statutes to allow for behavioral health data to be incorporated into justice system research and intervention planning for offenders
- Constitutional amendment allowing appointed judges to remain in office at least one full year before participating in the next partisan election
- Provide cities the option to transfer jurisdiction over municipal ordinances to magistrate courts (statutory change) and counties the option to transfer probate court jurisdiction to a state court (constitutional amendment)
- One-time funding of \$450,000 to expand a current pilot program statewide that allows for online dispute resolution of certain civil cases and \$1.8 million for redaction software necessary to make court records available online
- Expand Bernalillo County Metro Court's ROR Program to all magistrate courts statewide, allowing court personnel in Albuquerque to conduct interviews of defendants across the state and review criminal histories to help with pre-trial release determinations
- Increase funding for the education of judges and court personnel, who currently receive only limited training and whose backgrounds tend to be more specialized in nature
- Increase the penalty for battery on a CYFD employee
- Close the loophole that allows those who intentionally abuse and kill an older child to avoid life in prison
- Increase penalties for child abuse and the electronic communication of obscene images to a child
- Allow for dual sentencing (juvenile/adult) of serious youthful offenders
- Aggregation of shoplifting crimes to allow for the felony prosecution of serial shoplifters

#### **OPPOSE**

- Full repeal of the constitutional amendment passed by voters regarding pre-trial detention and release, but support statutory changes (or amendment adjustments, if necessary) to ensure that voter intent is followed in courtrooms, regarding the detention of serious/dangerous defendants, in particular

#### **Questions? Call:**

Pat Vincent-Collawn, Chair of the Board: 241-2700  
 Terri L. Cole, President/CEO: 239-6553  
 Jeremiah Ritchie, Legislative Committee: 235-2513  
 Mike Canfield, Chair-Elect of the Board: 228-0875  
 Sherman McCorkle, Vice-Chair of the BIGs: 235-8719  
 Heather McDaniel, Lobbyist: 620-6020

Meg Meister, Immediate Past Chair: 264-8754  
 Chris Narkun, Lobbyist: 662-390-3244  
 JD Bullington, Lobbyist: 363-1035  
 Jacque Christensen, Lobbyist: 259-5304  
 Marc Christensen, Lobbyist: 554-5715