

**MINUTES  
of the  
SIXTH MEETING  
of the  
INVESTMENTS AND PENSIONS OVERSIGHT COMMITTEE**

**October 29, 2024  
State Capitol, Room 307  
Santa Fe**

The sixth meeting of the Investments and Pensions Oversight Committee for the 2024 interim was called to order by Senator Roberto "Bobby" J. Gonzales, chair, on Tuesday, October 29, 2024, at 10:00 a.m. in Room 307 of the State Capitol in Santa Fe. For the purposes of a quorum, Representative Eliseo Lee Alcon and Representative Anthony Allison were appointed as voting members for this meeting.

**Present**

Sen. Roberto "Bobby" J. Gonzales, Chair  
Rep. Eliseo Lee Alcon\*  
Rep. Anthony Allison\*  
Rep. Cynthia Borrego  
Rep. Natalie Figueroa  
Sen. Greg Nibert  
Rep. William "Bill" R. Rehm

**Absent**

Rep. Patricia Roybal Caballero, Vice Chair  
Rep. Ambrose Castellano  
Sen. Daniel A. Ivey-Soto  
Rep. Alan T. Martinez  
Sen. Joshua A. Sanchez  
Sen. Antoinette Sedillo Lopez  
Rep. Linda Serrato  
Sen. Elizabeth "Liz" Stefanics

**Advisory Members**

Sen. Shannon D. Pinto

Sen. William F. Burt  
Sen. Michael Padilla  
Rep. Debra M. Sariñana

**Guest Legislator**

Sen. Nancy Rodriguez

\*Appointed by the speaker of the house of representatives or the president pro tempore of the senate as a voting member for this meeting only.

**Staff**

Cristina Vasquez, Staff Attorney, Legislative Council Service (LCS)  
Rebecca Griego, Records Officer, LCS  
Carrie McGovern, Publication and Editing Coordinator, LCS

**Minutes Approval**

Because the committee will not meet again this year, the minutes for this meeting have not been officially approved by the committee.

**Guests**

The guest list is in the meeting file.

## **Handouts**

Copies of all handouts and written testimony are in the meeting file and posted on the legislature's website.

## **References to Webcast**

The time reference noted next to each agenda item in this document is cross-referenced to the webcast of the committee meeting, which can be found at [www.nmlegis.gov](http://www.nmlegis.gov), under the "Webcast" tab. The presentations made and committee discussions for agenda items can be found on the recorded webcast for this meeting.

## **Tuesday, October 29**

### **Economic Development Funding as Strategic State Investments (10:02 a.m.)**

Mark Roper, director, Economic Development Division, Economic Development Department, explained how funding provided by the Local Economic Development Act (LEDA) can serve as strategic state investments. He defined LEDA as the investment of public money in a private company to offset costs associated with the land, buildings and infrastructure that will aid in economic development and job creation, and he detailed the process for and benefits of LEDA investments. According to Mr. Roper, the state's return on investment for LEDA projects is in excess of 600%. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=IPOC&Date=10/29/2024&ItemNumber=1>.

### **I-40 TradePort Corridor: Investing in Infrastructure to Grow New Mexico's Economy (10:52 a.m.)**

Marcos A. Gonzales, M.B.A., executive development officer, Bernalillo County Economic Development, and Carolyn Tobias, manager, Bernalillo County Economic Development, gave a presentation on the I-40 TradePort Corridor transportation infrastructure project, the first phase of which is being planned for construction along Interstate Highway 40 from Los Angeles to Albuquerque. Mr. Gonzales described the corridor system as a public-private partnership that has public objectives to provide clean energy refueling and electric charging infrastructure at regional hubs, improve supply chain efficiency and reliability and create economic development opportunities and jobs. Plans for the Albuquerque TradePort are for it to be located on 6,000 acres at Interstate Highway 40 and Atrisco Vista Boulevard on the city's west side. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=IPOC&Date=10/29/2024&ItemNumber=2>.

### **Approval of Minutes (11:28 a.m.)**

On a motion made and seconded, and with no opposition, the minutes of the October 1, 2024 meeting were approved as submitted.

**Review of *Bartlett v. Cameron* (11:30 a.m.)**

Ms. Vasquez provided an explanatory case brief of the *Bartlett v. Cameron* New Mexico Supreme Court case that sought to determine whether the Constitution of New Mexico grants public employee retirees a right to an annual cost-of-living adjustment (COLA) to their retirement benefit based on the COLA formula in effect on the date of their retirement for the entirety of their retirement. Ms. Vasquez noted that the court ruled that the Constitution of New Mexico does not afford retirees a vested property right with due process protections in an annual COLA until it has been paid and has become a part of the retirees' base benefit. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=IPOC&Date=10/29/2024&ItemNumber=5>.

**Educational Retirement Board (ERB): Final Update and Legislative Proposal (12:47 p.m.)**

David Archuleta, executive director, ERB, and Jacob Maule, general counsel, ERB, presented a final update on the ERB. According to Mr. Archuleta, as of June 30, 2024, key valuation results showed that the funded ratio increased from 62.9% to 64.8%, the amortization period was reduced by four years to 22 years, active membership increased by 1,467 and the Educational Retirement Fund balance reached a new high point of \$17.1 billion. The presenters also reviewed two pieces of proposed legislation for the committee to consider for endorsement: .228647.2SA, which makes a number of technical fixes to the Educational Retirement Act, and .228759.2SA, which provides for unclaimed member contributions to be held in the Educational Retirement Fund. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=IPOC&Date=10/29/2024&ItemNumber=3>.

***Motions for Endorsement:*** On a motion made and seconded, the committee voted unanimously to endorse .228647.2SA as submitted. Next, a motion was made to endorse .228759.2SA, but there was no second to that motion. Thus, that motion for endorsement failed.

**Retiree Health Care Authority (RHCA): Final Update and Legislative Proposal (2:00 p.m.)**

Neil Kueffer, executive director, RHCA, provided an update on the RHCA, including various changes in benefits offered for 2025 and investment performance for the fiscal year ending June 30, 2024. In addition, Mr. Kueffer reviewed a proposed constitutional amendment (.228945.1SA) to have the RHCA recognized and protected under the Constitution of New Mexico, similar to constitutional protections given to the ERB and Public Employees Retirement Association. Quorum was lost before a motion for endorsement could be made. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=IPOC&Date=10/29/2024&ItemNumber=4>.

**Endorsed Legislation**

The proposed legislation endorsed by the committee can be found here:

[https://www.nmlegis.gov/Committee/endorsed\\_legislation?CommitteeCode=IPOC&Year=2024](https://www.nmlegis.gov/Committee/endorsed_legislation?CommitteeCode=IPOC&Year=2024).

**Adjournment**

There being no further business before the committee, the meeting adjourned at 2:44 p.m.