

The nation's gold standard to hold nearly 8,000 lawmakers accountable for their voting records.





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## LETTER FROM THE CHAIRMAN

The American Conservative Union Foundation's Center for Legislative Accountability is proud to present our *Ratings of New Mexico* for 2020. Like our *Ratings of Congress*, ACU Foundation's *Ratings of the States* are meant to reflect how elected officials view the role of government in an individual's life. We begin with our philosophy (conservatism is the political philosophy that sovereignty resides in the person) and then apply the proper role of government (its essential role is to defend Life, Liberty and Property).

The Left has stormed our nation's corridors of power to take control over the lives of every American. Now, they have set their sights on the states, freedom's last line of defense.

President Lincoln once said, "America will never be destroyed from the outside. If we falter and lose our freedoms, it will be because we destroyed ourselves." The Left's agenda dismantles the vision of our founders when they pledged their lives, their fortunes, and their sacred honor.

We hope these Ratings will empower each and every American to hold their officials accountable and to rally behind the conservative champions who defend our freedoms in statehouses around the country.



American Conservative Union Foundation













## ABOUT THE CENTER FOR LEGISLATIVE ACCOUNTABILITY

The Center for Legislative Accountability (CLA), an initiative of the American Conservative Union Foundation (ACUF), is the premier organization for holding lawmakers accountable. The CLA produces the longest-running conservative congressional scorecard and our state program is the only one in the nation that scores all 8,000 lawmakers in the 50 states across every policy area. In addition to ACUF's Conservative Political Action Conference (CPAC), the largest gathering of conservatives in the world, the CLA develops conservative policy solutions and educates everyday citizens and activists on the proper role of government. In 1971, ACUF launched its Ratings of Congress to provide a comprehensive evaluation of the voting records of every Member of Congress.

The Ratings quickly became considered the "gold standard" and over the following decades have been utilized by activists, voters, academics and elected officials to determine which lawmakers best adhere to conservative principles. In 2011, these Ratings were expanded into state legislatures as part of a fivestate pilot program. By 2015, Ratings of the States grew to include all 50 states and all 99 legislative chambers.

Today, the CLA annually analyzes over 105,000 pieces of legislation to issue scores for all of America's federal and state lawmakers and presents awards to lawmakers who score 80% or better in recognition of their conservative voting records.

A	C	J.	J	F
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#### **Executive Committee**

Matt Schlapp Chairman

Randy Neugebauer Treasurer

#### **Board Members**

Veronica Birkenstock

Gordon Chang

Jonathan Garthwaite

Charlie Gerow

Carolyn D. Meadows

## ACU

### **Executive Committee**

Matt Schlapp Chairman Charlie Gerow Vice Chairman

Carolyn D. Meadows 2<sup>nd</sup> Vice Chair

Bob Beauprez Treasurer

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Dan Schneider

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O'Shaughnessy Ron Robinson

Mike Rose

Tim Ryan

Terry Schilling Matt Smith

Bill Walton

Thomas Winter

#### **METHODOLOGY**

The CLA's Ratings of Congress and the States illustrate how elected officials view the role of government in an individual's life. When determining a position on a particular issue, the CLA begins by defining conservatism: the political philosophy that sovereignty resides in the person. Then, we apply the founders' belief that the proper role of government is to protect Life, Liberty and Property.

In order to depict how closely a lawmaker adheres to conservative principles, the CLA selects from the full spectrum of issues relating to the economy, culture, national security and government integrity. Some key areas include taxation, spending, education, labor, licensure, regulation, environment, life, free speech, Second Amendment rights, foreign aid, defense priorities and global organizations, including the United Nations. All congressional and state analyses are conducted after the adjournment of a legislative session to ensure that no issue is neglected.

Each lawmaker is evaluated on a zero to 100 scale, with a score of 100 representing a voting record that is perfectly aligned with conservative principles. Officials who earn a score of 90% or higher are presented with the CLA's highest honor, the Award for Conservative Excellence, while those who earn a score of 80% or higher, but less than 90%, are presented with the Award for Conservative Achievement. Additionally, any lawmaker who earns a score of 10% or lower qualifies for the ACUF's Coalition of the Radical Left.

#### **ANNUAL METRICS**







To determine legislative rankings, the CLA annually evaluates over 105,000 bills that were introduced in Congress and every convening state legislature running from January 1 to December 31. Of those bills, the CLA ultimately selects roughly 2,000 pieces of legislation that best illustrate how elected officials view the role of government in an individual's life. The CLA calculates individual scores for a total of nearly 8,000 federal and state lawmakers based on over 157,000 votes cast on the 2,000 bills selected. The CLA provides a score for each legislative chamber, which is based upon the average scores of all members within that respective chamber. A legislature's overall score is calculated by averaging each state's two legislative chambers together in order to better reflect the differences in political power between the chambers. (The exception being Nebraska, the nation's only unicameral legislature comprising a single legislative chamber, on which the state's overall score is based.)



Fred McGrath
Director

Luke Schneider Communications

Francis Finnegan Data Manager Thomas Bradbury
Deputy Director

**Zoe Reese**Operations Associate

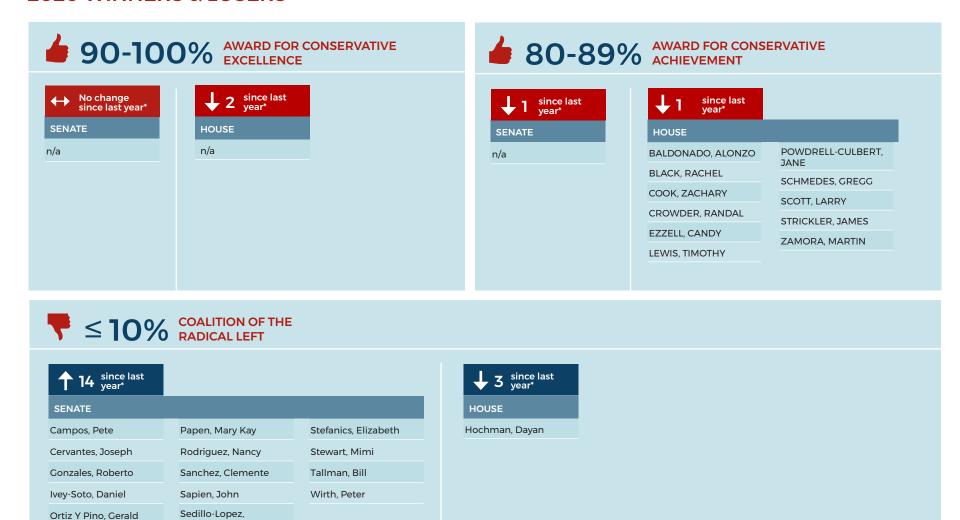
Larry Hart Senior Policy Fellow Bryan Axler Intern

Nathan Owens

Dominic Scavuzzo Intern



## **2020 WINNERS & LOSERS**



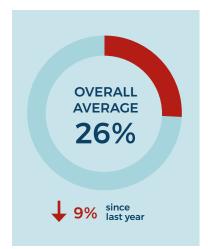
Antoinette

Soules, William

Padilla, Michael

<sup>\*</sup>Compared to number of qualifying lawmakers in the previous session Republicans in ALL CAPS, Democrats in initial caps, asterisk indicates Independents/Libertarians/other

# **NEW MEXICO SENATE STATISTICS**







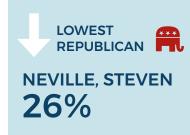




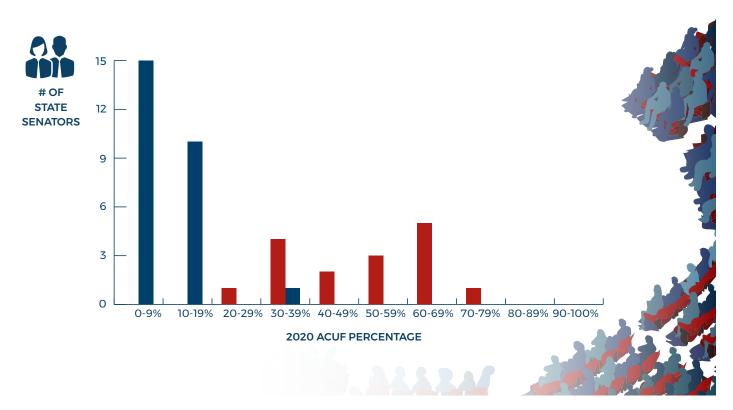
#### **NEW MEXICO SENATE CONSERVATIVE RATINGS**













## **NEW MEXICO SENATE SCORES**

#### **NEW MEXICO SENATE VOTE DETAIL**

	Party	Dist.	2020 %	2019 %	LIFETIME AVG	HB 2	SB 5	HB 8	9 MLS	HB 25	SB 29	HB 42	SB 57	SB 62	SB 72	SB 75	SB 96	SB 98	HB 100	HB 126	SB 131	SB 137	HB 217	HB 225	SB 246	HB 292	HB 341	HB 364
BACA, GREGORY	R	29	64%	68%	66%	+	+	-	Х	-	+	-	+	-	-	+	+	+	+	+	+	-	+	-	+	-	+	+
BRANDT, CRAIG	R	40	65%	76%	76%	+	+	-	+	-	+	-	+	-	+	+	+	+	+	-	+	-	+	-	+	+	-	+
BURT, WILLIAM	R	33	41%	53%	57%	-	+	-	-	-	-	-	+	-	-	+	+	+	+	-	+	-	+	-	Х	-	-	+
Campos, Pete	D	8	9%	19%	20%	-	-	-	-	-	-	-	-	+	-	-	+	Χ	-	-	-	-	-	-	-	-	-	-
Candelaria, Jacob	D	26	18%	17%	20%	-	-	-	-	-	-	-	-	+	+	Χ	+	-	-	-	-	-	-	-	+	-	-	-
Cervantes, Joseph	D	31	9%	18%	21%	-	-	-	-	1	-	1	-	-	+	-	+	1	1	-	-	-	-	-	-	-	-	-
FULFER, GREGG	R	41	52%	62%	57%	+	+	-	+	1	-	1	+	-	-	+	Χ	+	+	+	+	-	Х	-	-	-	+	+
Gonzales, Roberto	D	6	9%	19%	16%	-	-	-	-	-	-	-	-	-	+	-	+	-	-	-	-	-	-	-	-	-	-	-
GOULD, CANDACE	R	10	52%	53%	49%	+	+	-	-	-	-	-	-	-	+	-	+	+	+	+	+	-	+	-	+	-	+	+
GRIGGS, RON	R	34	33%	50%	57%	-	+	-	-	-	-	-	+	-	-	+	+	+	+	-	-	-	Х	-	-	-	Х	+
INGLE, STUART	R	27	55%	52%	62%	-	+	-	+	-	-	-	+	-	+	+	+	+	+	-	+	-	+	Х	+	-	-	+
Ivey-Soto, Daniel	D	15	5%	22%	18%	-	-	-	Χ	1	-	1	-	-	Х	Χ	+	1	1	-	-	-	-	-	-	-	-	-
KERNAN, GAY	R	42	39%	52%	52%	-	+	-	-	1	-	1	-	-	+	+	+	+	1	-	+	-	+	-	+	-	-	+
Lopez, Linda	D	11	17%	16%	14%	-	-	Х	-	-	-	-	-	+	-	Χ	+	Χ	-	Χ	-	-	+	-	-	-	-	Х
Martinez, Richard	D	5	17%	21%	22%	-	+	-	Х	-	Х	-	-	-	+	-	+	-	-	-	Х	-	Х	Х	-	-	-	-
MOORES, MARK	R	21	63%	86%	84%	+	+	-	+	-	+	Х	+	-	-	Х	Х	+	+	+	-	-	+	Х	+	-	+	+
Muñoz, George	D	4	11%	29%	24%	-	-	-	-	Х	-	Х	-	-	+	Х	Х	-	-	-	-	-	-	-	+	Х	-	-
NEVILLE, STEVEN	R	2	26%	57%	50%	-	+	-	-	-	-	-	-	-	+	-	+	+	-	-	-	-	-	-	+	-	-	+

- + = Member voted with ACU's position
- = Member voted against ACU's position
- † = Legislator did not vote on enough of the selected bills and as a result did not receive a rating for the 2020 session. Two-thirds of the selected bills must be voted on to receive a score.
- R = Republican D = Democrat I = Independent
- x = Member was absent for vote
- HB 2 Advancing a Fiscally Out-of-Control Appropriations Package.
- SB 5 Seizing Firearms without Due Process.
- HB 8 Taxing and Indebting Residents to Subsidize a Solar Power Project.
- SJM 9 Establishing A Taskforce to Stifle Bitcoin and Blockchain Technology with New Regulations.
- HB 25 Exposing Businesses to Lawsuit Abuse and Imposing Excessive New Mandates.
- SB 29 Socializing the Costs of Solar Panel Purchases and Installations.
- HB 42 Driving Up Health Insurance Premiums Through Pharmacist Reimbursement Mandates.
- · SB 57 Imposing a New Tax on Pet Food.
- SB 62 Jeopardizing State Pension System Solvency by Inflating Earnings to Increase Payouts.
- SB 72 Implementing Conservative Reforms to the State Pension System.
- SB 75 Fueling a Black Market through a Ban on the Sale or Trade of Certain Animal Products.
- SB 96 Increasing Government School Spending Transparency.

- SB 98 Driving up Taxpayer-Funded Construction Costs by Worsening the Prevailing Wage Mandate.
- HB 100 Preserving the Obamacare Exchange.HB 126 Driving Up Health Insurance Premiums by
- Mandating Coverage of "Artery Calcium Scans".
- SB 131 Advancing the War on Individual Liberties by Raising the Nicotine Age and Imposing Additional Fees and Regulations.
- SB 137 Providing Occupational Licenses to Illegal Immigrants.
- HB 217 Further Socializing Electric Vehicle Costs.

- HB 225 Expanding Government Through a New Program for Seniors.
- SB 246 Infringing Property Rights by Weakening Oversight of Eminent Domain Powers.
- HB 292 Driving Up Insurance Premium Costs by Imposing Price Controls on Insulin Copayments.
- HB 341 Raiding the State's Rainy-Day Funds to Fuel Outof-Control Spending.
- HB 364 Decimating Contracting Rights Through a Union Power Grab.

## **NEW MEXICO SENATE VOTE DETAIL**

	Party	Dist.	2020 %	2019 %	LIFETIME AVG	HB 2	SB 5	HB 8	9 MLS	HB 25	SB 29	HB 42	SB 57	SB 62	SB 72	SB 75	SB 96	SB 98	HB 100	HB 126	SB 131	SB 137	HB 217	HB 225	SB 246	HB 292	HB 341	HB 364
O'Neill, William	D	13	11%	10%	18%	-	-	-	Χ	-	Х	-	Х	-	+	Χ	+	-	-	-	-	-	-	Х	-	-	-	-
Ortiz Y Pino, Gerald	D	12	9%	16%	14%	-	-	-	-	-	-	-	-	-	+	-	+	-	-	-	-	-	-	-	-	-	-	-
Padilla, Michael	D	14	5%	19%	16%	-	-	-	-	-	-	-	-	-	-	-	+	-	-	-	-	-	Х	-	-	-	-	-
Papen, Mary Kay	D	38	5%	19%	23%	-	-	-	-	-	-	-	-	-	-	-	+	-	-	-	Х	-	-	-	-	-	-	-
PAYNE, WILLIAM	R	20	36%	55%	53%	-	+	-	-	-	-	-	+	+	+	Х	+	-	+	-	-	-	+	-	-	-	-	+
Pinto, Shannon	D	3	13%	n/a	13%	-	-	-	Х	-	-	Χ	-	+	Х	Х	+	Х	-	-	-	Х	Х	-	-	-	-	-
PIRTLE, CLIFF	R	32	62%	71%	78%	+	+	-	+	-	+	-	+	-	-	Х	Х	+	+	+	+	-	+	-	+	-	+	+
Ramos, Gabriel	D	28	13%	24%	19%	-	+	-	-	-	-	-	-	-	-	-	+	-	-	-	-	-	-	-	+	-	-	-
Rodriguez, Nancy	D	24	9%	19%	18%	-	-	-	-	-	-	-	-	-	+	-	+	-	-	-	-	-	-	-	-	-	-	-
RUE, SANDER	R	23	48%	46%	55%	-	+	-	-	-	-	-	+	-	+	-	+	+	+	+	+	-	+	-	+	-	-	+
Sanchez, Clemente	D	30	9%	25%	26%	-	+	-	-	-	-	-	-	-	-	-	+	-	-	-	-	-	-	-	Х	-	-	-
Sapien, John	D	9	10%	18%	22%	-	-	-	-	-	-	Χ	+	+	-	Х	Х	-	-	-	-	-	-	-	-	-	-	-
Sedillo-Lopez, Antoinette	D	16	9%	18%	13%	-	-	-	-	-	-	-	-	-	+	-	+	-	-	-	-	-	-	-	-	-	-	-
SHARER, WILLIAM	R	1	74%	74%	80%	+	+	-	+	-	+	-	+	+	+	+	+	+	+	+	+	-	+	-	+	-	+	+
Shendo, Benny	D	22	11%	16%	19%	-	-	-	-	-	-	Х	-	-	+	-	+	-	-	-	Х	-	Х	-	-	-	Х	-
Smith, John	D	35	30%	23%	33%	-	+	-	-	-	Χ	-	-	+	+	Х	+	-	-	Х	-	-	-	-	+	-	-	+
Soules, William	D	37	9%	22%	12%	-	-	-	-	-	-	-	-	-	+	-	+	-	-	-	-	-	-	-	-	-	-	-
Stefanics, Elizabeth	D	39	4%	21%	8%	-	-	-	-	-	-	-	-	-	-	-	+	-	-	-	-	-	-	-	-	-	-	-
Steinborn, Jeff	D	36	14%	19%	13%	-	-	-	-	-	-	Х	-	-	+	-	+	-	-	-	-	-	-	-	+	-	-	-
Stewart, Mimi	D	17	9%	19%	15%	-	-	-	-	-	-	-	-	-	+	-	+	-	-	-	-	-	-	-	-	-	-	-
Tallman, Bill	D	18	10%	10%	7%	-	-	-	-	-	-	-	-	-	+	-	+	Χ	-	-	-	-	-	-	Х	-	-	-
WHITE, JAMES	R	19	35%	52%	48%	-	+	-	-	-	-	-	+	-	+	-	+	-	+	-	-	-	+	-	+	-	-	+
Wirth, Peter	D	25	9%	16%	16%	-	-	-	-	-	-	-	-	-	+	-	+	-	-	-	-	-	-	-	-	-	-	-
WOODS, PAT	R	7	61%	77%	72%	-	+	-	+	-	+	-	+	+	-	+	+	+	+	+	+	-	-	-	+	-	+	+

<sup>+ =</sup> Member voted with ACU's position

<sup>† =</sup> Legislator did not vote on enough of the selected bills and as a result did not receive a rating for the 2020 session. Two-thirds of the selected bills must be voted on to receive a score.

<sup>- =</sup> Member voted against ACU's position

R = Republican D = Democrat I = Independent

x = Member was absent for vote



## **NEW MEXICO SENATE VOTE DESCRIPTIONS**

- 1. HB 2 Advancing a Fiscally Out-of-Control Appropriations Package. This budget bill drastically increases the size of government by increasing state spending by 7.5 percent over the previous fiscal year. The bill also includes a plan to raid the New Mexico Land Grant Fund (a permanent fund) in order to provide \$300 million for a new early childhood education program. This fund has existed since 1912 and the interest income it generates helps fund the state's public school system. ACU opposes runaway government spending and paving the way for even greater tax burdens and hikes and opposed this bill. The Senate passed the bill on February 19, 2020 by a vote of 35-7 and the bill was signed into law.
- 2. SB 5 Seizing Firearms without Due Process. This bill allows nearly anyone to submit an ex parte (i.e., one-sided) petition to a court for the issuance of an "Extreme Risk Prevention Order," which requires the temporary seizure of all firearms held by the accused if they are considered to be a danger to themselves or others simply due to their possession of a firearm. ACU supports the founders' belief in the Second Amendment, opposes the seizure of any property, including firearms, without due process and on the basis of unchallenged accusations, and opposed this bill. The Senate passed the bill on February 7, 2020 by a vote of 22-20 and the bill was signed into law.
- 3. HB 8 Taxing and Indebting Residents to Subsidize a Solar Power Project. This bill allows McKinley and Cibola counties to tax and indebt their residents in order to finance a new solar power project. Specifically, the bill permits the creation of an "electric generating facility economic development district" in these counties, which includes the imposition of a 0.25% gross receipts tax and the issuance of taxpayer-backed bonds (debt). ACU supports all sources of energy, believes government should not support one source of energy over another and opposes this cronyism which socializes energy costs and opposed this bill. The Senate passed the bill on February 18, 2020 by a vote of 41-0 and the bill was signed into law.
- 4. SJM 9 Establishing A Taskforce to Stifle Bitcoin and Blockchain Technology with New Regulations. This resolution establishes a new taskforce to study imposing additional state regulations on blockchain technology, which includes bitcoin and cryptocurrency. ACU recognizes this taskforce will likely advocate for excessive new regulations that may stifle the development and growth of blockchain technology. ACU supports the development of blockchain, especially digital currencies, which considering the reckless policies of the Federal Reserve, serve as a critical fallback to the dollar and opposed this resolution. The Senate passed the resolution on February 13, 2020 by a vote of 30-7.
- 5. HB 25 Exposing Businesses to Lawsuit Abuse and Imposing Excessive New Mandates. This bill exposes businesses to new avenues of lawsuit abuse and potentially reduces employment opportunities for women by imposing a series of excessive workplace mandates. Specifically, the bill amends the state's human rights act (applicable to employers with four or more employees) to permit employers to now be sued for alleged discrimination on the basis of pregnancy, childbirth, or a related condition. The bill also mandates employers adjust their business operations to provide certain accommodations for pregnancy, childbirth, or related conditions. ACU recognizes the challenges of choosing life and raising a child but opposes holding businesses hostage to litigation and greedy plaintiff attorneys, as well as imposing excessive new mandates on the operations of private businesses and opposed this bill. The Senate passed the bill on February 18, 2020 by a vote of 41-0 and the bill was signed into law.
- 6. SB 29 Socializing the Costs of Solar Panel Purchases and Installations. This bill expands cronyism by forcing taxpayers to further subsidize the solar industry through the creation of a "new solar market development income tax credit". Under the bill, a new income tax credit is created which is worth 10 percent of the purchase and installation costs of solar photovoltaic systems. The credit is valid for both commercial and industrial purchases. ACU supports all sources of energy, believes government should not support one source of energy over another and opposed this bill. The Senate passed the bill on February 15, 2020 by a vote of 33-6 and the bill was signed into law.

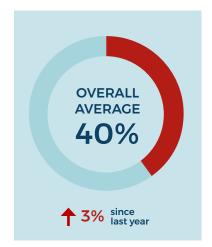
- 7. HB 42 Driving Up Health Insurance Premiums Through Pharmacist Reimbursement Mandates. This bill drives up health insurance premiums by interfering in the contracting agreements between insurers and pharmacies. Specifically, the bill mandates that pharmacists be reimbursed for any clinical or prescriptive services at the same rate as physicians and physician assistants. ACU supports the right for insurers and pharmacists to freely contract, opposes insurance mandates which drive up the cost of insurance for everyone, and opposed this bill. The Senate passed the bill on February 20, 2020 by a vote of 36-0 and the bill was signed into law.
- 8. SB 57 Imposing a New Tax on Pet Food. This bill ultimately drives up the cost of dog and cat ownership by imposing an additional new tax on manufacturers of pet food. The tax will be imposed gradually over a three year period and the funds will supposedly be used for a state-run spay and neuter program. ACU opposes further driving up costs to own and care for pets and opposed this bill. The Senate passed the bill on February 15, 2020 by a vote of 27-14 and the bill was signed into law.
- 9. SB 62 Jeopardizing State Pension System Solvency by Inflating Earnings to Increase Payouts. This bill worsens the fiscal solvency of the state's public employee pension system by inflating the earnings of firefighters and police officers to increase payouts. Specifically, the bill now includes overtime pay in the definition of "salary" for purposes of calculating pensions under the Public Employees Retirement Act. The state pension system already has over \$6.7 billion in unfunded liabilities, and this measure is expected to annually increase unfunded liabilities by another \$30 million when factoring in municipal firefighters alone. ACU believes the state needs to make immense reforms to improve the fiscal solvency of the pension system and believes it is ludicrous to further grow unfunded liabilities and opposed this bill. The Senate passed the bill on February 15, 2020 by a vote of 33-9. (The bill failed to advance in the House.)
- 10. SB 72 Implementing Conservative Reforms to the State Pension System. This bill is designed to combat the over \$6.7 billion in unfunded liabilities currently incurred by the Public Employees Retirement Association's (PERA's) pension system. The bill takes two important major steps towards improving the solvency of the system. Firstly, the bill raises the statutorily-set employer and employee contribution rates each by 2 percent of payroll over four years, with a two-year delay for county and municipal employees and employers. Secondly, the bill transitions the system's cost-of-living adjustments (COLA) to a method that is based on both investment performance and the plan's funded status. ACU supports protecting both retirees and taxpayers through these crucial reforms to the state pension system and supported this bill as a step in the right direction. The Senate passed the bill on February 12, 2020 by a vote of 25-15 and the bill was signed into law.
- 11. SB 75 Fueling a Black Market through a Ban on the Sale or Trade of Certain Animal Products. This bill would place the welfare of countless endangered animals at significant new risk by preventing individuals from lawfully selling, trading, or purchasing products that are made from certain animals. Under the bill, anyone who transfers a product made from a species of animal on appendix 1 of the Conventional on International Trade in Endangered Species (CITES) would be guilty of a misdemeanor and subject to a fine of up to \$10,000. Additionally, upon a conviction, the bill directs the animal products to be destroyed. ACU believes it is absurd to place endangered animals at further risk by creating a black market and preventing the market from efficiently allocating the supply of existing animal products that individuals possess and opposed this bill. The Senate passed the bill on February 8, 2020 by a vote of 22-9 and the bill was signed into law.
- 12. SB 96 Increasing Government School Spending Transparency. This bill provides greater transparency towards tracking public education spending by creating a new, public, online database for school budgets. ACU supports this necessary reform, which provides citizens and lawmakers information necessary to ensure tax dollars are appropriately being spent in their communities and supported this bill. The Senate passed the bill on February 17, 2020 by a vote of 37-0 and the bill was signed into law.
- 13. SB 98 Driving up Taxpayer-Funded Construction Costs by Worsening the Prevailing Wage Mandate. This bill worsens New Mexico's prevailing wage mandate, which is based on the depression-era Davis-Bacon Act and forces companies contracting with the state to pay their workers an above-market wage. Specifically, the bill makes any contractor who fails to pay the prevailing wage liable for three times the amount of the unpaid wages. ACU has long opposed the prevailing wage which unnecessarily drives up the cost of taxpayer-funded projects and opposed this bill. The Senate passed the bill on February 18, 2020 by a vote of 24-14 and the bill was signed into law.

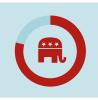
- **\$**
- 14. HB 100 Preserving the Obamacare Exchange. This bill preserves New Mexico's Obamacare exchange by codifying it into state law in the event any part of the Affordable Care Act is struck down in court. The bill also imposes new mandates concerning the exchange which are even more draconian than those imposed under federal law. ACU has long opposed Obamacare and the socialization of healthcare and opposed this bill. The Senate passed the bill on February 18, 2020 by a vote of 28-14 and the bill was signed into law.
- 15. HB 126 Driving Up Health Insurance Premiums by Mandating Coverage of "Artery Calcium Scans". This bill drives up health insurance premiums for everyone by mandating that nearly all private health insurance policies and those offered through the state's Obamacare exchange provide coverage for "heart artery calcium scans". While ACU recognizes the value of these scans, we oppose health insurance mandates, which drive up the cost of health care for everyone and restrict the ability for consumers to choose the policies that best suit their needs and opposed this bill. The Senate passed the bill on February 20, 2020 by a vote of 32-8 and the bill was signed into law.
- 16. SB 131 Advancing the War on Individual Liberties by Raising the Nicotine Age and Imposing Additional Fees and Regulations. This bill violates individual liberties by prohibiting adults under age 21 from purchasing tobacco, nicotine or vaping and e-cigarette products such as Juul. Additionally, the bill imposes cumbersome new regulations on e-cigarettes and joins New Mexico with 39 states to require a license to sell tobacco products, including \$850 annually fees on manufacturers, distributors, and retailers. This bill is a result of efforts by the federal government to strong-arm states by threatening to withhold Federal Substance Abuse Prevention and Treatment Block Grant funding if they do not come into compliance with the new federal nicotine law. ACU believes tobacco and nicotine usage is a personal liberty issue, believes those who are old enough to fight for our country are old enough to decide whether to use these products and opposed this bill. The Senate passed the bill on February 15, 2020 by a vote of 28-11 and the bill was signed into law.
- 17. SB 137 Providing Occupational Licenses to Illegal Immigrants. This bill is designed to circumvent federal immigration law and the visa process by mandating illegal immigrants be provided occupational and professional licenses. Specifically, the bill prevents an agency from denying the issuance of a license based on citizenship or immigration status. While ACU opposes the majority of state occupational licensing mandates, we oppose this measure which permits individuals to circumvent the visa process and federal immigration law. ACU supports assisting the federal government in enforcing our nation's immigration laws and opposed this bill. The Senate passed the bill on February 10, 2020 by a vote of 41-0 and the bill was signed into law.
- 18. HB 217 Further Socializing Electric Vehicle Costs. This bill further socializes the costs of electric vehicles by providing state income tax credits for individuals who purchase plug-in hybrid vehicles or 100 percent battery-electric vehicles. Under the bill, individuals are provided a \$2,500 tax credit for the purchase or lease of the vehicle, with the tax credit jumping to \$5,000 for residents who make less than \$50,000. The bill also provides another \$300 credit for electric vehicle charging units. The bill did contain a slight positive provision that assess up to a \$50 fee on electric vehicle registrations (since these vehicles skirt the gas tax). ACU supports all vehicle propulsion systems but opposes socializing vehicle costs and opposed this bill. The Senate passed the bill on February 19, 2020 by a vote of 23-13. (The House failed to advance the bill with Senate amendments.)
- 19. HB 225 Expanding Government Through a New Program for Seniors. This bill further grows the size and role of government by creating the "Kiki Saavedra Senior Dignity Fund" which forces taxpayers to spend \$7.3 million on new programs for senior citizens. ACU believes the private sector is the best institution to assist and care for seniors, opposes further growing the size and scope of government outside of its constitutional role, and opposed this bill. The Senate passed the bill on February 17, 2020 by a vote of 38-0 and the bill was signed into law.
- 20. SB 246 Infringing Property Rights by Weakening Oversight of Eminent Domain Powers. This bill makes a number of changes to the Public Improvement District Act, most notably further empowering quasi-governmental boards and reducing oversight of their eminent domain powers. ACU supports all efforts to strengthen property rights, believes eminent domain should only be used for public purposes and that property owners should be provided due process and just compensation and opposed this bill. The Senate passed the bill on February 18, 2020 by a vote of 22-17. (The bill failed to advance in the House.)

- 4
- 21. HB 292 Driving Up Insurance Premium Costs by Imposing Price Controls on Insulin Copayments. This bill would threaten to increase the price of insurance premiums by imposing price controls on copayments for insulin drugs. Specifically, the bill would make New Mexico the third state in the country to mandate that health insurers are prohibited from charging more than \$25 for a one-month supply of insulin. ACU recognizes that price controls on insurance harm the affordability of insurance for everyone rather than the intended outcome of reducing costs for insulin-dependent patients. ACU further recognizes the rise in insulin costs is largely due to the enormous investments' manufacturers have made in creating new and improved formulations. ACU opposes price controls on premiums which lead to higher insurance costs for everyone and opposed this bill. The Senate passed the bill on February 19, 2020 by a vote of 40-1 and the bill was signed into law.
- 22. HB 341 Raiding the State's Rainy-Day Funds to Fuel Out-of-Control Spending. This bill enacts a scheme which raids the state's rainy-day fund and uses the funds to cover shortfalls in the state's operating fund due to the legislature's out-of-control spending. Specifically, if the state's operating reserves decline below 1 percent of total appropriations, then money would be transferred from the Tax Stabilization Reserve (rainy-day fund) to ensure operating reserves remain at 1 percent at the end of the fiscal year. This measure comes only a week after the House passed a budget that grew state spending by 7.5 percent over the prior year (HB 2). ACU believes it is absurd to enable the raiding of the rainy-day fund during periods of peak economic growth in order to fuel the legislature's out-of-control spending and opposed this bill. The Senate passed the bill on February 19, 2020 by a vote of 33-7 and the bill was signed into law.
- 23. HB 364 Decimating Contracting Rights Through a Union Power Grab. This bill contains countless provisions that empower union bosses and undermine the ruling made by the Supreme Court in Janus v. AFSCME which found that state laws (including previous New Mexico law) that force nonunion employees to pay union dues violate the First Amendment's protection of freedoms of association and speech. Under the bill, union bosses are provided the right to obtain a wide range of employees' personal contact information, including home addresses, work and personal emails, and work, home, and cellphone numbers. The bill also makes it easy for public employees to opt-in to a union, but only gives a 10-day window to revoke their authorization for union due deductions. Additionally, the bill expands the definition of public employee to any job funded by a grant, which makes employees of any private non-profit receiving grants subject to unionization. Furthermore, this bill takes power over labor issues away from local boards and jurisdictions and centralizes them in the hands of the New Mexico Public Employees Labor Relations Board. Finally, the bill eliminates ballot elections, which protect employee privacy, and instead subjects employees to harassment through "card check" elections. ACU supports the Janus decision and the right to work without mandatory union dues or membership, opposes enriching greedy union bosses and harassing employees, and opposed this bill. The Senate passed the bill on February 19, 2020 by a vote of 24-17 and the bill was signed into law.

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# **NEW MEXICO HOUSE STATISTICS**





79%





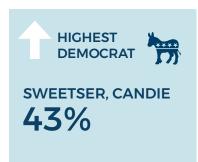


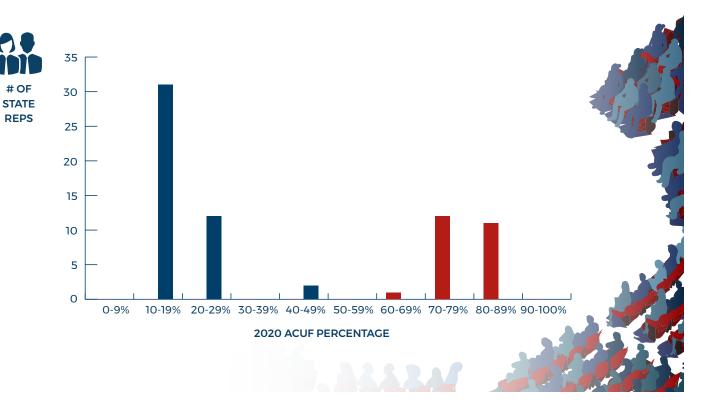
#### **NEW MEXICO HOUSE CONSERVATIVE RATINGS**













## **NEW MEXICO HOUSE SCORES**

#### **NEW MEXICO HOUSE VOTE DETAIL**

	Party	Dist.	2020 %	2019 %	LIFETIME AVG	HJR 1	HR 1	HB 2	SB 5	HB 8	HB 9	HB 11	HB 25	SB 29	HB 42	SB 57	SB 72	SB 75	SB 96	SB 98	HB 100	HB 126	SB 131	SB 137	HB 148	HB 163	HB 217	HB 225	HB 229	HB 263	HB 278	HB 292	HB 325	HB 341	HB 364
Akhil, Abbas	D	20	19%	12%	16%	-	+	-	-	-	Х	-	-	-	Х	-	+	-	+	-	-	Х	-	-	-	-	-	-	-	+	-	-	+	Х	-
Alcon, Eliseo	D	6	19%	12%	12%	-	Х	-	-	-	+	-	-	-	-	Χ	+	-	+	-	-	Х	-	-	-	-	-	-	-	+	-	-	+	Х	-
Allison, Anthony	D	4	17%	26%	21%	-	+	-	-	-	-	+	-	-	-	Χ	-	-	+	-	-	-	-	-	-	-	-	-	-	-	-	-	+	-	+
ANDERSON, PHELPS	R	66	76%	80%	78%	+	+	+	+	-	+	+	-	+	+	-	+	+	+	+	+	-	+	-	+	-	+	-	+	+	+	+	Х	+	+
Armstrong, Deborah	D	17	17%	n/a	15%	-	Х	-	-	-	-	-	-	-	-	-	+	Х	+	-	Х	Х	-	-	-	Х	-	Χ	-	+	-	-	+	-	-
ARMSTRONG, GAIL	R	49	<b>7</b> 1%	74%	67%	+	+	+	+	-	+	+	-	-	+	Х	-	+	+	+	+	+	-	-	+	Х	+	-	+	+	+	-	+	+	+
BALDONADO, ALONZO	R	8	85%	90%	78%	+	+	+	+	+	+	+	Х	+	+	+	-	+	+	+	+	Х	+	-	+	-	+	Χ	+	+	+	-	+	+	+
BANDY, PAUL	R	3	<b>77</b> %	87%	80%	+	Х	+	+	-	+	+	-	+	+	+	+	-	+	+	+	+	+	+	+	+	+	-	Х	Х	+	-	-	+	Х
Barrone, Daniel	D	42	22%	n/a	22%	-	+	-	-	-	+	-	-	-	-	-	+	Х	+	-	-	-	Х	-	-	-	-	-	-	+	-	-	+	Х	-
Bash, Karen	D	68	17%	12%	14%	-	+	-	-	-	-	-	-	-	-	-	+	-	+	-	-	-	-	-	-	-	-	-	-	+	-	-	+	-	-
BLACK, RACHEL	R	51	80%	84%	82%	+	+	+	+	+	+	+	-	+	+	+	-	+	+	+	+	+	+	+	+	+	+	-	+	-	+	-	-	+	+
BROWN, CATHRYNN	R	55	<b>7</b> 8%	80%	78%	+	+	+	+	-	+	+	Χ	+	+	+	-	+	+	+	+	+	+	+	+	Х	+	-	-	-	+	Х	-	+	+
Cadena, Micaela	D	33	21%	11%	16%	-	+	-	-	-	+	-	-	-	-	-	+	-	+	-	-	-	-	-	-	-	-	-	Х	+	-	-	+	Х	-
Chandler, Christine	D	43	11%	12%	11%	-	+	-	-	-	-	-	-	-	-	-	+	-	+	-	-	Х	-	-	-	-	-	-	Х	-	-	-	Х	-	-
Chasey, Gail	D	18	16%	9%	13%	-	Х	-	-	-	Х	-	-	-	-	-	+	-	+	-	Х	Х	-	-	-	-	-	Χ	-	+	-	-	+	-	-
CHATFIELD, JACK	R	67	<b>77</b> %	82%	80%	+	+	+	+	-	+	+	-	+	+	+	-	+	+	+	+	+	+	+	+	+	+	-	+	-	+	-	-	+	+
COOK, ZACHARY	R	56	82%	92%	83%	+	+	+	+	-	+	+	-	+	+	+	-	+	+	+	+	+	+	-	+	+	+	Х	Х	+	+	-	+	+	+
CROWDER, RANDAL	R	64	81%	79%	79%	+	+	+	+	Х	+	+	-	+	+	+	-	+	+	+	+	Х	+	+	+	+	+	Х	Х	-	+	-	-	+	+
DOW, REBECCA	R	38	79%	66%	58%	+	+	+	+	-	+	+	-	-	+	+	Х	+	+	+	+	+	+	-	+	+	+	-	+	+	+	-	+	+	+

- + = Member voted with ACU's position
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- R = Republican D = Democrat I = Independent
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- HJR 1 Reducing State Financial Stability by Raiding the "Permanent Fund."
- HR 1 Increasing Legislative Transparency Through Roll Call Vote Recording.
- · HB 2 Advancing a Fiscally Out-of-Control Appropriations Package.
- SB 5 Seizing Firearms without Due Process.
- HB 8 Taxing and Indebting Residents to Subsidize a Solar Power Project.
- · HB 9 Raising Electricity Costs Through the Creation of a "Community Solar Program".
- · HB 11 Authorizing the Governor's Power Grab of the Public Regulation Commission.
- HB 25 Exposing Businesses to Lawsuit Abuse and Imposing Excessive New Mandates.

- SB 29 Socializing the Costs of Solar Panel Purchases and Installations.
- HB 42 Driving Up Health Insurance Premiums
- Through Pharmacist Reimbursement Mandates. SB 57 Imposing a New Tax on Pet Food.
- SB 72 Implementing Conservative Reforms to the State Pension System.
- SB 75 Fueling a Black Market through a Ban on the Sale or Trade of Certain Animal Products.
- SB 96 Increasing Government School Spending Transparency.
- SB 98 Driving up Taxpayer-Funded Construction Costs by Worsening the Prevailing Wage Mandate.
- HB 100 Preserving the Obamacare Exchange.
- HB 126 Driving Up Health Insurance Premiums by Mandating Coverage of "Artery Calcium Scans".

- SB 131 Advancing the War on Individual Liberties by Raising the Nicotine Age and Imposing Additional Fees and Regulations.
- SB 137 Providing Occupational Licenses to Illegal Immigrants.

† = Legislator did not vote on enough of the selected bills and as a result did not receive a rating for the 2020 session. Two-thirds of the selected bills must be voted on to receive a score.

- HB 148 Hiking Welfare Payments, Expanding Benefits to Illegal Immigrants, and Increasing Taxation of Capital Gains.
- HB 163 Redistributing Wealth to Select Areas of the
- HB 217 Further Socializing Electric Vehicle Costs.
- HB 225 Expanding Government Through a New Program for Seniors.
- HB 229 Threatening Election Integrity by Weakening Safeguards Against Absentee Voting Fraud.

- · HB 263 Reducing Taxpayer Costs by Reforming the Probation and Parole System.
- HB 278 Further Socializing Healthcare Costs by Reinstating Obamacare Taxes.
- · HB 292 Driving up Insurance Premium Costs by Imposing Price Controls on Insulin Copayments.
- HB 325 Reducing Employment Barriers for Reformed Individuals with Prior Criminal Convictions.
- HB 341 Raiding the State's Rainy-Day Funds to Fuel Outof-Control Spending.
- · HB 364 Decimating Contracting Rights Through a Union Power Grab.

## **NEW MEXICO HOUSE VOTE DETAIL**

NEW MEXICO HOUSE VOI																					1										_	_		
	Party	Dist.	2020 %	2019 %	LIFETIME AVG	HR 1	HB 2	SB 5	HB 8	нв 9	HB 11	HB 25	SB 29	HB 42	SB 57	SB 72	SB 75	SB 96	SB 98	HB 100	HB 126	SB 131	SB 137	HB 148	HB 163	HB 217	HB 225	HB 229	HB 263	HB 278	HB 292	HB 325	HB 341	HB 364
Egolf, Brian	D	47	17%	11%	15% -	+	-	-	-	-	-	-	-	-	-	+	-	+	-	-	-	-	-	-	-	-	-	-	+	-	-	+	-	-
Ely, Daymon	D	23	13%	12%	11% -	+	-	-	-	-	-	-	-	-	-	+	-	+	-	-	-	-	-	-	-	-	-	-	-	-	-	+	-	-
EZZELL, CANDY	R	58	83%	76%	81% +	+	+	+	+	+	+	-	+	+	+	Х	+	+	+	+	+	+	+	+	-	+	-	+	+	+	-	-	+	+
FAJARDO, KELLY	R	7	65%	73%	65% +	+	+	+	-	+	+	-	-	Х	-	-	-	+	+	+	Х	+	-	Х	Х	+	-	+	+	+	-	+	+	+
Ferrary, Joanne	D	37	17%	12%	10% -	+	-	-	-	-	-	-	-	-	-	+	-	+	-	-	-	-	-	-	-	-	-	-	+	-	-	+	-	-
Figueroa, Natalie	D	30	17%	14%	15% -	+	-	-	-	-	-	-	-	-	-	+	-	+	-	-	-	-	-	-	-	-	-	-	+	-	-	+	-	-
GALLEGOS, DAVID	R	61	76%	85%	80% +	+	+	+	+	+	+	-	+	+	+	-	+	+	+	Х	+	+	+	+	+	+	-	-	-	+	-	-	+	+
Gallegos, Doreen	D	52	14%	11%	12% -	+	-	-	Х	-	-	-	-	-	Х	+	-	+	-	-	-	-	-	-	-	-	-	-	-	-	-	+	-	-
Garcia, Harry	D	69	26%	24%	16% -	+	-	+	-	+	-	-	-	Х	-	-	Х	+	-	-	-	-	-	-	-	-	-	+	+	-	Х	+	-	-
Garcia, Miguel	D	14	19%	16%	16% -	Х	-	-	-	-	+	-	-	-	-	+	-	+	-	-	Х	-	-	-	Х	-	Х	-	+	-	-	+	-	-
Garratt, Joy	D	29	14%	15%	14% -	+	-	-	-	-	-	-	-	-	-	+	-	+	-	-	-	-	-	-	-	Х	-	-	-	-	-	+	-	-
HARPER, JASON	R	57	79%	80%	72% +	+	+	+	-	Х	+	-	+	+	-	+	-	+	+	+	+	+	+	+	+	+	-	+	+	+	-	+	+	+
Herrera, Susan	D	41	21%	10%	16% -	+	-	-	-	-	-	-	-	Х	-	+	+	+	-	-	-	+	-	-	-	-	-	-	-	-	-	+	-	-
Hochman, Dayan	D	15	10%	13%	12% -	+	-	-	-	-	-	-	-	-	-	+	-	+	-	-	-	-	-	-	-	-	-	-	-	-	-	Х	-	-
Johnson, D. Wonda	D	5	17%	14%	13% -	+	-	-	-	-	-	-	-	-	-	+	-	+	-	-	-	-	-	-	-	-	-	-	+	-	-	+	-	-
Lara, Raymundo	D	34	27%	18%	22% -	+	-	+	-	+	-	-	-	-	+	+	-	+	-	-	-	-	-	-	-	-	-	-	+	-	-	+	-	-
Lente, Derrick	D	65	19%	12%	12% -	+	-	-	Х	-	+	-	-	-	-	-	+	+	-	-	-	-	-	-	-	-	-	-	Х	Х	-	+	-	-
LEWIS, TIMOTHY	R	60	80%	79%	70% +	+	+	+	-	+	+	-	+	+	+	-	+	+	+	+	+	+	+	+	+	+	-	+	+	+	-	-	+	+
Louis, Georgene	D	26	12%	11%	9% -	+	-	-	Х	-	-	-	-	-	-	-	-	+	-	-	Х	-	-	-	-	-	-	-	Х	-	-	+	Х	-
Lundstrom, Patricia	D	9	25%	25%	19% -	+	-	-	-	+	+	-	-	Х	Х	+	-	+	-	-	-	+	Х	-	-	Х	-	-	-	-	-	Х	-	Х
Madrid, Willie	D	53	40%	19%	30% X	+	-	+	Х	+	+	Х	-	Х	+	-	+	+	-	-	-	+	-	-	-	+	-	-	-	Х	-	+	-	-
Maestas, Antonio	D	16	20%	16%	15% -	+	-	-	-	+	-	-	-	-	+	-	-	+	-	-	-	-	-	-	-	-	-	-	+	-	-	+	-	-
Martínez, Javier	D	11	17%	<b>7</b> %	14% -	+	-	-	-	-	-	-	-	-	Х	+	-	+	-	-	-	-	-	-	-	-	-	-	+	-	-	+	-	-
Martinez, Rodolpho	D	39	21%	19%	9% -	+	-	+	-	Х	-	-	-	-	-	+	-	+	-	-	-	-	-	-	-	-	-	-	+	-	Х	+	-	-
Matthews, Marian	D	27	13%	n/a	13% -	+	-	-	-	-	-	-	-	-	-	-	-	+	-	-	-	-	-	-	-	-	-	-	+	-	-	+	-	-
Mcqueen, Matthew	D	50	24%	11%	11% -	+	-	-	+	-	+	-	-	-	-	+	-	+	-	-	Х	-	-	-	-	-	-	-	+	-	-	+	-	-
MONTOYA, RODNEY	R	1	77%	82%	78% +	+	+	+	-	+	+	-	+	+	+	-	+	+	+	+	+	+	+	+	+	+	-	-	+	+	-	-	+	+
NIBERT, GREG	R	59	79%	74%	74% +	+	+	+	-	+	+	-	+	+	+	-	+	+	+	+	+	+	+	+	+	+	-	Х	+	+	-	-	+	+
POWDRELL-CULBERT, JANE	R	44	85%	74%	80% +	+	+	+	-	+	+	-	-	+	+	+	+	+	+	+	+	+	+	+	-	+	Х	+	+	+	Х	Х	+	+
REHM, WILLIAM	R	31	74%	66%	67% +	+	+	+	-	+	+	-	+	+	+	-	Х	+	+	+	Х	+	+	+	-	+	-	-	+	+	Х	-	+	+
Romero, Andrea	D	46	17%	12%	15% -	+	-	-	-	-	-	Х	-	-	-	+	-	+	-	-	-	-	-	-	-	-	-	-	+	-	-	+	-	-

<sup>+ =</sup> Member voted with ACU's position

x = Member was absent for vote

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R = Republican D = Democrat I = Independent



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Romero, G. Andrés	D	10	17%	11%	15% -	+	-	-	-	-	+	-	-	-	-	-	-	+	-	-	-	-	-	-	-	-	-	-	+	-	-	+	-	-
Roybal Caballero, Patricia	D	13	12%	12%	10% -	Х	-	-	-	-	-	-	-	-	-	+	-	+	-	-	-	-	-	-	-	Х	-	Х	-	-	Х	+	-	-
Rubio, Angelica	D	35	17%	12%	10% -	+	-	-	-	-	-	-	-	-	-	+	-	+	-	-	-	-	-	-	-	-	-	-	+	-	-	+	-	-
Ruiloba, Patricio	D	12	21%	31%	18% -	Х	-	+	Х	+	+	-	-	-	-	-	-	+	-	-	-	-	Х	-	-	+	Х	-	-	Х	-	Х	-	-
Salazar, Tomás	D	70	23%	11%	18% -	+	-	-	-	+	-	-	-	-	-	+	-	+	-	-	-	+	-	-	-	-	-	-	+	-	-	+	-	-
Sanchez, Joseph	D	40	27%	23%	25% -	+	-	+	-	+	+	-	-	Х	Х	+	-	+	-	-	-	-	-	-	-	-	-	-	Х	Х	-	+	-	-
Sariñana, Debra	D	21	14%	12%	8% -	+	-	-	-	-	-	-	-	-	-	+	-	+	-	-	-	-	-	-	-	-	-	-	Х	-	-	+	-	-
SCHMEDES, GREGG	R	22	80%	<b>7</b> 1%	75% +	+	+	+	+	+	+	-	-	+	-	-	-	+	+	+	+	+	+	+	+	+	-	+	+	+	+	+	+	+
SCOTT, LARRY	R	62	86%	86%	77% +	+	+	+	+	+	+	-	+	Х	+	-	+	+	+	+	+	+	+	+	+	+	-	+	+	+	-	+	+	+
Small, Nathan	D	36	17%	12%	12% -	+	-	-	-	-	-	-	-	-	-	+	Х	+	-	-	-	-	-	-	-	-	-	-	+	-	-	+	-	-
Stansbury, Melanie	D	28	18%	15%	16% -	+	-	-	-	-	-	-	-	-	Х	+	-	+	-	-	-	-	-	Х	-	-	-	-	+	-	-	+	-	-
Stapleton, Sheryl	D	19	17%	11%	9% -	+	-	-	-	Х	-	-	-	-	-	+	-	+	-	-	-	-	-	-	-	-	-	-	+	-	-	+	-	-
STRICKLER, JAMES	R	2	83%	86%	79% +	+	+	+	-	+	+	-	+	+	+	-	+	+	+	+	+	+	+	+	+	+	-	+	+	+	Х	-	+	+
Sweetser, Candie	D	32	43%	40%	36% +	+	-	+	-	+	+	-	-	-	-	-	-	+	+	-	-	+	-	-	-	+	-	-	+	+	-	+	-	+
Thomson, Elizabeth	D	24	17%	15%	8% -	+	-	-	-	-	-	-	-	-	Х	+	-	+	-	-	-	-	-	-	-	-	-	-	+	-	-	+	-	-
TOWNSEND, JAMES	R	54	79%	81%	78% +	+	+	+	+	+	+	-	+	Х	+	-	+	+	+	+	+	+	+	+	Х	+	-	+	-	+	-	-	+	+
Trujillo, Christine	D	25	14%	10%	11% -	+	-	-	-	Х	-	-	-	-	-	+	-	+	-	-	-	-	-	-	-	-	-	-	Х	-	-	+	-	-
Trujillo, Jim	D	45	24%	15%	18% -	+	-	-	-	+	-	Х	-	-	+	+	-	+	-	-	-	-	-	-	-	-	-	-	+	-	-	+	-	-
Trujillo, Linda	D	48	19%	13%	11% -	+	-	-	-	-	-	-	-	-	-	+	Х	+	-	-	-	Х	-	-	-	-	-	-	+	-	-	+	Х	-
ZAMORA, MARTIN	R	63	80%	85%	83% +	+	+	+	+	+	+	-	+	+	-	-	+	+	+	+	+	+	+	+	+	+	-	+	+	+	-	-	+	+

- + = Member voted with ACU's position
- = Member voted against ACU's position
- † = Legislator did not vote on enough of the selected bills and as a result did not receive a rating for the 2020 session. Two-thirds of the selected bills must be voted on to receive a score.
- R = Republican D = Democrat I = Independent
- x = Member was absent for vote
- · HJR 1 Reducing State Financial Stability by Raiding the "Permanent Fund."
- HR 1 Increasing Legislative Transparency Through Roll Call Vote Recording.
- HB 2 Advancing a Fiscally Out-of-Control Appropriations Package.
- · SB 5 Seizing Firearms without Due Process.
- · HB 8 Taxing and Indebting Residents to Subsidize a Solar Power Project.
- · HB 9 Raising Electricity Costs Through the Creation of a "Community Solar Program".
- · HB 11 Authorizing the Governor's Power Grab of the Public Regulation Commission.
- HB 25 Exposing Businesses to Lawsuit Abuse and Imposing Excessive New Mandates.

- SB 29 Socializing the Costs of Solar Panel Purchases and Installations.
- HB 42 Driving Up Health Insurance Premiums Through Pharmacist Reimbursement Mandates.
- SB 57 Imposing a New Tax on Pet Food.
- SB 72 Implementing Conservative Reforms to the State Pension System.
- SB 75 Fueling a Black Market through a Ban on the Sale or Trade of Certain Animal Products.
- SB 96 Increasing Government School Spending Transparency.
- SB 98 Driving up Taxpayer-Funded Construction Costs by Worsening the Prevailing Wage Mandate.
- HB 100 Preserving the Obamacare Exchange.
- HB 126 Driving Up Health Insurance Premiums by Mandating Coverage of "Artery Calcium Scans".

- · SB 131 Advancing the War on Individual Liberties by Raising the Nicotine Age and Imposing Additional Fees and Regulations.
- SB 137 Providing Occupational Licenses to Illegal
- HB 148 Hiking Welfare Payments, Expanding Benefits to Illegal Immigrants, and Increasing Taxation of Capital Gains.
- HB 163 Redistributing Wealth to Select Areas of the
- HB 217 Further Socializing Electric Vehicle Costs.
- HB 225 Expanding Government Through a New Program for Seniors.
- HB 229 Threatening Election Integrity by Weakening Safeguards Against Absentee Voting Fraud.

- · HB 263 Reducing Taxpayer Costs by Reforming the Probation and Parole System.
- HB 278 Further Socializing Healthcare Costs by Reinstating Obamacare Taxes.
- HB 292 Driving up Insurance Premium Costs by Imposing Price Controls on Insulin Copayments.
- HB 325 Reducing Employment Barriers for Reformed Individuals with Prior Criminal Convictions.
- · HB 341 Raiding the State's Rainy-Day Funds to Fuel Outof-Control Spending.
- · HB 364 Decimating Contracting Rights Through a Union Power Grab.



## **NEW MEXICO HOUSE VOTE DESCRIPTIONS**

- 1. HJR 1 Reducing State Financial Stability by Raiding the "Permanent Fund." This constitutional amendment, which is subject to approval by voters, raids the New Mexico Land Grant Fund (a permanent fund) by spending one percent of the fund each year on a new early childhood education program. This fund has existed since 1912 and the interest income it generates helps fund the state's public school system. ACU believes it is unwise to fund a recurring program by draining the state's permanent fund, which will reduce interest income (ultimately resulting in higher taxes to pay for state education costs) and reduce reserves on-hand during a financial crisis and opposed this resolution. The House passed the resolution on February 8, 2020 by a vote of 44-25. (The resolution failed to advance in the Senate.)
- 2. HR 1 Increasing Legislative Transparency Through Roll Call Vote Recording. This resolution helps hold lawmakers accountable by requiring the chief clerk of the New Mexico House to publish all roll call votes on motions to table bills and resolutions on the legislature's website. ACU supports efforts to help hold elected officials accountable through greater transparency in the legislative process and supported this resolution. The House passed the resolution on February 12, 2020 by a vote of 63-0 and the resolution went into effect.
- 3. HB 2 Advancing a Fiscally Out-of-Control Appropriations Package. This budget bill drastically increases the size of government by increasing state spending by 7.5 percent over the previous fiscal year. The bill also includes a plan to raid the New Mexico Land Grant Fund (a permanent fund) in order to provide \$300 million for a new early childhood education program. This fund has existed since 1912 and the interest income it generates helps fund the state's public school system. ACU opposes runaway government spending and paving the way for even greater tax burdens and hikes and opposed this bill. The House passed the bill on February 5, 2020 by a vote of 46-24 and the bill was signed into law.
- 4. SB 5 Seizing Firearms without Due Process. This bill allows nearly anyone to submit an ex parte (i.e., one-sided) petition to a court for the issuance of an "Extreme Risk Prevention Order," which requires the temporary seizure of all firearms held by the accused if they are considered to be a danger to themselves or others simply due to their possession of a firearm. ACU supports the founders' belief in the Second Amendment, opposes the seizure of any property, including firearms, without due process and on the basis of unchallenged accusations, and opposed this bill. The House passed the bill on February 13, 2020 by a vote of 39-31 and the bill was signed into law.
- 5. HB 8 Taxing and Indebting Residents to Subsidize a Solar Power Project. This bill allows McKinley and Cibola counties to tax and indebt their residents in order to finance a new solar power project. Specifically, the bill permits the creation of an "electric generating facility economic development district" in these counties, which includes the imposition of a 0.25% gross receipts tax and the issuance of taxpayer-backed bonds (debt). ACU supports all sources of energy, believes government should not support one source of energy over another and opposes this cronyism which socializes energy costs and opposed this bill. The House passed the bill on February 6, 2020 by a vote of 55-9 and the bill was signed into law.
- 6. HB 9 Raising Electricity Costs Through the Creation of a "Community Solar Program". This bill ultimately drives up the cost of electricity for everyone by establishing a "community solar program" where electricity users obtain bill credit for solar energy produced at a remote facility. The program works similarly to other "net-metering" schemes and forces utility companies to purchase the solar power at above market rates and use their infrastructure for delivery of the power. Ultimately the additional costs of these "solar gardens" are transferred to other ratepayers. ACU supports all sources of energy, believes government should not favor one source over another, opposes this scheme which socializes solar costs, and opposed this bill. The House defeated the bill on February 13, 2020 by a vote of 28-36.
- 7. HB 11 Authorizing the Governor's Power Grab of the Public Regulation Commission. This bill enables Governor Grisham to seize control of the New Mexico Public Regulation Commission (PRC). The PRC is an elected body which regulates utilities throughout New Mexico and is currently involved in a lawsuit with the governor over the implementation of the Energy Transition Act. The bill reorganizes the PRC to weaken its power and provides the governor with sole discretion in appointing the elected body's chief of staff. ACU opposes this power grab by Governor Grisham and advancing her radical and authoritarian "clean" energy agenda and opposed this bill. The House passed the bill on February 16, 2020 by a vote of 36-34. (The bill failed to advance in the Senate.)

- 8. HB 25 Exposing Businesses to Lawsuit Abuse and Imposing Excessive New Mandates. This bill exposes businesses to new avenues of lawsuit abuse and potentially reduces employment opportunities for women by imposing a series of excessive workplace mandates. Specifically, the bill amends the state's human rights act (applicable to employers with four or more employees) to permit employers to now be sued for alleged discrimination on the basis of pregnancy, childbirth, or a related condition. The bill also mandates employers adjust their business operations to provide certain accommodations for pregnancy, childbirth, or related conditions. ACU recognizes the challenges of choosing life and raising a child but opposes holding businesses hostage to litigation and greedy plaintiff attorneys, as well as imposing excessive new mandates on the operations of private businesses and opposed this bill. The House passed the bill on February 6, 2020 by a vote of 65-0 and the bill was signed into law.
- 9. SB 29 Socializing the Costs of Solar Panel Purchases and Installations. This bill expands cronyism by forcing taxpayers to further subsidize the solar industry through the creation of a "new solar market development income tax credit". Under the bill, a new income tax credit is created which is worth 10 percent of the purchase and installation costs of solar photovoltaic systems. The credit is valid for both commercial and industrial purchases. ACU supports all sources of energy, believes government should not support one source of energy over another and opposed this bill. The House passed the bill on February 19, 2020 by a vote of 51-19 and the bill was signed into law.
- 10. HB 42 Driving Up Health Insurance Premiums Through Pharmacist Reimbursement Mandates. This bill drives up health insurance premiums by interfering in the contracting agreements between insurers and pharmacies. Specifically, the bill mandates that pharmacists be reimbursed for any clinical or prescriptive services at the same rate as physicians and physician assistants. ACU supports the right for insurers and pharmacists to freely contract, opposes insurance mandates which drive up the cost of insurance for everyone, and opposed this bill. The House passed the bill on February 8, 2020 by a vote of 40-21 and the bill was signed into law.
- 11. SB 57 Imposing a New Tax on Pet Food. This bill ultimately drives up the cost of dog and cat ownership by imposing an additional new tax on manufacturers of pet food. The tax will be imposed gradually over a three year period and the funds will supposedly be used for a state-run spay and neuter program. ACU opposes further driving up costs to own and care for pets and opposed this bill. The House passed the bill on February 19, 2020 by a vote of 39-22 and the bill was signed into law.
- 12. SB 72 Implementing Conservative Reforms to the State Pension System. This bill is designed to combat the over \$6.7 billion in unfunded liabilities currently incurred by the Public Employees Retirement Association's (PERA's) pension system. The bill takes two important major steps towards improving the solvency of the system. Firstly, the bill raises the statutorily-set employer and employee contribution rates each by 2 percent of payroll over four years, with a two-year delay for county and municipal employees and employers. Secondly, the bill transitions the system's cost-of-living adjustments (COLA) to a method that is based on both investment performance and the plan's funded status. ACU supports protecting both retirees and taxpayers through these crucial reforms to the state pension system and supported this bill as a step in the right direction. The House passed the bill on February 17, 2020 by a vote of 40-28 and the bill was signed into law.
- 13. SB 75 Fueling a Black Market through a Ban on the Sale or Trade of Certain Animal Products. This bill would place the welfare of countless endangered animals at significant new risk by preventing individuals from lawfully selling, trading, or purchasing products that are made from certain animals. Under the bill, anyone who transfers a product made from a species of animal on appendix 1 of the Conventional on International Trade in Endangered Species (CITES) would be guilty of a misdemeanor and subject to a fine of up to \$10,000. Additionally, upon a conviction, the bill directs the animal products to be destroyed. ACU believes it is absurd to place endangered animals at further risk by creating a black market and preventing the market from efficiently allocating the supply of existing animal products that individuals possess and opposed this bill. The House passed the bill on February 18, 2020 by a vote of 42-22 and the bill was signed into law
- 14. SB 96 Increasing Government School Spending Transparency. This bill provides greater transparency towards tracking public education spending by creating a new, public, online database for school budgets. ACU supports this necessary reform, which provides citizens and lawmakers information necessary to ensure tax dollars are appropriately being spent in their communities and supported this bill. The House passed the bill on February 20, 2020 by a vote of 70-0 and the bill was signed into law.

- 15. SB 98 Driving up Taxpayer-Funded Construction Costs by Worsening the Prevailing Wage Mandate. This bill worsens New Mexico's prevailing wage mandate, which is based on the depression-era Davis-Bacon Act and forces companies contracting with the state to pay their workers an above-market wage. Specifically, the bill makes any contractor who fails to pay the prevailing wage liable for three times the amount of the unpaid wages. ACU has long opposed the prevailing wage which unnecessarily drives up the cost of taxpayer-funded projects and opposed this bill. The House passed the bill on February 19, 2020 by a vote of 45-25 and the bill was signed into law.
- 16. HB 100 Preserving the Obamacare Exchange. This bill preserves New Mexico's Obamacare exchange by codifying it into state law in the event any part of the Affordable Care Act is struck down in court. The bill also imposes new mandates concerning the exchange which are even more draconian than those imposed under federal law. ACU has long opposed Obamacare and the socialization of healthcare and opposed this bill. The House passed the bill on February 11, 2020 by a vote of 44-23 and the bill was signed into law.
- 17. HB 126 Driving Up Health Insurance Premiums by Mandating Coverage of "Artery Calcium Scans". This bill drives up health insurance premiums for everyone by mandating that nearly all private health insurance policies and those offered through the state's Obamacare exchange provide coverage for "heart artery calcium scans". While ACU recognizes the value of these scans, we oppose health insurance mandates, which drive up the cost of health care for everyone and restrict the ability for consumers to choose the policies that best suit their needs and opposed this bill. The House passed the bill on February 12, 2020 by a vote of 39-19 and the bill was signed into law.
- 18. SB 131 Advancing the War on Individual Liberties by Raising the Nicotine Age and Imposing Additional Fees and Regulations. This bill violates individual liberties by prohibiting adults under age 21 from purchasing tobacco, nicotine or vaping and e-cigarette products such as Juul. Additionally, the bill imposes cumbersome new regulations on e-cigarettes and joins New Mexico with 39 states to require a license to sell tobacco products, including \$850 annually fees on manufacturers, distributors, and retailers. This bill is a result of efforts by the federal government to strong-arm states by threatening to withhold Federal Substance Abuse Prevention and Treatment Block Grant funding if they do not come into compliance with the new federal nicotine law. ACU believes tobacco and nicotine usage is a personal liberty issue, believes those who are old enough to fight for our country are old enough to decide whether to use these products and opposed this bill. The House passed the bill on February 18, 2020 by a vote of 40-28 and the bill was signed into law.
- 19. SB 137 Providing Occupational Licenses to Illegal Immigrants. This bill is designed to circumvent federal immigration law and the visa process by mandating illegal immigrants be provided occupational and professional licenses. Specifically, the bill prevents an agency from denying the issuance of a license based on citizenship or immigration status. While ACU opposes the majority of state occupational licensing mandates, we oppose this measure which permits individuals to circumvent the visa process and federal immigration law. ACU supports assisting the federal government in enforcing our nation's immigration laws and opposed this bill. The House passed the bill on February 17, 2020 by a vote of 50-18 and the bill was signed into law.
- 20. HB 148 Hiking Welfare Payments, Expanding Benefits to Illegal Immigrants, and Increasing Taxation of Capital Gains. This bill represents a direct redistribution of wealth by hiking the Working Families Tax Credit (WFTC) and paying for it by increasing capital gains tax burdens. Under the bill, the WFTC is increased from 17 to 20 percent of the federal Earned Income Tax Credit (EITC) and eligibility is expanded to individuals between the ages of 18 and 24 who do not have children. Additionally, the bill expands the welfare benefits to illegal immigrants by removing the requirement an individual provide a social security number. To pay for the bill, the bill increases taxation of capital gains by removing a deduction. ACU opposes this blatant wealth redistribution, believes welfare programs should be reserved for US citizens, temporary and designed to help and encourage individuals to return to the workforce and opposed this bill. The House passed the bill on February 14, 2020 by a vote of 45-23. (The bill failed to advance in the Senate.)

- 21. HB 163 Redistributing Wealth to Select Areas of the State. This bill represents yet another wealth redistribution scheme by directing any budget surplus the state has and providing it to "low-income communities" as opposed to returning the funds to taxpayers or the rainy-day account. Specifically, the bill appropriates \$5 million to the newly established "community supplemental support fund" which benefits places such as Artesia, Deming, Gallup, Las Vegas, Portales, Sunland Park, and Española. ACU believes any excess tax revenue the state collects should be returned to taxpayers through tax reductions or placed in the rainy-day fund (especially with the threat of the COVID-19 pandemic) and opposed this bill. The House passed the bill on February 12, 2020 by a vote of 49-15. (The bill failed to advance in the Senate.)
- 22. HB 217 Further Socializing Electric Vehicle Costs. This bill further socializes the costs of electric vehicles by providing state income tax credits for individuals who purchase plug-in hybrid vehicles or 100 percent battery-electric vehicles. Under the bill, individuals are provided a \$2,500 tax credit for the purchase or lease of the vehicle, with the tax credit jumping to \$5,000 for residents who make less than \$50,000. The bill also provides another \$300 credit for electric vehicle charging units. The bill did contain a slight positive provision that assess up to a \$50 fee on electric vehicle registrations (since these vehicles skirt the gas tax). ACU supports all vehicle propulsion systems but opposes socializing vehicle costs and opposed this bill. The House passed the bill on February 14, 2020 by a vote of 40-27. (The House failed to advance the bill with Senate amendments.)
- 23. HB 225 Expanding Government Through a New Program for Seniors. This bill further grows the size and role of government by creating the "Kiki Saavedra Senior Dignity Fund" which forces taxpayers to spend \$7.3 million on new programs for senior citizens. ACU believes the private sector is the best institution to assist and care for seniors, opposes further growing the size and scope of government outside of its constitutional role, and opposed this bill. The House passed the bill on February 12, 2020 by a vote of 62-0 and the bill was signed into law.
- 24. HB 229 Threatening Election Integrity by Weakening Safeguards Against Absentee Voting Fraud. This omnibus elections bill includes a number of changes to the absentee voting process which create avenues for vote fraud and weaken election integrity. Most notably, the bill would remove safeguards enacted in 2019, including no longer requiring mailing envelopes to identify the voter. ACUF's Center to Protect Voters and their Voices is a leader in rebuilding the safeguards of our election systems and ensuring that every legal vote counts. If our election system does not respect that principle, then American democracy will cease to exist. ACU opposes this measure which creates a new avenue for outside groups and individuals to commit vote fraud and opposed this bill. The House passed the bill on February 15, 2020 by a vote of 46-17. (The bill failed to advance in the Senate.)
- 25. HB 263 Reducing Taxpayer Costs by Reforming the Probation and Parole System. This bill implements a series of reforms to the state's parole and probation system to reduce taxpayer costs and better utilize public safety resources. Most notably it imposes graduated penalties for missed appointments rather than an automatic return to custody. Existing law has resulted in unnecessary incarceration when someone misses a counseling appointment or fails a drug test. ACUF's Nolan Center for Justice is a national leader in criminal justice reform and works to cut crime, reduce taxpayer costs, protect victims, define the proper scope of government, and responsibly reduce incarceration rates. Data shows that the most effective way to ensure compliance is to impose swift, certain, and proportional standards. ACU supports this measure to minimize unnecessary incarceration and free up taxpayer resources for more effective criminal justice strategies to reduce violent crime, such as additional police officers, better training or equipment, and supported this bill. The House passed the bill on February 15, 2020 by a vote of 47-17. (The bill failed to advance in the Senate.)
- 26. HB 278 Further Socializing Healthcare Costs by Reinstating Obamacare Taxes. This bill imposes a new tax on all health insurance policies in order to further socialize healthcare costs and fuel the legislature's out of control spending. In 2019, congress repealed the "health care provider fee" that was created under Obamacare. This bill would replace the fee at the state level, raising the state health insurance premium surtax, currently at 1 percent, to 3.25 percent. The measure will annually impose an additional \$124 million in tax burdens, with 55 percent of the revenue going to a new "health care affordability fund" to further socialize healthcare costs, and the remaining 45 percent to the general fund to further grow government. ACU has long opposed Obamacare and the socialization of healthcare which leads to skyrocketing insurance premiums and ultimately prevents individuals from obtaining quality, truly affordable care, and opposed this bill. The House passed the bill on February 16, 2020 by a vote of 41-25. (The bill failed to advance in the Senate.)

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- 27. HB 292 Driving up Insurance Premium Costs by Imposing Price Controls on Insulin Copayments. This bill would threaten to increase the price of insurance premiums by imposing price controls on copayments for insulin drugs. Specifically, the bill would make New Mexico the third state in the country to mandate that health insurers are prohibited from charging more than \$25 for a one-month supply of insulin. ACU recognizes that price controls on insurance harm the affordability of insurance for everyone rather than the intended outcome of reducing costs for insulin-dependent patients. ACU further recognizes the rise in insulin costs is largely due to the enormous investments' manufacturers have made in creating new and improved formulations. ACU opposes price controls on premiums which lead to higher insurance costs for everyone and opposed this bill. The House passed the bill on February 14, 2020 by a vote of 61-2 and the bill was signed into law.
- 28. HB 325 Reducing Employment Barriers for Reformed Individuals with Prior Criminal Convictions. This bill expands employment opportunities for reformed individuals with past criminal convictions by combatting the excessive powers of anti-competitive licensing entities. Under the bill, state licensing boards and commissions could no longer use a person's criminal history to deny an occupational license unless the person's previous conviction was directly related to the occupation in which they are seeking licensure. Additionally, boards are required to publicly post the specific criminal offenses that may prevent licensure. ACUF's Nolan Center for Justice is a national leader in criminal justice reform and works to cut crime, reduce taxpayer costs, protect victims, define the proper scope of government, and safely reduce incarceration rates. ACU opposes the proliferation of licensing requirements which are primarily designed to restrict competition, supports efforts to lower recidivism by reducing barriers to the workforce and supported this bill. The House passed the bill on February 17, 2020 by a vote of 50-14. (The bill failed to advance in the House.)
- 29. HB 341 Raiding the State's Rainy-Day Funds to Fuel Out-of-Control Spending. This bill enacts a scheme which raids the state's rainy-day fund and uses the funds to cover shortfalls in the state's operating fund due to the legislature's out-of-control spending. Specifically, if the state's operating reserves decline below 1 percent of total appropriations, then money would be transferred from the Tax Stabilization Reserve (rainy-day fund) to ensure operating reserves remain at 1 percent at the end of the fiscal year. This measure comes only a week after the House passed a budget that grew state spending by 7.5 percent over the prior year (HB 2). ACU believes it is absurd to enable the raiding of the rainy-day fund during periods of peak economic growth in order to fuel the legislature's out-of-control spending and opposed this bill. The House passed the bill on February 18, 2020 by a vote of 40-24 and the bill was signed into law.
- 30. HB 364 Decimating Contracting Rights Through a Union Power Grab. This bill contains countless provisions that empower union bosses and undermine the ruling made by the Supreme Court in Janus v. AFSCME which found that state laws (including previous New Mexico law) that force nonunion employees to pay union dues violate the First Amendment's protection of freedoms of association and speech. Under the bill, union bosses are provided the right to obtain a wide range of employees' personal contact information, including home addresses, work and personal emails, and work, home, and cellphone numbers. The bill also makes it easy for public employees to opt-in to a union, but only gives a 10-day window to revoke their authorization for union due deductions. Additionally, the bill expands the definition of public employee to any job funded by a grant, which makes employees of any private non-profit receiving grants subject to unionization. Furthermore, this bill takes power over labor issues away from local boards and jurisdictions and centralizes them in the hands of the New Mexico Public Employees Labor Relations Board. Finally, the bill eliminates ballot elections, which protect employee privacy, and instead subjects employees to harassment through "card check" elections. ACU supports the Janus decision and the right to work without mandatory union dues or membership, opposes enriching greedy union bosses and harassing employees, and opposed this bill. The House passed the bill on February 18, 2020 by a vote of 43-25 and the bill was signed into law.