FIFTY-FIFTH LEGISLATURE
FIRST SESSION

PROPOSED AMENDMENT DIRECTED TO A COMMITTEE

March 14, 2021

Mr. Chair:

I propose to the SENATE JUDICIARY COMMITTEE the following amendments to

HOUSE TAXATION AND REVENUE COMMITTEE SUBSTITUTE FOR
HOUSE HEALTH AND HUMAN SERVICES COMMITTEE SUBSTITUTE FOR
HOUSE BILL 12, as amended

1. Strike Senate Tax, Business and Transportation Committee Amendments 2, 27, 35, 36, 109 and 110.

2. On page 1, line 25, after the semicolon, insert "CREATING THE CANNABIS INDUSTRY EQUITABLE OPPORTUNITY INVESTMENT FUND;".

3. On page 16, line 25, after "policy", insert ", rural communities likely to be impacted by cannabis production and agricultural producers from economically disadvantaged communities".

4. On page 17, line 2, after "diversity", insert "and New Mexico residency".

5. On page 17, line 9, after "policy", insert "and underserved communities that include tribal, acequia, land grant-merced and other rural historic communities".

6. On page 18, strike lines 18 through 20 in their entirety and insert in lieu thereof:

"E. No later than January 1, 2022, the division shall promulgate rules pursuant to the State Rules Act in consultation

with the New Mexico department of agriculture, the department of environment and the office of the state engineer to establish:".

7. On page 18, line 24, after "water", insert "use and".

8. On page 19, line 7, strike "and age" and insert in lieu thereof ", age, residential status and whether the applicants, persons, employees or the location where the cannabis products are produced are located in an underserved rural community, including tribal, acequia, land grant-merced or other rural historic communities".

9. On page 21, line 2, strike "and" and between lines 2 and 3, insert the following subparagraphs:

"(l) who is a cannabis retailer;

(m) who is a cannabis producer;

(n) who is a cannabis manufacturer;

(o) who is an agricultural producer with expertise in cannabis production;

(p) who is from an acequia or community ditch and reports regularly to the New Mexico acequia commission; and".

10. Reletter the succeeding subparagraph accordingly.

11. On page 26, line 10, after "law", insert ", rural communities likely to be impacted by cannabis production and agricultural producers from economically disadvantaged communities".

12. On page 26, line 12, after "diversity", insert "and New Mexico residency".

13. On page 34, line 23, after "diversity", insert "and New Mexico residency".

14. On page 34, line 24, after "licensees", insert ", and develop a plan to provide technical assistance to rural New Mexico residents who are seeking to establish vertically integrated

cannabis establishments, cannabis producer microbusinesses or integrated cannabis microbusinesses".

15. On page 35, line 5, strike "and," and insert in lieu thereof "as evidenced by documentation from:

(a) the office of the state engineer of a valid water right; or

(b) a water provider that the use of water for cannabis production is compliant with that water provider's rules;

(7)".

16. On page 35, line 6, after the comma, insert "require that the applicant".

17. Renumber the succeeding paragraph accordingly.

18. On page 77, line 8, after the comma, insert "the office of the state engineer,".

19. On page 81, between lines 5 and 6, insert the following new section:

"SECTION 46. [NEW MATERIAL] CANNABIS INDUSTRY EQUITABLE OPPORTUNITY INVESTMENT FUND.--

A. The "cannabis industry equitable opportunity investment fund" is created in the state treasury. The fund consists of appropriations, other money deposited in the fund and money otherwise accruing to the fund. Income from the fund shall be credited to the fund. The economic development department shall administer the fund, and money in the fund is subject to appropriation by the legislature to the economic development department to administer the cannabis industry equitable opportunity investment fund. Any unexpended or unencumbered balance remaining at the end of a fiscal year shall not revert to the general fund.

B. The cannabis industry equitable opportunity investment fund is created for the purpose of developing and implementing a plan to provide financial assistance to support start-up businesses

and agricultural enterprises related to the cannabis industry that are owned by persons from communities disproportionately affected by past federal and state drug policies or from economically disadvantaged and historic rural communities.

C. Money in the cannabis industry equitable opportunity investment fund shall be disbursed on warrants signed by the secretary of finance and administration pursuant to vouchers signed by the secretary of economic development or the secretary's authorized representative.".

20. Renumber the succeeding sections accordingly.

Respectfully submitted,

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