

## **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***

The Greater Albuquerque Chamber of Commerce works with government, business, and community partners to promote and develop a welcoming business environment and thriving, diverse economy in New Mexico. Our goal is to ensure that New Mexico is a great place to start and grow a business and a safe, exciting place to work and raise a family. The Chamber's interests are not narrow or parochial. We are a community-focused organization intent on helping our leaders address and overcome the most serious challenges we face.

In pursuit of this mission, we offer our 2019 legislative agenda. During this session, we will advocate for a fiscally responsible and well-prioritized state budget, strong economic development incentives to create new jobs and grow businesses across the state, student-centered education initiatives that produce high-performing schools and insist on a high-quality education for every child, and criminal justice reforms and capital projects to reduce crime and improve public safety.

#### **Overview**

##### **Spend wisely and save for the future**

Black is our favorite color, particularly when we are talking about the ink on our state's balance sheet. Following several years of sharp revenue downturns as a result of an unprecedented plunge in energy prices, the State is taking in record revenues and projecting a significant budget surplus for the coming year. Thanks in large part to a boom in oil and gas production, the state will end the current fiscal year with about \$931 million more than expected. And, the forecast for the new fiscal year, FY 20, offers the prospect of around \$1.1 billion in "new money," i.e. revenue above and beyond what's needed to fund current operations. While this is certainly good news, legislators will no doubt have to grapple with an upcoming "gold rush," as state agencies, cities and counties, schools and universities, and various types of organizations look to claim their share of the expanding pie.

The temptation to over-spend – particularly on recurring obligations – will need to be avoided. And, the Chamber believes that prioritizing new investments around public education, economic development, and public safety will allow our state to make major progress in these key areas.

We have to keep in mind that black can also be an ominous color – like a storm brewing on the horizon. As we've seen in the past, energy prices can plummet as fast as they can skyrocket. Revenue from the energy sector accounts for about 45% of general fund money, making the budget very vulnerable to volatile energy prices and justifying our call for reserves to be kept at 20-25% of the state budget and additional money to be diverted to our recently-established rainy day fund.

##### **Keep the economy moving**

New Mexico's unemployment rate is declining and our economy is adding jobs across nearly all sectors. It's the kind of broad economic growth we haven't seen for quite some time, and we need to keep it going. Clearly, bipartisan efforts over the past several years to make our state more competitive are paying off, including lower business taxes, a new closing fund to recruit companies, and more funding to help companies pay for the training of their employees as they expand. Tourism is also setting records year-after-year behind the successful "New Mexico True" brand, and movie production continues to soar. The right course is to double down on these efforts, take no steps that would reduce our economic competitiveness, invest in large-scale infrastructure projects while we have the money to do so, and finally reform our onerous gross receipts tax system.

### **Increase spending for education, but maintain high standards and accountability**

A recent District court order requires more money to be spent on public education and more accountability on the State and school districts for the academic achievement of our students. As additional funding flows to school districts to help at-risk students, in particular, and raise teacher salaries, key questions will be: will New Mexico maintain its currently high academic standards (aligned to career and college readiness), and how will the State measure student and school performance going forward? The Chamber believes every student deserves to receive a high-quality education, which requires the honest measurement of academic performance and a commitment to ensuring that no child is trapped in a perpetually low-performing school.

In addition, the Chamber is part of a broad coalition of organizations pushing for an aggressive, but responsible, expansion of early childhood programs in New Mexico and a new cabinet department to oversee and coordinate these initiatives. After all, brain development and learning starts early on in the life of a child, and improving K-12 performance will be easier if we close persistent learning gaps before children reach kindergarten.

### **Improve justice system operations, reduce crime, and address homelessness**

Criminal justice reform is a hot topic in New Mexico, with broad consensus around the need to improve data-sharing, process criminal cases more efficiently, and use analytical tools and new technology to differentiate offenders and more strategically fight crime. The result? Justice will be swifter and more certain for those who commit crimes, and agencies will better focus their resources on serious offenders, while diverting lower-level offenders to diversion programs and rehabilitation initiatives. Providing additional funding to justice system agencies for staff and new technology, reforming the judicial branch, and recruiting/retaining the best law enforcement professionals and attorneys are key parts of this broader effort.

In Albuquerque, homelessness is a serious concern that impacts public safety in the downtown area, in particular. The City of Albuquerque, Bernalillo County, the Chamber, and law enforcement partners will ask the Legislature to help fund a new 24/7 single-site emergency housing shelter for the homeless, as well as a crisis triage center at UNM, to improve how the homeless are served and reduce unsheltered homelessness throughout the City.

## **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. Targeting new spending on key goals increases the likelihood of making significant progress. What we spend this year will likely need to be sustained in future years; caution is needed so as to not create new programs throughout the budget that would potentially need to be cut during a future economic downturn.
- 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. This is one-time money; it should be spent on high-impact projects and to address particular acute liabilities.
- Maintain reserves of between 20% and 25% of recurring revenue. There will be lean times in the future. A healthy reserve helps ensure continuity and stability.
- 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. Recent budgets have provided small or no salary increases for many employees, and pay for certain types of employees significantly lags other states. To remain competitive and achieve certain policy objectives, some salary adjustments are in order.
- 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. High-impact projects create jobs and provide the infrastructure to support a growing economy. We need focus and discipline in how capital investments are made.
- Expand the state’s rainy day fund (Tax Stabilization Reserve Fund) by capturing excess rents and royalties. Revenue streams that were not included, but should have been, in the original legislation that established the fund should now be included.
- Full funding of the Medicaid program; leverage Medicaid funds to expand certified high-quality home visiting programs. In the past, Medicaid has been regularly underfunded, leaving large deficits to fill year after year and occasionally resulting in reductions to provider reimbursement rates that ultimately hurt providers and their patients. To the extent possible, the state should build home visitation reimbursement into the Medicaid program in order to provide services to more families and have more of the cost shared by the federal government.

### **OPPOSE**

- Any use of Permanent Fund dollars for purposes not intended. Over the last several years, there has been a concerted effort to divert money from the state's permanent fund to early childhood programs. While we support additional funding for these programs, we do not support raiding the permanent fund. Every dollar we take away from these funds results in less money down the road for our schools.
- The use of severance tax bonds for capital expenditures (capacity is estimated at \$235 million), given that New Mexico has up to \$1 billion in non-recurring revenue available for this purpose. There is no need to borrow money for capital projects when the state has adequate one-time funding available to pay for them outright.

## **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. New Mexico's archaic gross receipts tax system remains a stumbling block to business expansion in our state. Over the last few sessions, solid proposals have been made to reform this system. This year is the time to finally enact reform.
- Close the online sales tax loophole that currently allows Internet retailers to avoid charging the NM gross receipts tax. There's no reason why the state should be losing tax revenue from online retail sales and there's also no reason why these sellers should have a competitive advantage over local businesses by avoiding this 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. It's clear these incentives have worked to bring film and television productions – and the jobs associated with them – to our state. It's also clear that our current cap threshold is too low and could soon become an inhibitor to further development. Raising the cap is a must. However, we believe that a rolling cap needs to remain in place to ensure budget predictability going forward.
- Eliminate the lodger's tax exemption on rental properties such as Airbnb. Others that rent rooms must pay this tax. The state is losing revenue and traditional lodging establishments are penalized by competitors not paying the same tax.
- 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. JTIP is a nationally recognized program that benefits long standing New Mexico businesses as well as companies wanting to locate here. It's time to place some of the JTIP funding in the base budget rather than needing to seek special appropriations every year. Moreover, the funding should be increased in order to fulfill all valid requests for job training support.
- Maintain a closing fund for economic development projects of between \$50-\$75 million

(Local Economic Development Act). In order to compete for jobs, New Mexico must have a robust closing fund, one that has proven its effectiveness in helping companies expand in rural and urban areas alike, as well as recruit large new companies to the state like Netflix and Facebook.

- Support the Energy Transition Act as a financing tool to reduce costs to customers affected by retirement of a coal plant. By using corporate bonds (no state funds or bonds are involved), the cost of closing coal plants can be reduced significantly, saving ratepayers money.
- Increase staffing and capital expenditures at Spaceport America to encourage and accommodate future growth. As the success of the Spaceport grows, there is need for additional hangars and other facilities to accommodate new tenants wanting to pursue space travel, launch satellites and rockets, and conduct research.
- Constitutional amendment to make the Public Regulation Commission an appointed – not elected – body. From an economic development viewpoint, it's important that regulators be subject matter experts in their fields to ensure certainty and stability for businesses and to minimize the politicization of decisions.
- Raise the cap and consider other reasonable expansions of the Angel Investment Tax Credit. The goal is to stimulate more private capital investment in New Mexico companies.
- Preserve the single sales factor apportionment for manufacturers in New Mexico. This change in law, made several years ago, is important to maintaining New Mexico's competitiveness versus surrounding states and to retaining manufacturers in our state.
- 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 re-location of CNM's Film School of Excellence to the site. This project, when completed, will be an anchor amenity in downtown Albuquerque and a world-class attraction for shopping and dining in New Mexico.
- Innovate ABQ request of \$7 million in capital outlay funding for the renovation of the First Baptist Church site. This project is building classroom, office and other spaces for use by UNM, CNM, nonprofit community organizations, tech transfer teams and startup companies.
- 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. With the proper safeguards in place, a P3 framework can result in attracting significant private capital for the construction of public projects.
- Establish a state ethics commission that operates under fair and transparent processes. The voters overwhelmingly approved the formation of this commission, which the Chamber strongly supported. We now must bring the commission to life through enabling legislation and appropriate funding.
- 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). There is immense need to accelerate the pace of forest restoration in frequent-fire

forest types to 150,000 acres per year. Even at this pace it will take 20 years to substantially reduce the risk of a mega-fire.

- Decriminalization of first-time offense for the possession of one ounce or less of cannabis. This is part of the overall strategy to focus law enforcement and judicial resources on the worst offenders.
- 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. These programs deserve ongoing support for their ability to help companies expand and recruit new companies to the state.
- Repeal of New Mexico's capital gains tax deduction or increase in personal income tax rates. Significantly altering these taxes will adversely affect business development and our state's competitiveness, and especially given the state's current fiscal position, there is no need for increased tax revenue from these sources at this time.
- Any minimum wage increase that would reduce New Mexico's economic competitiveness in our region or impose annual indexed increases. The key to higher pay is further diversification and growth of our economy coupled with improved educational and job training opportunities, not an artificially imposed wage rate that can result in job loss if the wages are uncompetitive with other regions.
- 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. The Chamber supports the creation of a bipartisan group to study these issues further. No reliable method yet exists that would allow employers to understand when an employee used cannabis (e.g. over the weekend on their personal time or on Monday morning during work) and their current level of impairment and intoxication. Also, many New Mexico businesses are federal contractors that must maintain a zero-tolerance drug use policy; others have strict safety guidelines that prevent drug-impaired workers from being employed at all.
- Major regulatory changes relating to the collection of consumer data by companies, without further proper 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. New Mexico already has high per pupil spending compared to other Southwestern states. It has also been historically very difficult for the Public Education Department to exercise strong oversight of how districts spend the lion's share of their education funding. Additional money this session definitely needs to be accompanied by the measurement systems and oversight necessary to ensure that students are progressing and performing academically.
- 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. Programs must be expanded at a pace consistent with the ability to develop the capacity to deliver high-quality services that can be monitored and evaluated effectively.
- 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. Currently, programs are spread across CYFD, DOH and PED. Bringing focus and coordination into one department is designed to yield improved performance and increased efficiency.
- 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. These initiatives are key to intervening with struggling students and appropriately recognizing our best teachers when they improve student performance.
- Establish minimum percentages that New Mexico school districts must commit to classroom spending. It's well demonstrated that high performing schools don't need an abundance of administrative overhead. In some school districts, bulging administrations are sucking too many dollars away from the classroom where teachers need additional resources to help youngsters learn.
- 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. Students and families – especially those in under-served areas with low-performing traditional schools – deserve to have high-quality public education options available to them. This is key to ensuring that children are not trapped year-after-year in an

ineffective school. Charter schools are also an effective way to pilot innovations in education and provide alternative learning settings for certain students.

## **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. Parents, students and taxpayers deserve an honest accounting of the extent to which students are progressing and proficient at schools across the state.
- The use of state statutes to dictate the specific student assessment that should (or should not) be given in New Mexico. The PED is in a far better position to work with districts throughout the state to develop and implement appropriate assessments. The proper approach is to hold the Governor and the Secretary of the PED accountable for decisions made in this area.
- Moratorium on the opening of new charter schools. In recent years, more charter schools have closed in New Mexico than have opened. As such, there is no compelling reason at all impose a moratorium on new charter schools; the PEC is taking steps to close low-performing charter schools, which is important, and it should be allowed to continue considering and authorizing new high-quality charter schools going forward. Students deserve quality education options, and as mentioned, charter schools often lead the way in innovative curricula and teaching methods. Innovation should be encouraged not stifled.
- Imposition of a cap on either the number of charter schools in NM or the number of students served by charter schools. Like a moratorium, these are simply other methods by which to prevent students and families from having access to high-quality education options.
- Changes to charter school authorizing statutes that would make it harder to open/replicate high quality charter schools. It is particularly important to allow proven and successful charter schools to open additional campuses or expand their enrollment.
- Increase in the distribution from the State's permanent funds to pay for an increase in early childhood services. The permanent funds are called permanent for a reason. They are dedicated principally to providing funding for public and higher education. Taking dollars away from these funds will, over time, reduce the amount of money for schools, colleges and universities. There is ample funding available to aggressively expand early childhood programs. That's the proper course to pursue.
- Move Pre-K funding into the state equalization guarantee (SEG), to be distributed to districts via the funding formula. All early childhood programs should be under the control and direction of the new early childhood department. Placing the funding into the SEG essentially turns the money over to school districts, which limits state oversight and inhibits coordination with other types of early childhood programs. Moreover, school districts are less likely to use private pre-K providers, threatening the public/private service delivery system that has long been a hallmark of our early childhood programs in New Mexico.



- Constitutional amendment that would eliminate the secretary of education position and turn the current PEC into 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. It is financially prohibitive for many people to practice in our justice system, and we lose talent daily to other states and the private sector. Addressing this issue is of critical concern.
- 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.). Often, justice system employees have fairly low salaries and carry large student loan debts; being able to exchange public service for loan repayment would be attractive to them and a way to recruit and retain the needed workforce.
- 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). This can be done in a way that does not significantly impact the solvency of the state's retirement funds. Additionally, it is simply a fact that because return-to-work is not allowed in New Mexico, we regularly lose qualified and experienced officers to other states (they retire and move elsewhere – taking their pension with them – to a place where they can more easily continue their career).
- 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. Currently, there is a deficit in overnight sheltering in Albuquerque, our current homelessness strategy encourages the homeless to wander throughout town from service to service, and law enforcement officers too often have no other place to take homeless people except to a hospital emergency room or jail (both of which are costly and of limited help to the homeless person). Akin to the effective "Haven for Hope" model in San Antonio, which helped reduce the unsheltered homeless population in downtown San Antonio by over 80%, an around-the-clock emergency housing center in Albuquerque would give the homeless a safe place to go, allow for the co-location of a wide range of homeless services, provide for an opportunity to triage and respond to a person's mental health needs, and give law enforcement a single location to take the homeless individuals with whom they interact.
- 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. This center would triage and address the mental health needs of the homeless and any other resident struggling with a behavioral health crisis. It would improve the

coordination and delivery of behavioral health services countywide and is a necessary partner component of the new homeless center.

- 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. There is robust technology available that would improve our city's and police department's ability to apprehend and more quickly convict repeat and serious offenders. We need these tools to improve the sophistication of our law enforcement efforts.
- 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 practices statewide. Differentiating offenders, in an effort to better tailor our criminal justice interventions, requires improved technology and data sharing throughout the justice system.
- 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 NM Tech for the Bern Co. D.A.'s Office). The Chamber was a leading partner in helping D.A. Torrez build support for and fund our state's first-ever Crime Strategies Unit, which will use home-grown data scientists and analysts to identify criminal networks operating in Bernalillo County and strategically cripple them through targeted interventions and prosecution. This approach has worked in places like New York City and Cincinnati to not only reduce crime, but also make the allocation of crime-fighting resources more precise and efficient. We should encourage other communities in New Mexico to take similar steps.
- 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. If deployed correctly and in a data-driven manner, these can be excellent alternatives to incarceration or prosecution for especially lower-level offenders.
- Increase funding to establish more robust pre-trial services and monitoring programs statewide. The pre-trial release/detention constitutional amendment that was passed by voters a couple years ago only works if the necessary staffing is in place statewide to analyze daily the criminal histories of those arrested, to make recommendations to judges about what to do with each person pre-trial, to deploy a range of levels of pre-trial monitoring if the person is released from jail prior to trial, and to ensure that those who are released return for their court date. The CA was passed and is being implemented without robust pre-trial analysis and supervision across the state (outside of Albuquerque, though further increases may be warranted there as well).
- Amend confidentiality statutes to allow for behavioral health data to be incorporated into justice system research and intervention planning for offenders. Currently, New

Mexico's confidentiality statutes are more stringent than federal provisions under HIPAA; this inhibits the justice system's ability to intervene with offenders in a way that takes into maximum account their behavioral health challenges as well.

- Constitutional amendment allowing appointed judges to remain in office at least one full year before participating in the next partisan election. It has been historically challenging to get qualified individuals to apply for open judgeships when the vacancy occurs so close to an election; it is prohibitive to shut down a law practice for just a few months, given the uncertainty of a looming election. Truth be told, New Mexico should not undo its merit selection process for judges with a partisan election process at all, but in the absence of that change, this measure warrants strong support.
- 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). Our state has too many courts, and many of these municipal and probate courts have very low caseloads that could be easily handled by a state court, making the court system more efficient and easier to navigate.
- 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. Civil cases are taking far too long to resolve in New Mexico's courts; the expansion of dispute resolution strategies outside of a courtroom is an excellent and cost-effective way to speed up case processing and still produce fair outcomes for litigants. The Chamber believes court records should be available online, but understands that state law requires some personal information to be redacted if the material is displayed on the Internet.
- 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 determination. This work is being done well in Albuquerque and provides critical information to judges; the best way to provide this service statewide is to expand on the current capabilities of the office and operation in Bernalillo County (it would be cost prohibitive to try to replicate this effort all over the state).
- 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. These employees are frequently put in harms way as they intervene in difficult situations on behalf of children who are victims of abuse. They deserve the maximum protection of the law if they are assaulted during the course of discharging their duties.
- Close the loophole that allows those who intentionally abuse and kill an older child to avoid life in prison. There is a strange anomaly in current law that makes it a first-degree felony (life imprisonment) for abuse leading to the death of a child under 12 years of age. However, individuals who abuse and cause the death of children 12 to 18 years old can receive only a maximum of 18 years in prison. The Chamber continues to support legislation that would eliminate this anomaly, requiring life imprisonment for the death of a child regardless of age.

- Increase penalties for child abuse and the electronic communication of obscene images to a child. Currently, it is a crime to send images of one's own intimate parts to a child; however, it is not a crime to send an image of anyone else's intimate parts to a child. This needs to be fixed.
- Allow for dual sentencing (juvenile/adult) of serious youthful offenders. Courts would be allowed to stay an adult conviction if the youth is amenable to treatment. The stay of the adult conviction is conditioned on the offender successfully completing treatment or other programs the court orders and not committing any additional offense. The Chamber supports this "carrot and stick" approach as one possible way to turn around the life of a young person and reduce further crimes.
- Aggregation of shoplifting crimes to allow for the felony prosecution of serial shoplifters. Criminals are smart enough to know that if they steal just a few hundred dollars worth of items and are caught, they will only face misdemeanor charges. Serial shoplifters should face felony charges.

## **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  
 Meg Meister, Immediate Past Chair: 264-8754  
 Heather McDaniel, Lobbyist: 620-6020  
 Chris Narkun, Lobbyist: 662-390-3244  
 JD Bullington, Lobbyist: 363-1035  
 Jacque Christensen, Lobbyist: 259-5304  
 Marc Christensen, Lobbyist: 554-5715