



# **TWENTY-SEVENTH BIENNIAL REPORT**

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**JULY 1, 2004 THROUGH JUNE 30, 2006**

**NEW MEXICO LEGISLATIVE COUNCIL  
AND  
LEGISLATIVE COUNCIL SERVICE**

**NEW MEXICO LEGISLATIVE COUNCIL SERVICE**

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# OVERVIEW



## **The 2004-2006 Biennium in Brief**

During the course of the 2004-2006 biennium, the legislature convened for two regular sessions and one special session, and legislators served on 50 interim committees, subcommittees, commissions and task forces, including the legislative council — an increase of three interim bodies over the previous biennium and an increase of 10 interim bodies over the biennium 10 years prior.

### ***Interims***

Eight new interim bodies were created during the biennium to address new or ongoing issues facing the state and the legislature. In addition, two bodies got minor name changes in 2005: the "corrections oversight, courts and justice committee" became the "courts, corrections and justice committee" and the "public school capital outlay task force" became the "public school capital outlay oversight task force".

The only new committee to be formed — the investments and pensions oversight committee — was created as the successor to the state permanent fund task force, which had met during the previous biennium to oversee investment of the state's permanent funds. The new committee's purview was broadened to include oversight of the investment of all public funds as well as the actuarial condition of the state's retirement funds.

Four new subcommittees were created. The capital outlay subcommittee was created to examine and consider reforms to the legislature's system of allocating funds for capital projects around the state. The Indian Education Act subcommittee was created in response to concerns raised in meetings of the interim Indian affairs committee regarding implementation of the Indian Education Act. The lottery tuition scholarship study subcommittee was created to review proposed changes to the lottery tuition scholarship program. The public employee benefits oversight subcommittee was created to ensure that benefits programs administered by the risk management division of the general services department, public school insurance authority, retiree health care authority and Albuquerque public school district are providing the best possible programs for their members and are operating in a fiscally sound manner.

Three task forces were created. The funding formula study task force was created to examine the current formula used for funding public schools and to recommend appropriate changes to the formula. The legislative structure and process study task force was created as a two-year body to develop recommendations on how the legislature might function in a more effective and efficient manner.

The election reform task force was created to review the numerous complex and extensive changes made to the Election Code during the 2005 legislative session and to ensure that any conflicts with federal law were adequately addressed. The task force's recommendations for the 2006 legislative session included legislation to:

- ▶ require the secretary of state to mail voter identification cards to all registered voters 60 to 75 days before the general election;
- ▶ allow for separate precinct board training manuals or sections of the standard manual for the different voting systems used in each county and to eliminate references to canvassing;
- ▶ strike "voter identification card" from Section 1-4-5.1 NMSA 1978, which concerns voter registration;
- ▶ extend to state law the federal Help America Vote Act of 2002 (HAVA) exemption from ID requirements for first-time registrants by mail who are disabled or serving in the military overseas;
- ▶ revise provisions allowing electronic transmission of absentee ballots to overseas voters;
- ▶ repeal provisions allowing absentee mail ballots to be delivered on election day to the voter's precinct and clarify hours that absent voter precinct polling places may be open;
- ▶ remove "recheck" from Section 1-14-22 NMSA 1978, which concerns contests and recounts of provisional, absentee and other paper ballots;
- ▶ send a voter's appeal of a county clerk decision to not count the voter's provisional ballot to the secretary of state and to notify the voter how to appeal such a decision;
- ▶ require a county clerk to supply the district attorney and secretary of state with the names and registration receipt numbers for voters who went to vote with their registration receipts but whose certificates of registration were not found;
- ▶ allow voting systems used to meet the HAVA disability- and language-access requirements to use audio confirmation of the voter's ballot choices, to extend the deadline for purchase of new voting systems until 2007 and to treat the voter-verifiable and -auditable paper trail as if it were a ballot;
- ▶ repeal provisions on absentee ballot application distribution and collection by third parties;
- ▶ require reporting of vote totals for each precinct without compromising the secrecy of ballots;



- ▶ require that, when registering to vote, a voter be given a receipt, rather than a carbon copy, that is traceable back to the registration agent as well as information on how to check whether the registration form was received by the county clerk;
- ▶ allow a voter to provide a physical address by way of a geographic information system, or GIS, location;
- ▶ clarify that the county clerk should notify a person if the person's registration is rejected for any reason and state how the problem can be remedied;
- ▶ require third-party registration organizations to provide the names and addresses of their officers and provide for penalties for violations of the registration process;
- ▶ require minor parties to certify their candidates on the day following the primary election rather than on the second Tuesday of July; and
- ▶ remove statutory language that authorizes the state to require a deposit of the full cost of a recount.

In addition, the task force voted to support an appropriation for new staff positions in the bureau of elections and a special appropriation for implementation of provisions of Laws 2005, Chapter 270, the omnibus Election Code bill passed during the 2005 session.

Two bills endorsed by the task force for introduction during the 2006 session never made it out of the house. The only successful bill enacted a requirement that electronic voting machines be replaced with paper-ballot voting systems, and \$11 million in capital outlay funds were appropriated to institute the provisions of the bill.

### *Sessions*

Legislators enjoyed relatively smooth sailing during the 2005 regular legislative session due to an increasingly cordial relationship with the governor, new leadership in the senate and a healthy revenue surplus.

Major initiatives were considered and eventually approved. Additional tax cuts were enacted, financed in part by a one-year delay in the implementation of the 2003 income tax cuts. A pre-kindergarten program was approved, a higher education department was created and ignition interlock devices were mandated for all DWI offenders. The financially troubled educational retirement system was shored up, regulations for all-terrain vehicles were approved, election laws were reformed and the banking of umbilical cord blood for research was approved. New Mexico became the first state in the nation to pay the premiums for additional life insurance for members of the New Mexico national guard. And though it does not qualify as a major initiative, the legislature named the hot air balloon the official state aircraft while,

coincidentally, imposing a new tax on helium and appropriating \$5 million to buy what was once a controversial new state airplane.

Once again, New Mexico was blessed with an encouraging revenue forecast. While other states wrestled with budget deficits and reducing expenditures, New Mexico legislators were greeted with \$284 million in additional revenue when they arrived in Santa Fe. Thanks to record oil and gas prices, budget writers were able to contemplate where to spend and were spared the unpleasant decisions of where to cut. Overall, general fund spending grew from \$4.4 billion to \$4.7 billion, a 6.5 percent increase. Spending on medicaid and public education, two major general fund consumers, increased 16 percent and 6.7 percent, respectively.

With a new president pro tempore, who was elected without the drama of past senate elections, and a new majority floor leader, the upper chamber debated the issues of the session with a renewed commitment to civility and decorum.

Many other proposals were debated at length but failed to pass. Those included replacing the death penalty with life imprisonment, requiring parental notification prior to terminating the pregnancy of a minor, banning cockfighting, prohibiting same-sex marriage, legalizing domestic partnerships, regulating so-called "payday" loans and allowing marijuana to be used for medical purposes.

In response to higher motor fuel and natural gas prices, as well as higher state revenues, the legislature convened for a special session in October 2005 to consider tax relief, home energy assistance and anti-price-gouging legislation. In that seven-day session, the legislature approved a two-bill package worth an estimated \$252.5 million in tax relief and rebates, direct assistance to low-income New Mexicans for heating costs and appropriations for certain public agencies.

The senate proposed to partially restore the 2003 personal income tax cuts that were delayed earlier in 2005 and, despite caustic criticism from the chief executive that the proposal was fiscally irresponsible, the legislature sent it to the governor and he approved it. The anti-price-gouging legislation did not pass legislative scrutiny.

Amid the debate over legislation, there was discussion in the house of representatives of how to best proceed with calls for the impeachment of the state treasurer following allegations of criminal wrongdoing on his part. On the special session's opening day, the house created a subcommittee of the rules and order of business committee, evenly divided between the majority and minority, to consider the possible impeachment of the treasurer. The subcommittee began public hearings to consider the evidence on October 26, 2005 in anticipation of an extraordinary session to be convened within days. Before the end of the day,

however, the state treasurer had resigned, effectively ending the impeachment proceedings, and the extraordinary session was canceled.

The 2006 legislative session proved many capitol veterans right in their assertion that one early gauge of a session is how much revenue the state expects to collect: the more money, the harder the session will be. The legislature labored mightily in 2006 amid reports of strong state revenues, a full and controversial agenda and tension between many in the legislature and the governor.

Legislators were told the treasury would be flush but that the strong revenue growth would not last. Revenue estimators said spending on recurring programs could safely be increased by hundreds of millions of dollars over current spending and that nonrecurring spending on special projects and capital outlay could approach \$1 billion. Revenue growth would flatten in coming years, however, they predicted.

As if tough spending decisions were not enough, legislators also debated difficult and contentious proposals to raise the minimum wage, replace electronic voting machines with paper ballots, allow the use of marijuana for medical purposes, repeal and refund the "bed tax" enacted in 2003, build a spaceport from which tourists could be launched beyond the earth's grip and regulate the payday lending industry.

Before adjourning, the legislature approved 125 bills, including a \$5.1 billion spending plan for the next fiscal year and a capital outlay package that topped \$900 million. It was the lowest number of bills passed in a 30-day session in two decades. The governor quickly announced he was disappointed with the results and raised the possibility of a special session, but such talk faded as he approved 112 bills and vetoed \$124.4 million from the General Appropriation Act of 2006 and a supplemental budget bill as well as \$52.4 million from the capital outlay package. Among the vetoed bills were a proposal to boost the legislative pension system and a proposal explicitly prohibiting government from using eminent domain to condemn private property and give it to another person for economic development purposes. The legislature also proposed a constitutional amendment for the November 2006 ballot that would put the water trust fund into the constitution and restrict how the money in the fund may be spent.



THE  
NEW MEXICO LEGISLATIVE COUNCIL



# The Legislative Council

## *LC Membership 2005*

### *voting*

Sen. Ben D. Altamirano, Co-Chair, Silver City  
Rep. Ben Lujan, Co-Chair, Santa Fe  
Sen. Pete Campos, Las Vegas  
Sen. Kent L. Cravens, Albuquerque  
Sen. Joseph A. Fidel, Grants  
Rep. Ted Hobbs, Albuquerque  
Sen. Stuart Ingle, Portales  
Sen. Timothy Z. Jennings, Roswell  
Rep. Terry T. Marquardt, Alamogordo  
Rep. W. Ken Martinez, Grants  
Rep. Rick Miera, Albuquerque  
Sen. Leonard Lee Rawson, Las Cruces  
Sen. Michael S. Sanchez, Belen  
Rep. Sheryl Williams Stapleton, Albuquerque  
Rep. Jeannette O. Wallace, Los Alamos  
Rep. Donald L. Whitaker, Eunice

### *special advisory*

Rep. Donald E. Bratton, Hobbs  
Sen. Carlos R. Cisneros, Questa  
Sen. Dianna J. Duran, Tularosa  
Rep. Justine Fox-Young, Albuquerque  
Sen. Mary Jane M. Garcia, Dona Ana  
Sen. John T.L. Grubestic, Santa Fe  
Rep. Irvin Harrison, Gallup  
Rep. Patricia A. Lundstrom, Gallup  
Rep. James Roger Madalena, Pueblo of Jemez  
Sen. Cisco McSorley, Albuquerque  
Sen. Steven P. Neville, Aztec  
Rep. Al Park, Albuquerque  
Sen. William H. Payne, Albuquerque  
Sen. Lidio G. Rainaldi, Gallup  
Rep. Debbie A. Rodella, Pueblo of San Juan  
Sen. John Arthur Smith, Deming  
Rep. Joe M Stell, Carlsbad  
Rep. Teresa A. Zanetti, Albuquerque

### *staff*

Paula Tackett  
Raúl Burciaga  
Kathy Pacheco-Dofflemeyer  
John Yaeger  
Jeret Fleetwood

## *LC Membership 2006*

### *voting*

Sen. Ben D. Altamirano, Co-Chair, Silver City  
Rep. Ben Lujan, Co-Chair, Santa Fe  
Sen. Pete Campos, Las Vegas  
Sen. Kent L. Cravens, Albuquerque  
Sen. Joseph A. Fidel, Grants  
Rep. Ted Hobbs, Albuquerque  
Sen. Stuart Ingle, Portales  
Sen. Timothy Z. Jennings, Roswell  
Rep. Terry T. Marquardt, Alamogordo  
Rep. W. Ken Martinez, Grants  
Rep. Rick Miera, Albuquerque  
Sen. Leonard Lee Rawson, Las Cruces  
Sen. Michael S. Sanchez, Belen  
Rep. Sheryl Williams Stapleton, Albuquerque  
Rep. Jeannette O. Wallace, Los Alamos  
Rep. Donald L. Whitaker, Eunice

### *special advisory*

Rep. Janice E. Arnold-Jones, Albuquerque  
Rep. Donald E. Bratton, Hobbs  
Sen. Carlos R. Cisneros, Questa  
Sen. Dianna J. Duran, Tularosa  
Rep. Justine Fox-Young, Albuquerque  
Sen. Mary Jane M. Garcia, Dona Ana  
Sen. John T.L. Grubestic, Santa Fe  
Rep. Irvin Harrison, Gallup  
Rep. Patricia A. Lundstrom, Gallup  
Rep. James Roger Madalena, Pueblo of Jemez  
Sen. Cisco McSorley, Albuquerque  
Sen. Steven P. Neville, Aztec  
Rep. Al Park, Albuquerque  
Sen. William H. Payne, Albuquerque  
Sen. Lidio G. Rainaldi, Gallup  
Rep. Debbie A. Rodella, Ohkay Owingeh  
Sen. John Arthur Smith, Deming  
Rep. Joe M Stell, Carlsbad  
Rep. Teresa A. Zanetti, Albuquerque

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The New Mexico legislative council is a 16-member permanent joint interim committee of the legislature. Its primary function, essentially, is to serve as an interim board of directors for the legislature. It also directs general operations of the legislative council service (LCS).

As a matter of policy, all members of the legislature serve as advisory members of the council. They are invited to all meetings of the council and, upon request, are furnished a copy of the minutes after approval.

The law concerning the council reads as follows:

2-3-1. NEW MEXICO LEGISLATIVE COUNCIL CREATED.--There is created a legislative joint committee of the house and senate to be designated "the New Mexico legislative council", composed of sixteen members, eight from the house and eight from the senate. The president pro tempore and the minority floor leader of the senate and the speaker of the house of representatives and the minority floor leader of the house shall automatically be members of the council. Six of the remaining members shall be appointed from the house of representatives by the speaker; provided that, if the minority is entitled to more than one member, the additional minority members shall be appointed by the speaker only from recommendations made by the minority floor leader, although the speaker shall retain the right to reject any such recommendations; and six of the remaining members shall be appointed from the senate by the committees' committee or, if the appointments are made in the interim, by the president pro tempore after consultation with and agreement of a majority of the members of the committees' committee. If the minority is entitled to more than one member, one of the remaining six members shall be appointed by the senate minority floor leader. The appointed members of the council shall be appointed from each house so as to give the two political parties having the most members in each house the same total proportionate representation on the council as prevails in that house; providing that in the computation, major fractions shall be counted as whole numbers, and in no event shall either of the two major parties have less than one member from each house. The members shall be appointed for terms of two years or less expiring on the first day of the regular session held in odd-numbered years. The term of any member shall terminate when such member ceases to be a member of the legislature. Provided, however, that members of the council reelected to the



legislature shall continue to serve as members of the council until their successors are appointed. Vacancies on the council may be filled for the unexpired term by appointment from the house or senate respectively by the respective appointing authority which makes the original appointments and subject to the same recommendations; provided such new members must be from the same body of the legislature and the same party from which their predecessors were appointed. The council shall elect such other officers as may be deemed necessary from among its own members. The officers shall be elected for terms coterminous with their membership on the council. The speaker and the president pro tempore shall be co-chairmen of the council. No action shall be taken by the council if a majority of the total membership from either house on the council rejects such action. This 1978 amendment shall not be construed to cut short the term of any member already appointed to the council.

### ***Historical Background***

As originally constituted in 1951, the council was a standing committee of the legislature and was composed of nine members. The lieutenant governor, as president of the senate, and the speaker of the house of representatives were automatic members. The remaining seven members were appointed by the president of the senate and the speaker of the house: three from the senate and four from the house. Not more than two members appointed from each house could belong to the same political party. Senate members served for four years and house members for two years.

In 1955, the membership of the council was increased to 13, providing for two additional members from each chamber. The 1955 amendment also revised the bipartisan requirement to give political parties the same proportionate representation on the council that prevailed in each chamber.

The council was made a permanent joint interim committee in 1957. The lieutenant governor was removed as a member and replaced by the president pro tempore of the senate. The appointing authority was changed to conform with the rules by which standing committees of the respective houses are appointed. The terms of all members were set at two years.

In 1978, the membership was increased to 16 members consisting of equal representation from each chamber and, as stated above, procedures were established for selection of minority members. Changes in voting procedures were also made whereby no

action could be taken by the council if a majority of the total membership from either house rejected the action.

### ***Duties***

The duties of the legislative council range in scope from directing the staff of the LCS to exercising the exclusive control of the buildings and grounds of the state capitol and state library.

Specifically, the duties of the legislative council set out in the law are as follows:

2-3-3. LEGISLATIVE COUNCIL--POWERS--DUTIES.--It shall be the duty of the legislative council:

A. to adopt rules and regulations for the administration of this act in the conduct of the affairs of the council service;

B. to formulate policies for the operation and conduct of the business of the council service, and generally to supervise all of the activities of such council service;

C. to carry out the purposes of the council service as hereafter set forth;

D. to create committees of legislators to study major problems during the periods when the legislature is not in session; provided that:

(1) no member of the council shall serve as an officer or voting member on an interim committee appointed or created by the council;

(2) all committees created by the council shall terminate on or before December 1 of the year in which they are created, unless the council subsequently extends the life of the committee for not more than one month;

(3) the minority party shall be represented on all council-created committees in the proportion the minority party is represented in each house;

(4) the relationship of the size of the house and senate shall be taken into consideration in determining the number of members from each house appointed to an interim committee created by the council; and

(5) members shall be appointed to council-created committees by the same appointing authorities that appointed the council

members from each house, and subject to the same recommendations. The council shall name committee officers from among the committee members so appointed;

E. to adopt rules of procedure for all committees created by the council, including a rule that no action shall be taken by the committee if a majority of the total membership from either house on the committee rejects such action; provided that no member of the legislature shall ever be excluded from any meeting of any committee appointed by the council; and

F. to refrain from advocating or opposing the introduction or passage of legislation.

2-3-4. CONTROL OF BUILDING HOUSING LEGISLATURE, ADJACENT UTILITY PLANT AND SURROUNDING GROUNDS.--Notwithstanding the provisions of Chapter 6, Articles 1 and 2, New Mexico Statutes Annotated, 1953 Compilation, the exclusive control, care, custody and maintenance of the building in which the legislature is housed, the adjacent utilities plant and the surrounding grounds are transferred from the capitol buildings improvement commission, and the capitol custodian commission, to the legislative council.

2-3-6. CONTROL OF STATE LIBRARY BUILDING AND SURROUNDING GROUNDS.--Notwithstanding the provisions of Chapter 6, Article 1, NMSA 1953, the exclusive control for the care, custody and maintenance of the building in which the state library is housed, and the surrounding grounds, are [is] transferred from the capitol custodian commission to the legislative council.

In addition, the members of the legislative council serve as ex-officio members of the commission on intergovernmental cooperation. The duties of the commission are set out in Section 11-2-2 NMSA 1978 as follows:

A. to carry forward the participation of this state as a member of the council of state governments;

B. to encourage and assist the legislative, executive, administrative and judicial officials and employees of this state to develop and maintain friendly contact by correspondence, by conference and otherwise, with

officials and employees of the other states, of the federal government and of local units of government;

C. to endeavor to advance cooperation between this state and other units of government whenever it seems advisable to do so by formulating proposals for, and by facilitating:

- (1) the adoption of compacts;
- (2) the enactment of uniform or reciprocal statutes;
- (3) the adoption of uniform or reciprocal administrative rules and regulations;
- (4) the informal cooperation of governmental offices with one another;
- (5) the personal cooperation of governmental officials and employees with one another, individually;
- (6) the interchange and clearance of research and information; and
- (7) any other suitable process;

D. in short, to do all such acts as will, in the opinion of this commission, enable this state to do its part or more than its part in forming a more perfect union among the various governments in the United States and in developing the council of state governments for that purpose.

### ***Policy Changes***

The legislative council adopted two policy changes during the 2004-2006 biennium.

At its January 17, 2005 meeting, the council adopted a new policy regarding leadership staff that codifies practices that were already in place and outlines procedures to be followed in the event of a vacancy in a leadership office. Established as Policy 22, it reads as follows.

#### **22. LEADERSHIP STAFF.--**

A. The leadership of the house and the senate are authorized to employ staff to assist them in their duties as leaders, subject to sufficient funds being appropriated for this purpose. The speaker of the house, president pro tempore of the senate, and the majority and minority leaders and whips of the house and the senate shall cooperate in adopting staffing patterns and budgets for their respective offices based upon the appropriations enacted for this purpose.

Leadership staff are employees of the chamber of which their leader is a member, but each works at the pleasure of, the direction of and under the supervision of the respective leader.

B. The administrative policies and procedures applicable to the director and employees of the legislative council service, including leave policies, are applicable to leadership staff. Leadership staff shall be provided with suitable office space and related facilities and services at the state capitol, including the use of the reception desk at the legislative council service as a message center and other services to facilitate the day-to-day coordination of activity and communication between leadership staff and their respective leaders. Administrative support for leadership staff in the form of assistance with payroll matters, employee benefits, accrual of leave and similar matters shall be provided by the legislative council service.

C. If the office of the speaker, the office of the president pro tempore or a majority or minority leadership office becomes vacant for any reason, the respective chief clerk shall be responsible for supervising and directing the work of the affected leadership staff until the vacancy is filled. In assuming the duties and responsibilities to direct and supervise leadership staff, the chief clerk shall take into account the needs of the body and the affected caucus for continuity in staff assistance.

At its May 9, 2005 meeting, the council corrected Policy 5 regarding per diem payments to legislators in response to Senate Bill 839 of the 2005 regular session. The revised policy, which allows an extra day of per diem for legislators who travel 100 miles or more on the day of an interim committee meeting, reads as follows.

5. PER DIEM AND MILEAGE.--Per diem and mileage for approved travel or service in the interim that is required by the legislative council shall be in the amounts provided by law. Per diem shall be paid on a calendar day basis and shall be paid for each day of meeting and necessary travel for in-state meetings and for each day of meeting and necessary travel for out-of-state meetings. A legislator who travels to a location one hundred or more miles from the legislator's point of departure on the same day of the meeting and who claims per diem only for days of the meeting shall be entitled to one

additional day of per diem. Only one legislator shall receive mileage reimbursement for each mile traveled in a privately owned vehicle or airplane. Staff travel shall be as provided for other state employees except that as long as the law so provides, out-of-state travel will not require gubernatorial approval.

Without establishing a new policy for the practice, members of the council voted at its June 29, 2005 meeting to allow interim committee chairs, on approval from the co-chairs of the council, to attend meetings of other interim committees when the committees have overlapping agenda items.

## **PERMANENT INTERIM COMMITTEES**





# Legislative Education Study Committee

2005, 2006

The legislative education study committee (LESC) was originally created in 1965, and members are appointed pursuant to the statutory authority contained in Section 2-10-1 NMSA 1978.

As a permanent interim committee of the legislature, the LESC conducts a continuing study of all education in New Mexico, the laws governing such education and the policies and costs of the New Mexico educational system. It publishes a separate report of its work, findings and recommendations.

<i>LESC Membership 2005</i>	<i>LESC Membership 2006</i>
<i>voting</i>	<i>voting</i>
Sen. Cynthia Nava, Chair, Las Cruces	Sen. Cynthia Nava, Chair, Las Cruces
Rep. Rick Miera, Vice Chair, Albuquerque	Rep. Rick Miera, Vice Chair, Albuquerque
Rep. Joni Marie Gutierrez, Mesilla	Rep. Joni Marie Gutierrez, Mesilla
Rep. Dianne Miller Hamilton, Silver City	Rep. Dianne Miller Hamilton, Silver City
Sen. Gay G. Kernan, Hobbs	Sen. Gay G. Kernan, Hobbs
Sen. Mary Kay Papen, Las Cruces	Sen. Mary Kay Papen, Las Cruces
Sen. William E. Sharer, Farmington	Sen. William E. Sharer, Farmington
Rep. Mimi Stewart, Albuquerque	Rep. Mimi Stewart, Albuquerque
Rep. Thomas E. Swisstack, Rio Rancho	Rep. Thomas E. Swisstack, Rio Rancho
Rep. W. C. "Dub" Williams, Glencoe	Rep. W. C. "Dub" Williams, Glencoe
<i>advisory</i>	<i>advisory</i>
Sen. Vernon D. Asbill, Carlsbad	Sen. Vernon D. Asbill, Carlsbad
Rep. Ray Begaye, Shiprock	Rep. Ray Begaye, Shiprock
Sen. Mark Boitano, Albuquerque	Sen. Mark Boitano, Albuquerque
Rep. William "Ed" Boykin, Las Cruces	Rep. William "Ed" Boykin, Las Cruces
Sen. Carlos R. Cisneros, Questa	Sen. Carlos R. Cisneros, Questa
Rep. Kandy Cordova, Belen	Rep. Kandy Cordova, Belen
Sen. Dianna J. Duran, Tularosa	Sen. Dianna J. Duran, Tularosa
Sen. Mary Jane M. Garcia, Dona Ana	Sen. Mary Jane M. Garcia, Dona Ana
Rep. Roberto "Bobby" J. Gonzales, Taos	Rep. Roberto "Bobby" J. Gonzales, Taos
Rep. Jimmie C. Hall, Albuquerque	Rep. Jimmie C. Hall, Albuquerque
Rep. John A. Heaton, Carlsbad	Rep. John A. Heaton, Carlsbad
Sen. John Pinto, Tohatchi	Sen. John Pinto, Tohatchi
Rep. Harriet I. Ruiz, Albuquerque	Rep. Harriet I. Ruiz, Albuquerque
Rep. Sheryl Williams Stapleton, Albuquerque	Rep. Sheryl Williams Stapleton, Albuquerque
Sen. Leonard Tsosie, Crownpoint	Sen. Leonard Tsosie, Crownpoint
Rep. Richard D. Vigil, Ribera	Rep. Richard D. Vigil, Ribera
Rep. Teresa A. Zanetti, Albuquerque	Rep. Teresa A. Zanetti, Albuquerque

# Legislative Finance Committee

2005, 2006

## *LFC Membership 2005*

### *voting*

Rep. Luciano "Lucky" Varela, Chair, Santa Fe  
Sen. Joseph A. Fidel, Vice Chair, Grants  
Sen. Sue Wilson Beffort, Sandia Park  
Sen. Pete Campos, Las Vegas  
Sen. Joseph J. Carraro, Albuquerque  
Sen. Phil A. Griego, San Jose  
Sen. Timothy Z. Jennings, Roswell  
Rep. Rhonda S. King, Stanley  
Rep. Brian K. Moore, Clayton  
Sen. Leonard Lee Rawson, Las Cruces  
Rep. Henry Kiki Saavedra, Albuquerque  
Rep. Nick L. Salazar, Pueblo of San Juan  
Sen. John Arthur Smith, Deming  
Rep. Sandra L. Townsend, Aztec  
Rep. Jeannette O. Wallace, Los Alamos  
Rep. Donald L. Whitaker, Eunice

### *designees*

Sen. Rod Adair, Roswell  
Sen. Ben D. Altamirano, Silver City  
Rep. Justine Fox-Young, Albuquerque  
Sen. Mary Jane M. Garcia, Dona Ana  
Rep. Roberto "Bobby" J. Gonzales, Taos  
Sen. Clinton D. Harden, Jr., Clovis  
Rep. John A. Heaton, Carlsbad  
Sen. Stuart Ingle, Portales  
Rep. Larry A. Larrañaga, Albuquerque  
Sen. Carroll H. Leavell, Jal  
Sen. Linda M. Lopez, Albuquerque  
Rep. Antonio Lujan, Las Cruces  
Rep. Patricia A. Lundstrom, Gallup  
Rep. Terry T. Marquardt, Alamogordo  
Sen. Cisco McSorley, Albuquerque  
Sen. Mary Kay Papen, Las Cruces  
Rep. Danice Picraux, Albuquerque  
Sen. Shannon Robinson, Albuquerque  
Sen. Bernadette M. Sanchez, Albuquerque  
Rep. Edward C. Sandoval, Albuquerque  
Sen. H. Diane Snyder, Albuquerque  
Rep. Thomas C. Taylor, Farmington  
Sen. Leonard Tsosie, Crownpoint

## *LFC Membership 2006*

### *voting*

Rep. Luciano "Lucky" Varela, Chair, Santa Fe  
Sen. Joseph A. Fidel, Vice Chair, Grants  
Sen. Sue Wilson Beffort, Sandia Park  
Sen. Pete Campos, Las Vegas  
Sen. Joseph J. Carraro, Albuquerque  
Sen. Phil A. Griego, San Jose  
Sen. Timothy Z. Jennings, Roswell  
Rep. Rhonda S. King, Stanley  
Rep. Brian K. Moore, Clayton  
Sen. Leonard Lee Rawson, Las Cruces  
Rep. Henry Kiki Saavedra, Albuquerque  
Rep. Nick L. Salazar, Ohkay Owingeh  
Sen. John Arthur Smith, Deming  
Rep. Sandra L. Townsend, Aztec  
Rep. Jeannette O. Wallace, Los Alamos  
Rep. Donald L. Whitaker, Eunice

### *designees*

Sen. Rod Adair, Roswell  
Sen. Ben D. Altamirano, Silver City  
Rep. Justine Fox-Young, Albuquerque  
Sen. Mary Jane M. Garcia, Dona Ana  
Rep. Roberto "Bobby" J. Gonzales, Taos  
Sen. Clinton D. Harden, Jr., Clovis  
Rep. John A. Heaton, Carlsbad  
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Sen. Carroll H. Leavell, Jal  
Sen. Linda M. Lopez, Albuquerque  
Rep. Antonio Lujan, Las Cruces  
Rep. Patricia A. Lundstrom, Gallup  
Rep. Terry T. Marquardt, Alamogordo  
Sen. Cisco McSorley, Albuquerque  
Sen. Mary Kay Papen, Las Cruces  
Rep. Al Park, Albuquerque  
Rep. Danice Picraux, Albuquerque  
Sen. Shannon Robinson, Albuquerque  
Sen. Bernadette M. Sanchez, Albuquerque  
Rep. Edward C. Sandoval, Albuquerque  
Sen. H. Diane Snyder, Albuquerque  
Rep. Thomas C. Taylor, Farmington  
Sen. Leonard Tsosie, Crownpoint  
Rep. Richard D. Vigil, Ribera

The legislative finance committee (LFC) was established as a fiscal and management arm of the legislature in 1957. The committee makes budgetary recommendations to the legislature for funding state government, higher education and public schools and prepares legislation for such funding. The committee also proposes legislation addressing financial and management issues of state government. The LFC conducts public hearings, usually once a month during the interim, to consider its budget recommendations and to pursue current finance and management issues of state government.

As a permanent interim committee, the LFC publishes a separate biennial report of its work.



**STATUTORY AND COUNCIL-CREATED INTERIM COMMITTEES**



# Courts, Corrections and Justice Committee

2005, 2006

The courts, corrections and justice committee was created by the legislative council for the current biennium on May 9, 2005 and again on May 9, 2006.

<i>CCJ Membership 2005</i>	<i>CCJ Membership 2006</i>
<i>voting</i>	<i>voting</i>
Rep. Joseph Cervantes, Co-Chair, Las Cruces	Rep. Joseph Cervantes, Co-Chair, Las Cruces
Sen. Cisco McSorley, Co-Chair, Albuquerque	Sen. Cisco McSorley, Co-Chair, Albuquerque
Sen. Rod Adair, Roswell	Sen. Rod Adair, Roswell
Rep. Thomas A. Anderson, Albuquerque	Rep. Thomas A. Anderson, Albuquerque
Rep. Gail Chasey, Albuquerque	Rep. Gail Chasey, Albuquerque
Sen. Carroll H. Leavell, Jal	Sen. Carroll H. Leavell, Jal
Sen. Richard C. Martinez, Española	Sen. Richard C. Martinez, Española
Rep. Al Park, Albuquerque	Rep. Al Park, Albuquerque
Sen. Lidio G. Rainaldi, Gallup	Sen. Lidio G. Rainaldi, Gallup
Sen. H. Diane Snyder, Albuquerque	Sen. H. Diane Snyder, Albuquerque
Sen. Leonard Tsosie, Crownpoint	Sen. Leonard Tsosie, Crownpoint
Rep. Peter Wirth, Santa Fe	Rep. Peter Wirth, Santa Fe
Rep. Eric A. Youngberg, Albuquerque	Rep. Eric A. Youngberg, Albuquerque
<i>advisory</i>	<i>advisory</i>
Sen. Ben D. Altamirano, Silver City	Sen. Ben D. Altamirano, Silver City
Rep. Hector H. Balderas, Wagon Mound	Rep. Hector H. Balderas, Wagon Mound
Sen. Kent L. Cravens, Albuquerque	Sen. Kent L. Cravens, Albuquerque
Sen. Mary Jane M. Garcia, Dona Ana	Sen. Mary Jane M. Garcia, Dona Ana
Sen. John T.L. Grubestic, Santa Fe	Sen. John T.L. Grubestic, Santa Fe
Sen. Clinton D. Harden, Jr., Clovis	Sen. Clinton D. Harden, Jr., Clovis
Sen. Gay G. Kernan, Hobbs	Sen. Gay G. Kernan, Hobbs
Rep. W. Ken Martinez, Grants	Rep. Linda M. Lopez, Albuquerque
Sen. Gerald Ortiz y Pino, Albuquerque	Rep. W. Ken Martinez, Grants
Rep. Greg Payne, Albuquerque	Sen. Gerald Ortiz y Pino, Albuquerque
Sen. William H. Payne, Albuquerque	Sen. William H. Payne, Albuquerque
Rep. Jane E. Powdrell-Culbert, Corrales	Rep. Jane E. Powdrell-Culbert, Corrales
Sen. John C. Ryan, Albuquerque	Rep. Bill Rehm, Albuquerque
Sen. Michael S. Sanchez, Belen	Sen. John C. Ryan, Albuquerque
Rep. Sheryl Williams Stapleton, Albuquerque	Sen. Michael S. Sanchez, Belen
Rep. Mimi Stewart, Albuquerque	Rep. Sheryl Williams Stapleton, Albuquerque
Rep. Thomas E. Swisstack, Rio Rancho	Rep. Mimi Stewart, Albuquerque
Sen. James G. Taylor, Albuquerque	Rep. Thomas E. Swisstack, Rio Rancho
	Sen. James G. Taylor, Albuquerque
<i>staff</i>	<i>staff</i>
Maha Khoury	Maha Khoury
Evan Blackstone	Evan Blackstone
Jennie Lusk	Sarah Salazar
Liz Holmes	

For the 2005 interim, the committee proposed to:

A. hear presentations from the judiciary and court administrators on:

- (1) specialized courts, including drug courts and mental health courts;
- (2) domestic violence special commissioners;
- (3) mediation and alternative dispute resolution programs;
- (4) guardian ad litem issues in domestic relations cases;
- (5) provision of court and district attorney facilities by counties;
- (6) unified budget and legislative initiatives;
- (7) pre-trial pleas and the early plea program in Bernalillo county; and
- (8) the jury system and how jury members are treated;

B. examine, oversee and monitor issues related to corrections and correctional facilities as follows:

- (1) population control efforts and options for additional bed space;
- (2) treatment programs and their impact on recidivism;
- (3) opiate replacement therapy for inmates;
- (4) caseloads of probation and parole officers;
- (5) complaints of inmates and responses from institutions;
- (6) fees to counties for holding state prisoners; and
- (7) causes of rising jail and prison populations;

C. examine issues relating to criminal justice as follows:

- (1) driving under the influence of intoxicating liquor or drugs (DWI):
  - a) record-keeping problems in tracking prior DWI offenses through the motor vehicle division of the taxation and revenue department;
  - b) Albuquerque's DWI ordinance;
  - c) the information technology system in Bernalillo county to identify and lower the dismissal rate for DWI; and
  - d) ignition interlocks and those who must drive as part of their jobs;
- (2) domestic violence:
  - a) treatment of domestic violence offenders before prosecution and upon conviction;
  - b) whether treatment providers for domestic violence offenders are meeting statutory requirements;
  - c) how the domestic violence offender treatment fund is working;



- d) implementation of the domestic violence victim notification program;
  - e) whether to require an abuser to leave the house rather than the victim and children; and
  - f) costs and impact of domestic violence on transportation, housing and shelter accommodations;
- (3) fiscal year 2004 data report on the state's criminal justice system;
  - (4) financing criminal justice, including a report from the supreme court criminal justice task force;
  - (5) the use of stun or taser guns by law enforcement officers;
  - (6) truth in sentencing and updates on sentencing at the federal and state levels;
  - (7) the disparity in sentencing between powder and crack cocaine;
  - (8) the relationship between immigration and state and federal law enforcement;
  - (9) a revision of fees for public defender contracts with defense attorneys;
  - (10) the formation of a commission to oversee the public defender department; and
  - (11) the seriousness of offenders on the sex offender web site;

D. examine juvenile and youth issues as follows:

- (1) an update from the children, youth and families department on juvenile justice services, rehabilitation, treatment, community services, mental health and other juvenile and delinquency issues;
- (2) reports on community programs such as the juvenile justice continuum of services in the sixth judicial district;
- (3) meetings with youth group leaders on gangs, drugs and issues relevant to youth;
- (4) school attendance and enforcement of truancy programs;
- (5) reports from youth development, incorporated, and the metro assessment treatment service center;
- (6) an examination of gender equity issues in the juvenile system;
- (7) an examination of the need for a residential mental health treatment facility for girls, such as Sequoyah for boys;

(8) a report from the university of New Mexico (UNM) law school ombudsman program for juvenile facilities;

(9) an examination of a revision of the children's mental health and developmental disability article;

(10) an examination of the impact of methamphetamine on juveniles;  
and

(11) visits to Springer and camp sierra blanca;

E. examine the feasibility of salary increases for:

(1) juvenile and adult probation and parole officers;

(2) social workers;

(3) corrections officers;

(4) county sheriffs (minimum pay is set in statute); and

(5) state crime laboratory analysts;

F. examine whether to extend term limits for sheriffs to four consecutive terms;

G. look at improving the state crime laboratory;

H. examine the department of public safety's compensation plan;

I. look at compensation to surface landowners for damage caused by oil and gas operations;

J. review environmental standards for air and water quality, and enforcement of environmental permits, standards and regulations;

K. examine legal issues following the supreme court ruling on the medical use of cannabis;

L. receive an update on state water rights and water adjudication in southern New Mexico;

M. receive reports on payday loan legislation and election reform;

N. hear recommendations on reducing uninsured motorists among low-income populations;

O. examine whether to require notification to beneficiaries of wills and trusts before the death of the testator;

P. review legislation from the New Mexico sentencing commission and the corrections department that did not pass in the 2005 session;

Q. examine related issues as appropriate; and

R. recommend legislation or changes in existing law to the legislature.

For the 2006 interim, the committee proposed to:

- (1) hear presentations from the judiciary, including reports on operations, projects, committees, specialized courts, budget and recommended legislation;
- (2) oversee and monitor issues relating to corrections, correctional facilities, probation and parole and state and county prisoners;
- (3) examine criminal justice and public safety issues, including those relating to criminal laws and procedures, the public defender, district attorneys and law enforcement;
- (4) examine juvenile and youth issues, programs and services, including facilities, mental health and development, probation and parole and community and statewide initiatives;
- (5) study and address issues relating to the crime of identity theft;
- (6) explore the impact of the federal Real ID Act of 2005;
- (7) review recommendations from the governor's task force on ethics reform and ethics reform legislation;
- (8) examine separation of powers issues in payday loan regulation;
- (9) look at problems with title insurance;
- (10) examine related issues as appropriate; and
- (11) recommend legislation or changes in existing law to the legislature.

## **Economic and Rural Development and Telecommunications Committee 2005, 2006**

The legislative council has appointed an interim committee to explore some combination of economic development, rural development and telecommunications issues within the state for over a decade. The current committee addressing these issues, the economic and rural development and telecommunications committee, has evolved from its initial assignment in the early 1990s as expressed in its name at that time: the science, technology, energy and defense conversion committee. Effects from the closure of Walker air force base in Roswell in the 1960s were still being felt, and there were fears that New Mexico could experience additional significant losses of federal installations. There was also frustration over the migration of Microsoft to Seattle and New Mexico's apparent inability to exploit the presence of its national laboratories, which were spinning off small high-tech startups that would move to California or Washington and not create jobs and tax revenues in New Mexico.

*ERDT Membership  
2005*

*voting*

Sen. Bernadette M. Sanchez, Chair, Albuquerque  
Rep. Mary Helen Garcia, Vice Chair, Las Cruces  
Rep. Hector H. Balderas, Wagon Mound  
Rep. Jose A. Campos, Santa Rosa  
Rep. Daniel R. Foley, Roswell  
Sen. Mary Jane M. Garcia, Dona Ana  
Rep. Dianne Miller Hamilton, Silver City  
Sen. Clinton D. Harden, Jr., Clovis  
Sen. Carroll H. Leavell, Jal  
Rep. Patricia A. Lundstrom, Gallup  
Sen. Richard C. Martinez, Española  
Rep. Kathy A. McCoy, Cedar Crest  
Rep. Andy Nuñez, Hatch  
Sen. John Pinto, Tohatchi  
Sen. William E. Sharer, Farmington  
Sen. Leonard Tsosie, Crownpoint

*advisory*

Sen. Ben D. Altamirano, Silver City  
Rep. William "Ed" Boykin, Las Cruces  
Rep. Ernest H. Chavez, Albuquerque  
Sen. Dianna J. Duran, Tularosa  
Sen. Phil A. Griego, San Jose  
Rep. John A. Heaton, Carlsbad  
Rep. Ted Hobbs, Albuquerque  
Sen. Stuart Ingle, Portales  
Sen. Timothy Z. Jennings, Roswell  
Sen. Steven P. Neville, Aztec  
Rep. Al Park, Albuquerque  
Sen. Lidio G. Rainaldi, Gallup  
Rep. Debbie A. Rodella, Pueblo of San Juan  
Rep. Harriet I. Ruiz, Albuquerque  
Sen. John C. Ryan, Albuquerque  
Rep. Richard D. Vigil, Ribera

*staff*

Lisa Barsumian  
Gordon Meeks  
Larry Matlock

*ERDT Membership  
2006*

*voting*

Rep. Mary Helen Garcia, Chair, Las Cruces  
Sen. Bernadette M. Sanchez, Vice Chair,  
Albuquerque  
Rep. Hector H. Balderas, Wagon Mound  
Rep. Jose A. Campos, Santa Rosa  
Rep. Daniel R. Foley, Roswell  
Sen. Mary Jane M. Garcia, Dona Ana  
Rep. Dianne Miller Hamilton, Silver City  
Sen. Clinton D. Harden, Jr., Clovis  
Sen. Carroll H. Leavell, Jal  
Rep. Patricia A. Lundstrom, Gallup  
Sen. Richard C. Martinez, Española  
Rep. Kathy A. McCoy, Cedar Crest  
Rep. Andy Nuñez, Hatch  
Sen. John Pinto, Tohatchi  
Sen. William E. Sharer, Farmington  
Sen. Leonard Tsosie, Crownpoint

*advisory*

Rep. Ernest H. Chavez, Albuquerque  
Sen. Dianna J. Duran, Tularosa  
Sen. Phil A. Griego, San Jose  
Rep. John A. Heaton, Carlsbad  
Rep. Ted Hobbs, Albuquerque  
Sen. Stuart Ingle, Portales  
Sen. Timothy Z. Jennings, Roswell  
Sen. Steven P. Neville, Aztec  
Rep. Al Park, Albuquerque  
Sen. Lidio G. Rainaldi, Gallup  
Sen. Shannon Robinson, Albuquerque  
Rep. Debbie A. Rodella, Ohkay Owingeh  
Rep. Harriet I. Ruiz, Albuquerque  
Sen. John C. Ryan, Albuquerque  
Rep. Richard D. Vigil, Ribera

*staff*

Chase Van Gorder  
Gordon Meeks  
Kate Ferlic  
Larry Matlock

As the committee began to focus on concepts such as technology transfer activities, which tend to be concentrated in urban areas, concerned residents in rural areas of the state began to push for a committee to address rural development issues. In response, the legislative council added rural development to the committee's topics, changing its name accordingly. When the internet began to emerge simultaneously with significant changes in telephone

service, telecommunications was added to the committee's scope of work as well. Finally, without being adding to its already-cumbersome name, space development has also become a part of the committee's scope, in part because of the presence of White Sands missile range and the threat in the early 1990s that the role of White Sands might be diminished if new missions were not forthcoming and also because space may be a significant force in New Mexico's future economy.

For the current biennium, the council created the economic and rural development and telecommunications committee on May 9, 2005 and again on May 9, 2006.

During the 2005 interim, the committee proposed to address:

- (1) the status of economic development programs and activities of the economic development department;
- (2) creation of the technology research consortium at the New Mexico institute of mining and technology pursuant to Senate Bill 169 passed in 2005;
- (3) economic development issues in the Raton and Las Vegas areas;
- (4) activities of the tourism department and their impact on economic development;
- (5) economic development issues facing electric utilities;
- (6) international trade; and
- (7) other relevant issues that may be brought before the committee.

In addition, the legislative council requested that the committee consider addressing the recommended closing of Cannon air force base in Clovis.

The committee proposed to explore and discuss the following topics during the 2006 interim:

- (1) the availability of high-speed internet access throughout the state, including discussions of the governor's "Wire New Mexico" program and the status of the rural extension fund;
- (2) stimulation of small business entrepreneurship, including art trails and main street programs;
- (3) expansion of the role of colleges and universities in economic development within their respective regions, including review of business school programs, such as the Arrowhead center at New Mexico state university, and the status of small business development centers;
- (4) regulation of the payday lending industry;
- (5) effectiveness of tax incentive policies;

- (6) Governor Richardson's road improvement projects, or GRIP;
- (7) energy issues, including adequacy of the transmission line network and alternative energy opportunities;
- (8) obstacles to business development, including testimony from the department of environment (NMED), the construction industries division of the regulation and licensing department and the oil conservation division of the energy, minerals and natural resources department; and
- (9) the status of the economic partnership program, budget and needs.

## **Indian Affairs Committee**

*2005, 2006*

The Indian affairs committee has existed since 1989 as a result of post-session action by the legislative council each year. It was created by the legislative council for the current biennium on May 9, 2005 and again on May 9, 2006.

In view of the fact that the committee's work addresses issues relating principally to New Mexico's Native American population, the committee strives to conduct its meetings in locations that are accessible to the state's tribal members and their leaders. The committee views its meetings as an essential way of relating the work of the legislature to this segment of its constituency.

During the 2005 interim, the committee proposed meetings at the Jicarilla Apache Nation, the Mescalero Apache Tribe, five chapters of the Navajo Nation and four of the pueblos, addressing the following topics:

- (1) education for Native American students, including implementation of current laws; the Indian education division in the public education department; teaching Native American languages and cultures; lottery scholarships at tribal colleges; and defining "rural school districts";

- (2) health care in Native American communities, including school-based health clinics; the status of Indian health service facilities and staffing; so-called "638" contracts where tribal entities administer health funds themselves; the extent and treatment of problems with illegal drugs; and suicide prevention;

- (3) the relationship among the state, the Navajo Nation and the federal bureau of Indian affairs, including concern with maintenance of roads and the impact on rural

*IAC Membership  
2005*

*voting*

Rep. James Roger Madalena, Co-Chair,  
Pueblo of Jemez  
Sen. John Pinto, Co-Chair, Tohatchi  
Sen. Rod Adair, Roswell  
Rep. Ray Begaye, Shiprock  
Sen. Dianna J. Duran, Tularosa  
Rep. Irvin Harrison, Gallup  
Rep. Manuel G. Herrera, Bayard  
Rep. Patricia A. Lundstrom, Gallup  
Sen. Lidio G. Rainaldi, Gallup  
Sen. Nancy Rodriguez, Santa Fe  
Sen. John C. Ryan, Albuquerque  
Rep. Don L. Tripp, Socorro  
Sen. Leonard Tsosie, Crownpoint  
Rep. W. C. "Dub" Williams, Glencoe  
Rep. Teresa A. Zanetti, Albuquerque

*advisory*

Sen. Ben D. Altamirano, Silver City  
Sen. Joseph J. Carraro, Albuquerque  
Rep. Ben Lujan, Santa Fe  
Rep. Fred Luna, Los Lunas  
Sen. Richard C. Martinez, Española  
Rep. Debbie A. Rodella, Pueblo of San Juan  
Rep. Nick L. Salazar, Pueblo of San Juan  
Sen. William E. Sharer, Farmington  
Rep. Gloria C. Vaughn, Alamogordo  
Rep. Avon W. Wilson, Roswell

*staff*

Chase Van Gorder  
Jennie Lusk  
Larry Matlock

*IAC Membership  
2006*

*voting*

Rep. James Roger Madalena, Co-Chair,  
Pueblo of Jemez  
Sen. John Pinto, Co-Chair, Tohatchi  
Sen. Rod Adair, Roswell  
Rep. Ray Begaye, Shiprock  
Sen. Dianna J. Duran, Tularosa  
Rep. Irvin Harrison, Gallup  
Rep. Manuel G. Herrera, Bayard  
Rep. Patricia A. Lundstrom, Gallup  
Sen. Lidio G. Rainaldi, Gallup  
Sen. Nancy Rodriguez, Santa Fe  
Sen. John C. Ryan, Albuquerque  
Rep. Don L. Tripp, Socorro  
Sen. Leonard Tsosie, Crownpoint  
Rep. W. C. "Dub" Williams, Glencoe  
Rep. Teresa A. Zanetti, Albuquerque

*advisory*

Sen. Ben D. Altamirano, Silver City  
Sen. Joseph J. Carraro, Albuquerque  
Rep. Ben Lujan, Santa Fe  
Sen. Richard C. Martinez, Española  
Rep. Debbie A. Rodella, Ohkay Owingeh  
Rep. Nick L. Salazar, Ohkay Owingeh  
Sen. William E. Sharer, Farmington  
Rep. Gloria C. Vaughn, Alamogordo

*staff*

Chase Van Gorder  
Kate Ferlic  
Ed Mazel  
Larry Matlock

transportation;

(4) revenue and taxation issues in Indian country;

(5) the status of funding of temporary assistance to needy families (TANF)

programs for tribal entities, including the Navajo Nation and Pueblo of Zuni;

(6) assistance programs for New Mexico veterans and members of the military services, including homeless veterans and Native American veterans;

(7) Native American art, the authenticity of Native American handicrafts and enforcement of existing federal and state laws;

(8) voting and elections in Native American communities, including meeting

with bureau of election directors and Native American voting coordinators in counties that are subject to consent decrees;

(9) law enforcement issues in Native American communities and the so-called "checkerboard area", including selective DWI enforcement; the status of projects being undertaken by the Native American domestic violence coalition, including the domestic violence initiative; and the involvement of tribal entities in homeland security; and

(10) capital outlay, including tracking through the Indian affairs department of the expenditure of allocated funds; streamlining, planning and assessing projects; coordination with the Navajo Nation; and implementation of the Tribal Infrastructure Act.

For the 2006 interim, in addition to meetings in Santa Fe, Albuquerque and Gallup, the committee proposed meetings at the Mescalero Apache Tribe, four chapters of the Navajo Nation and six of the pueblos, addressing the following topics:

(1) certification of the authenticity of Native American art and handicrafts and enforcement of existing federal and state laws relating to the sale of Native American arts and crafts;

(2) capital outlay, including tracking the expenditure of allocated funds, coordination with the Navajo Nation and implementation of the Tribal Infrastructure Act;

(3) implementation of the Indian Education Act, the status of the Indian education division of the public education department, teaching Native American languages and cultures, scholarships at tribal colleges and student retention at post-secondary schools;

(4) health care in Native American communities, including urban and school-based health clinics and the status of Indian health service facilities and staffing;

(5) the relationship among the state, tribal entities and the federal bureau of Indian affairs regarding the improvement and maintenance of rural roads and rural transportation;

(6) providing for the cultural and religious needs of Native Americans incarcerated in New Mexico;

(7) regulation of the payday lending industry;

(8) civil rights issues affecting Native Americans;

(9) tribal involvement in homeland security;

(10) off-reservation gaming by tribal entities; and

(11) identification requirements for Native American voters.



# Information Technology Oversight Committee

2005, 2006

<i>ITOC Membership 2005</i>	<i>ITOC Membership 2006</i>
<i>voting</i> Rep. Debbie A. Rodella, Chair, Pueblo of San Juan Sen. John Arthur Smith, Vice Chair, Deming Rep. Janice E. Arnold-Jones, Albuquerque Sen. Vernon D. Asbill, Carlsbad Sen. Linda M. Lopez, Albuquerque Sen. Richard C. Martinez, Española Sen. William H. Payne, Albuquerque Rep. Thomas C. Taylor, Farmington Rep. Luciano "Lucky" Varela, Santa Fe Rep. Richard D. Vigil, Ribera	<i>voting</i> Sen. John Arthur Smith, Chair, Deming Rep. Debbie A. Rodella, Vice Chair, Ohkay Owingeh Rep. Janice E. Arnold-Jones, Albuquerque Sen. Vernon D. Asbill, Carlsbad Sen. Linda M. Lopez, Albuquerque Sen. Richard C. Martinez, Española Sen. William H. Payne, Albuquerque Rep. Thomas C. Taylor, Farmington Rep. Luciano "Lucky" Varela, Santa Fe Rep. Richard D. Vigil, Ribera
<i>advisory</i> Sen. Rod Adair, Roswell Sen. Mark Boitano, Albuquerque Sen. Pete Campos, Las Vegas Rep. Richard P. Cheney, Farmington Sen. Carlos R. Cisneros, Questa Rep. Justine Fox-Young, Albuquerque Sen. Phil A. Griego, San Jose Rep. Ted Hobbs, Albuquerque Sen. Gerald Ortiz y Pino, Albuquerque Rep. Jeannette O. Wallace, Los Alamos	<i>advisory</i> Sen. Rod Adair, Roswell Rep. Hector H. Balderas, Wagon Mound Sen. Mark Boitano, Albuquerque Sen. Pete Campos, Las Vegas Rep. Richard P. Cheney, Farmington Sen. Carlos R. Cisneros, Questa Rep. Justine Fox-Young, Albuquerque Sen. Phil A. Griego, San Jose Rep. Ted Hobbs, Albuquerque Sen. Gerald Ortiz y Pino, Albuquerque Rep. Jeannette O. Wallace, Los Alamos
<i>staff</i> Raúl Burciaga Amy Chavez Kathleen Dexter	<i>staff</i> Raúl Burciaga Ralph Vincent Cristina Martinez

When it was initially created in 1999 with the enactment of the Information Technology (IT) Management Act, the information technology oversight committee (ITOC) was statutorily charged with specific duties relating to the oversight of the state's IT initiatives. Though the act stated that the committee would function only until December 1 prior to the first session of the forty-seventh legislature, the legislative council re-created the committee for both the 2005 and 2006 interims in order that it might continue its work overseeing the vast array of IT systems throughout state government, their potential and limitations and their costs — costs that are no longer buried in agency budgets but are closely scrutinized by LFC, the IT commission and

ITOC. The committee was created for the current biennium on May 9, 2005 and again on May 9, 2006.

For the 2005 interim, the committee proposed to review the status or feasibility of the following items:

(1) security — review of enterprise security; business continuity (i.e., disaster recovery); identity management; cybersecurity; privacy and homeland security in light of the extensive use of IT for communication, access and information; and other interfaces with and among state agencies, the federal government and the public;

(2) statewide projects — review of the status and costs of the statewide human resources accounting and reporting system (SHARE), a common software solution for the state's accounting, human resources and purchasing systems; MAGNet, a single statewide, centralized telecommunications network and backbone for state government; MAGPortal, a statewide electronic government portal to provide information and services to residents and state employees; email consolidation; other enterprise-wide projects; and other individual agency IT initiatives, including web sites, user interface and demonstration projects;

(3) IT asset management — review of efforts by the office of the chief information officer and the IT commission to develop a statewide inventory of hardware and software for management, cost, security and licensing protections;

(4) rural area IT infrastructure — assessment of rural area needs and efforts by the state to ensure access to IT resources in rural areas;

(5) status reports — monthly reports from the chief information officer, the IT commission chair and the LFC IT performance auditor on the status of IT initiatives, with a particular focus on which projects are making progress and which ones are problematic, and corrective action to resolve the latter;

(6) IT in education — review of IT initiatives at both public schools and post-secondary educational institutions and their respective infrastructures, including updates from the public education department and the higher education department;

(7) legislative IT initiatives — review of the legislative information system strategic plan, including status reports on legislative projects such as wireless access in the capitol; and

(8) IT legislation — review of past legislation and consideration of legislation for the next session.

During the 2006 interim, the committee proposed to address a broad range of topics within its statutory charge, with three basic focus areas:

- A. status of the state's enterprise-wide IT initiatives, including:
  - (1) SHARE, which was scheduled to go live on July 1, 2006;
  - (2) the email consolidation implemented in May 2005;
  - (3) IT enterprise-wide consolidation, including various initiatives under way;
  - (4) E-911;
  - (5) MAGPortal and MAGNet;
  - (6) the student teacher accountability reporting system;
  - (7) pension systems, including the public employees retirement association's retirement information online and the educational retirement board's integrated retirement information system; and
  - (8) monthly updates by the office of the chief information officer, the chair of the IT commission and LFC;
- B. privacy and security of state government IT systems, including:
  - (1) the geographic information system and global positioning system;
  - (2) public health IT preparedness;
  - (3) the wire New Mexico project;
  - (4) identity, security and cybersecurity; and
  - (5) state records and archives; and
- C. an asset management tool for the executive branch, including:
  - (1) a review of efforts by the office of the chief information officer and the IT commission to develop a statewide inventory of hardware and software; and
  - (2) asset management oversight, cost, security and licensing protections.

Additional topics that the committee proposed to address included:

- (1) higher education department IT initiatives;
- (2) public education department IT initiatives;
- (3) secretary of state web-based information and applications;
- (4) the labor department's unemployment insurance system;
- (5) private-sector economic development in rural New Mexico;
- (6) an IT strategic plan;
- (7) a qualifications review for the chief information officer;
- (8) IT contracts review; and
- (9) IT funding requests.

*IPOC Membership  
2006*

*legislative*

Rep. John A. Heaton, Chair, Carlsbad  
Sen. John Arthur Smith, Vice Chair, Deming  
Rep. Donald E. Bratton, Hobbs  
Sen. Pete Campos, Las Vegas  
Sen. Joseph J. Carraro, Albuquerque  
Sen. Carlos R. Cisneros, Questa  
Sen. Joseph A. Fidel, Grants  
Rep. Justine Fox-Young, Albuquerque  
Rep. Miguel P. Garcia, Albuquerque  
Sen. Phil A. Griego, San Jose  
Sen. Stuart Ingle, Portales  
Rep. Larry A. Larrañaga, Albuquerque  
Sen. Carroll H. Leavell, Jal  
Rep. Patricia A. Lundstrom, Gallup  
Rep. Kathy A. McCoy, Cedar Crest  
Sen. Leonard Lee Rawson, Las Cruces  
Rep. Henry Kiki Saavedra, Albuquerque  
Sen. H. Diane Snyder, Albuquerque  
Rep. Joe M Stell, Carlsbad  
Rep. Luciano "Lucky" Varela, Santa Fe

*public*

Gary Bland  
Douglas Brown  
Frank Foy  
Robert Gish  
Olivia Padilla-Jackson

*staff*

Cleo Griffith  
Doug Williams  
Doris Faust  
Liz Holmes

## **Investments and Pensions Oversight Committee**

**2006**

The investments and pensions oversight committee was created by the legislative council on June 28, 2006 as the successor to the state permanent fund task force, which worked during the 2004 and 2005 interims to oversee investment of the state's permanent funds. The task force was created in recognition of the fact that the land grant and severance tax permanent funds are an integral and necessary ingredient for the future prosperity of New Mexico's citizens and because the actuarial soundness of the retirement funds is absolutely necessary in order to maintain a healthy work environment in the public sector. Moreover, passage of Senate Bill 181 of the 2005 regular legislative session focused attention on the unfunded liability of the educational retirement board and the need for the task force to explore strategies to guarantee the ability of the public pension funds to meet statutory obligations.

The committee followed through with the mission of the original task force; however, issues surrounding management of the state treasurer's office focused new attention on internal controls, integrity and conflict of interest associated with the investment of public funds. The focus for the body was broadened to include oversight of various governmental entities in regard to investment policies and practices, reporting procedures and benchmarks, alternative investment opportunities, including oil and gas hedging, and the actuarial condition of the state's retirement funds.

During the 2006 interim, the committee proposed to:

(1) monitor the investment and financial management practices used by the state investment council, state board of finance, state treasurer, public employees retirement association and educational retirement board with respect to all public funds, including

permanent funds and retirement funds;

(2) undertake a continuing analysis of the financial and actuarial status of the retirement systems of the public employees retirement association and the educational retirement board;

(3) develop recommendations as appropriate to improve state investment practices and ensure the financial and actuarial soundness of the retirement funds;

(4) refer matters needing further attention to the appropriate public official, agency or oversight board;

(5) review proposed legislation affecting state investment practices, the permanent funds or the retirement funds prior to the legislative session in which the legislation will be introduced; and

(6) report to the legislature prior to the start of each regular legislative session any recommendations that the committee may have for legislative action.

## **Land Grant Committee**

*2005, 2006*

The land grant committee was originally created by statute for the 2003 interim and directed to study and propose changes to the state's laws regarding land grants; hear testimony from land grant heirs, state agencies and other groups on issues concerning land grants; and work in conjunction with the Guadalupe Hidalgo task force. The committee was renewed as a council-created committee in 2004 and, for the current biennium, was created by the legislative council on May 9, 2005 and on May 9, 2006.

The committee proposed to consider the following issues and topics during the 2005 interim and to develop appropriate legislation for the 2006 legislative session:

(1) the capital outlay process and fiscal management requirements for community land grants that qualify as political subdivisions of the state;

(2) the status of the newly created New Mexico community land grant registry;

(3) the process whereby a community land grant may convert from a specific governing statute to the general statutes;

(4) restoration of inactive community land grants-mercedes;

(5) creation of a Spanish-Mexican land grant permanent fund and federal legislation implementing recommendations of the federal general accounting office (GAO)

*LGC Membership  
2005*

*voting*

Rep. Miguel P. Garcia, Chair, Albuquerque  
Sen. Bernadette M. Sanchez, Vice Chair,  
Albuquerque  
Sen. Rod Adair, Roswell  
Sen. Joseph J. Carraro, Albuquerque  
Rep. Justine Fox-Young, Albuquerque  
Rep. Jimmie C. Hall, Albuquerque  
Rep. Manuel G. Herrera, Bayard  
Sen. Richard C. Martinez, Española  
Sen. Gerald Ortiz y Pino, Albuquerque  
Rep. Debbie A. Rodella, Pueblo of San Juan

*advisory*

Rep. Hector H. Balderas, Wagon Mound  
Sen. Carlos R. Cisneros, Questa  
Sen. Phil A. Griego, San Jose  
Rep. Ben Lujan, Santa Fe  
Sen. William E. Sharer, Farmington  
Sen. Leonard Tsosie, Crownpoint  
Rep. Eric A. Youngberg, Albuquerque

*staff*

Jon Boller  
Maha Khoury  
Sheila Manzagol

*LGC Membership  
2006*

*voting*

Sen. Bernadette M. Sanchez, Chair, Albuquerque  
Rep. Miguel P. Garcia, Vice Chair, Albuquerque  
Sen. Rod Adair, Roswell  
Sen. Joseph J. Carraro, Albuquerque  
Rep. Justine Fox-Young, Albuquerque  
Rep. Jimmie C. Hall, Albuquerque  
Rep. Manuel G. Herrera, Bayard  
Sen. Richard C. Martinez, Española  
Sen. Gerald Ortiz y Pino, Albuquerque  
Rep. Debbie A. Rodella, Ohkay Owingeh

*advisory*

Rep. Hector H. Balderas, Wagon Mound  
Sen. Carlos R. Cisneros, Questa  
Sen. Phil A. Griego, San Jose  
Rep. Ben Lujan, Santa Fe  
Sen. William E. Sharer, Farmington  
Sen. Leonard Tsosie, Crownpoint  
Rep. Eric A. Youngberg, Albuquerque

*staff*

Jon Boller  
Kate Ferlic  
Sheila Manzagol

report on community land grant claims in New Mexico;

- (6) operation of community land grants as corporations;
- (7) community development block grants for community land grants;
- (8) economic development issues, including energy production, water and recreation projects;
- (9) the purpose and mission of the Guadalupe Hidalgo treaty division of the office of the attorney general; and
- (10) state promotion of food crop exports to Cuba.

For the 2006 interim, the committee proposed to focus its hearings on:

- (1) the role of council of government regions in administering community and economic development planning for community land grants;
- (2) consideration of amending the statutes of land grants governed by specific statutes to reflect the provisions of Chapter 49, Article 1 NMSA 1978 and allowing land grants governed by Chapter 49, Article 2 NMSA 1978 to vote to be governed by Chapter 49, Article 1

NMSA 1978 provisions;

- (3) community development block grants for community land grants that are governed as political subdivisions of the state;
- (4) review of the Guadalupe Hidalgo treaty division, the funding of the division as part of the base budget of the office of the attorney general and the attorney general's response to the 2004 GAO report on community land grants;
- (5) the property tax division's administration of delinquent tax sales of land located within the boundaries of community land grants;
- (6) the purchase of insurance from the risk management division by boards of trustees;
- (7) continuing the funding of the title search of state-owned land that was formerly community land grant land by the state commission of public records; and
- (8) the establishment of a land grant legal studies program at the UNM school of law.

## **Legislative Health and Human Services Committee**

*2005, 2006*

Section 2-13-1 NMSA 1978, which creates the interim legislative health and human services committee, directs the committee to conduct "a continuing study of the programs, agencies, policies, issues and needs relating to health and human services".

In keeping with this responsibility, the committee proposed for the 2005 interim to:

- (1) direct the continuation of the health care financing study started by the passage of House Bill 955 in the 2003 regular legislative session in an effort to provide the legislature with an annual or biennial fiscal report on the status of health care expenditures in New Mexico as a guide in making both policy and appropriations decisions;
- (2) hear testimony on the medicaid program to learn what measures are being taken by the human services department to hold or lower costs and what programs are most likely to be cut if benefits or reimbursements must be reduced;
- (3) using the tool of the health care financing comprehensive study, review several laws and programs aimed at reducing the state's uninsured population, including the state coverage initiative program, which is intended to help small employers and their employees obtain health coverage;

*LHHS Membership  
2005*

*voting*

Rep. Danice Picraux, Chair, Albuquerque  
Sen. Dede Feldman, Vice Chair, Albuquerque  
Sen. Rod Adair, Roswell  
Rep. William "Ed" Boykin, Las Cruces  
Rep. Keith J. Gardner, Roswell  
Sen. Steve Komadina, Corrales  
Sen. Mary Kay Papen, Las Cruces  
Rep. Jim R Trujillo, Santa Fe

*advisory*

Sen. Sue Wilson Beffort, Sandia Park  
Rep. Ray Begaye, Shiprock  
Rep. Gail Chasey, Albuquerque  
Rep. Kandy Cordova, Belen  
Rep. Miguel P. Garcia, Albuquerque  
Sen. Clinton D. Harden, Jr., Clovis  
Rep. John A. Heaton, Carlsbad  
Sen. Timothy Z. Jennings, Roswell  
Sen. Gay G. Kernan, Hobbs  
Sen. Linda M. Lopez, Albuquerque  
Rep. Antonio Lujan, Las Cruces  
Rep. James Roger Madalena, Pueblo of Jemez  
Rep. Terry T. Marquardt, Alamogordo  
Rep. Rick Miera, Albuquerque  
Sen. Gerald Ortiz y Pino, Albuquerque  
Rep. Edward C. Sandoval, Albuquerque  
Sen. Leonard Tsosie, Crownpoint  
Rep. Gloria C. Vaughn, Alamogordo

*staff*

Phil Lynch  
Karen Wells  
Annie Rodriguez  
Diana Martinez-Herrera

*LHHS Membership  
2006*

*voting*

Rep. Danice Picraux, Chair, Albuquerque  
Sen. Dede Feldman, Vice Chair, Albuquerque  
Sen. Rod Adair, Roswell  
Rep. William "Ed" Boykin, Las Cruces  
Rep. Keith J. Gardner, Roswell  
Sen. Steve Komadina, Corrales  
Sen. Mary Kay Papen, Las Cruces  
Rep. Jim R. Trujillo, Santa Fe

*advisory*

Sen. Sue Wilson Beffort, Sandia Park  
Rep. Ray Begaye, Shiprock  
Rep. Gail Chasey, Albuquerque  
Rep. Miguel P. Garcia, Albuquerque  
Sen. Clinton D. Harden, Jr., Clovis  
Rep. Irvin Harrison, Gallup  
Rep. John A. Heaton, Carlsbad  
Sen. Timothy Z. Jennings, Roswell  
Sen. Gay G. Kernan, Hobbs  
Sen. Linda M. Lopez, Albuquerque  
Rep. Antonio Lujan, Las Cruces  
Rep. James Roger Madalena, Pueblo of Jemez  
Rep. Terry T. Marquardt, Alamogordo  
Rep. Rick Miera, Albuquerque  
Sen. Gerald Ortiz y Pino, Albuquerque  
Sen. Nancy Rodriguez, Santa Fe  
Rep. Edward C. Sandoval, Albuquerque  
Sen. Leonard Tsosie, Crownpoint  
Rep. Luciano "Lucky" Varela, Santa Fe  
Rep. Gloria C. Vaughn, Alamogordo

*staff*

Jennie Lusk  
Ramona Schmidt  
Raúl Burciaga  
Tim Crawford

(4) examine the new behavioral health collaborative, which was created in 2004 and which has contracted with a single entity, ValueOptions, to manage all public behavioral health care statewide, regardless of funding sources or previous departmental authority;

(5) hold an intensive hearing on the recategorization of the brain-injured and chronically ill that added this population to the aging and long-term services department's responsibilities in order to review the possible effects this broadened responsibility will have on the department's primary long-term care population, the elderly;



(6) hold an intensive hearing on prescription drugs, with an emphasis on the issues of pharmacy benefit manager programs and the differing co-payments required for mail-order 90-day prescriptions as opposed to the maximum 30-day prescriptions at retail pharmacies;

(7) review health care disparities among ethnic, gender and age minorities;

(8) hear testimony on telemedicine and telehealth issues during the committee's annual hearings on efforts by the UNM health sciences center;

(9) review 14 executive agency studies directed via joint memorials and another study directed to the legislative health and human services committee itself; and

(10) hear appropriations requests from advocacy groups statewide.

In addition to these topics, the legislative council directed the committee to address the issues of teen pregnancy and unused appropriations aimed at reducing medicaid waiver waiting lists.

During the 2006 interim, the committee proposed concentrating on the areas of health care reform, workforce and resources problems, long-term health and children's health. To that end, it proposed to:

(1) explore ways to expand insurance coverage to increase the number of New Mexicans covered by insurance, thereby reducing demands on emergency care;

(2) oversee and evaluate the performance of new statewide providers of behavioral health care;

(3) consider means of preventing health problems and hunger;

(4) study geographic, racial and gender disparities in health care availability and consider means of reducing the disparities;

(5) thoroughly explore and begin to prepare for the steamroller effect of demands on health care from a rapidly aging population;

(6) oversee care and coverage plans for those with long-term or chronic disabilities;

(7) consider the adequacy of health care planning and funding for children through age 21; and

(8) recommend legislation or changes, if they are found to be necessary, to the legislature.

# Los Alamos National Laboratory Oversight Committee

2005, 2006

<i>LANL Membership 2005</i>	<i>LANL Membership 2006</i>
<i>voting</i> Rep. Roberto "Bobby" J. Gonzales, Co-Chair, Taos Sen. Phil A. Griego, Co-Chair, San Jose Rep. Thomas A. Anderson, Albuquerque Sen. John T.L. Grubestic, Santa Fe Sen. Richard C. Martinez, Española Sen. William H. Payne, Albuquerque Rep. Jane E. Powdrell-Culbert, Corrales Rep. Debbie A. Rodella, Pueblo of San Juan Rep. Nick L. Salazar, Pueblo of San Juan Sen. William E. Sharer, Farmington	<i>voting</i> Rep. Roberto "Bobby" J. Gonzales, Co-Chair, Taos Sen. Phil A. Griego, Co-Chair, San Jose Rep. Thomas A. Anderson, Albuquerque Sen. John T.L. Grubestic, Santa Fe Sen. Richard C. Martinez, Española Sen. William H. Payne, Albuquerque Rep. Jane E. Powdrell-Culbert, Corrales Rep. Debbie A. Rodella, Ohkay Owingeh Rep. Nick L. Salazar, Ohkay Owingeh Sen. William E. Sharer, Farmington
<i>advisory</i> Sen. Ben D. Altamirano, Silver City Sen. Mary Jane M. Garcia, Dona Ana Sen. Stuart Ingle, Portales Rep. Ben Lujan, Santa Fe Rep. Jeannette O. Wallace, Los Alamos	<i>advisory</i> Sen. Ben D. Altamirano, Silver City Sen. Mary Jane M. Garcia, Dona Ana Sen. Stuart Ingle, Portales Rep. Ben Lujan, Santa Fe Rep. Jeannette O. Wallace, Los Alamos
<i>staff</i> Cleo Griffith Ramona Schmidt Tim Crawford	<i>staff</i> Gordon Meeks Liz Holmes Mark Bolton

The Los Alamos national laboratory (LANL) oversight committee was created by the legislative council on May 9, 2005 and again on May 9, 2006.

For the 2005 interim, the committee proposed to address the following topics in its own meetings and in joint meetings with other committees on topics of mutual interest:

- (1) New Mexico-related issues in the bid and award process for the new contract to manage LANL, including the effects of provisions of the new contract on the state, on northern New Mexico communities and residents and on laboratory employees;
- (2) LANL computer security issues;
- (3) LANL employee workplace issues;
- (4) educational issues; and
- (5) environmental cleanup.

Under direction from the legislative council to focus committee efforts for the 2006

interim, the committee proposed to concentrate on reviewing the new LANL contract and coordinating with the radioactive and hazardous materials committee regarding environmental issues from laboratory operations and disposal activities.

## Mortgage Finance Authority Act Oversight Committee

2005, 2006

<i>MFA Membership 2005</i>	<i>MFA Membership 2006</i>
<i>voting</i> Sen. Nancy Rodriguez, Chair, Santa Fe Rep. Fred Luna, Vice Chair, Los Lunas Rep. Thomas A. Anderson, Albuquerque Sen. Mark Boitano, Albuquerque Sen. Cisco McSorley, Albuquerque Sen. Leonard Lee Rawson, Las Cruces Rep. Harriet I. Ruiz, Albuquerque Rep. Teresa A. Zanetti, Albuquerque	<i>voting</i> Rep. Daniel P. Silva, Chair, Albuquerque Sen. Nancy Rodriguez, Vice Chair, Santa Fe Rep. Thomas A. Anderson, Albuquerque Sen. Mark Boitano, Albuquerque Rep. Roberto "Bobby" J. Gonzales, Taos Sen. Cisco McSorley, Albuquerque Sen. Leonard Lee Rawson, Las Cruces Rep. Teresa A. Zanetti, Albuquerque
<i>advisory</i> Rep. Daniel R. Foley, Roswell Rep. Roberto "Bobby" J. Gonzales, Taos Sen. Phil A. Griego, San Jose Sen. John T.L. Grubestic, Santa Fe Sen. Richard C. Martinez, Española Sen. Steven P. Neville, Aztec Rep. Daniel P. Silva, Albuquerque Sen. H. Diane Snyder, Albuquerque	<i>advisory</i> Rep. Daniel R. Foley, Roswell Sen. Phil A. Griego, San Jose Sen. John T.L. Grubestic, Santa Fe Sen. Richard C. Martinez, Española Sen. Steven P. Neville, Aztec Rep. Harriet I. Ruiz, Albuquerque Sen. H. Diane Snyder, Albuquerque
<i>staff</i> Ramona Schmidt Chase Van Gorder	<i>staff</i> Ramona Schmidt

The Mortgage Finance Authority (MFA) Act oversight committee is created in Section 58-18-5 NMSA 1978. Its powers and duties are enumerated in Section 2-12-5 NMSA 1978, which directs the committee to:

"A. determine and monitor the actual distribution of funds derived by the authority from bond issues and other activities of the authority under the provisions of the Mortgage Finance Authority Act, both on a geographical basis and on the basis of the actual distribution to participants in its programs;

B. monitor the authority in its control of the issuance of mortgage

commitments;

C. meet on a regular basis to receive and evaluate periodic reports from the authority as to its enforcement of the provisions of the Mortgage Finance Authority Act and the regulations adopted pursuant thereto; and

D. require the authority to document the need to the oversight committee regarding the issuance of any bonds".

In addition to carrying out its statutory responsibilities, the committee proposed to focus on the following areas during the 2005 interim:

- (1) the housing trust fund;
- (2) the affordable housing tax credit;
- (3) impact fees for property development;
- (4) the New Mexico consolidated plan 2006-2010;
- (5) the New Mexico interagency behavioral health purchasing collaborative supportive housing program;
- (6) exploring new housing programs for state residents;
- (7) workforce housing development;
- (8) state funding for other housing activities;
- (9) MFA information resources; and
- (10) barriers to Section 8 home ownership.

For the 2006 interim, the committee proposed to narrow its focus and concentrate on:

- (1) the housing trust fund;
- (2) the affordable housing tax credit;
- (3) workforce housing development;
- (4) support for House Joint Resolution 8, the constitutional amendment for affordable housing passed during the 2006 legislative session; and
- (5) proposed amendments to the New Mexico interagency behavioral health purchasing collaborative supportive housing program.

## **New Mexico Finance Authority Oversight Committee**

*2005, 2006*

The New Mexico finance authority (NMFA) oversight committee was created with the enactment of the New Mexico Finance Authority Act to oversee the operations of the NMFA.

*NMFA Membership  
2005*

*voting*

Rep. Daniel P. Silva, Chair, Albuquerque  
Sen. Mary Kay Papen, Vice Chair, Las Cruces  
Sen. Joseph J. Carraro, Albuquerque  
Rep. Daniel R. Foley, Roswell  
Sen. Clinton D. Harden, Jr., Clovis  
Rep. Dona G. Irwin, Deming  
Rep. Patricia A. Lundstrom, Gallup  
Rep. Jane E. Powdrell-Culbert, Corrales  
Sen. Lidio G. Rainaldi, Gallup  
Sen. Shannon Robinson, Albuquerque  
Sen. Nancy Rodriguez, Santa Fe  
Rep. Henry Kiki Saavedra, Albuquerque  
Sen. H. Diane Snyder, Albuquerque  
Rep. Joe M Stell, Carlsbad  
Rep. Don L. Tripp, Socorro  
Rep. Richard D. Vigil, Ribera

*advisory*

Sen. Ben D. Altamirano, Silver City  
Sen. Vernon D. Asbill, Carlsbad  
Rep. Jose A. Campos, Santa Rosa  
Sen. Pete Campos, Las Vegas  
Rep. Ernest H. Chavez, Albuquerque  
Sen. Kent L. Cravens, Albuquerque  
Rep. Anna M. Crook, Clovis  
Sen. Dianna J. Duran, Tularosa  
Sen. Joseph A. Fidel, Grants  
Rep. Mary Helen Garcia, Las Cruces  
Sen. Mary Jane M. Garcia, Dona Ana  
Rep. Roberto "Bobby" J. Gonzales, Taos  
Sen. Stuart Ingle, Portales  
Rep. Ben Lujan, Santa Fe  
Sen. Richard C. Martinez, Española  
Sen. Steven P. Neville, Aztec  
Sen. Leonard Lee Rawson, Las Cruces  
Rep. Harriet I. Ruiz, Albuquerque  
Rep. Edward C. Sandoval, Albuquerque  
Rep. Sheryl Williams Stapleton, Albuquerque  
Rep. Luciano "Lucky" Varela, Santa Fe

*staff*

Renée Gregorio  
Kathleen Dexter  
Cleo Griffith  
Annie Rodriguez  
Diana Martinez-Herrera

*NMFA Membership  
2006*

*voting*

Sen. Mary Kay Papen, Chair, Las Cruces  
Rep. Daniel P. Silva, Vice Chair, Albuquerque  
Sen. Joseph J. Carraro, Albuquerque  
Rep. Daniel R. Foley, Roswell  
Sen. Clinton D. Harden, Jr., Clovis  
Rep. Dona G. Irwin, Deming  
Rep. Patricia A. Lundstrom, Gallup  
Rep. Jane E. Powdrell-Culbert, Corrales  
Sen. Lidio G. Rainaldi, Gallup  
Sen. Shannon Robinson, Albuquerque  
Sen. Nancy Rodriguez, Santa Fe  
Rep. Henry Kiki Saavedra, Albuquerque  
Sen. H. Diane Snyder, Albuquerque  
Rep. Joe M Stell, Carlsbad  
Rep. Don L. Tripp, Socorro  
Rep. Richard D. Vigil, Ribera

*advisory*

Sen. Vernon D. Asbill, Carlsbad  
Rep. Hector H. Balderas, Wagon Mound  
Rep. Jose A. Campos, Santa Rosa  
Sen. Pete Campos, Las Vegas  
Rep. Ernest H. Chavez, Albuquerque  
Sen. Kent L. Cravens, Albuquerque  
Rep. Anna M. Crook, Clovis  
Sen. Dianna J. Duran, Tularosa  
Sen. Joseph A. Fidel, Grants  
Rep. Mary Helen Garcia, Las Cruces  
Sen. Mary Jane M. Garcia, Dona Ana  
Rep. Roberto "Bobby" J. Gonzales, Taos  
Sen. Stuart Ingle, Portales  
Rep. Ben Lujan, Santa Fe  
Sen. Richard C. Martinez, Española  
Sen. Steven P. Neville, Aztec  
Sen. Leonard Lee Rawson, Las Cruces  
Rep. Edward C. Sandoval, Albuquerque  
Rep. Sheryl Williams Stapleton, Albuquerque  
Sen. James G. Taylor, Albuquerque  
Rep. Luciano "Lucky" Varela, Santa Fe

*staff*

Doris Faust  
Cleo Griffith

In addition, the legislature assigned oversight of the border authority and implementation of the Border Development Act to the committee.

The committee is statutorily required to monitor and oversee the operations of the two authorities; monitor and oversee state and local government capital planning and financing; provide advice and assistance to the authorities and cooperate with state and local governments on planning and setting priorities for and financing of state, local, border and port-of-entry capital projects; review and approve rules proposed by the authorities; and report its recommendations and legislation to the governor and legislature on or before December 15 of each year.

To carry out these tasks and statutory duties during the 2005 legislative interim, the NMFA oversight committee proposed to:

- (1) monitor and oversee the operations of the NMFA, the border authority and the New Mexico exposition center authority;
- (2) review and approve any rules proposed by the authorities;
- (3) take testimony from state and local officials on capital needs;
- (4) receive progress reports on new and ongoing capital projects funded through the NMFA and the New Mexico exposition center authority to ensure that projects are proceeding in a timely manner;
- (5) receive testimony on the various financing mechanisms and programs for funding capital projects through the NMFA, federal programs and the New Mexico exposition center authority;
- (6) examine the organizational structure and vision of the NMFA and border authority;
- (7) assess procedures for prioritizing NMFA-funded projects and make needed recommendations for change;
- (8) hear testimony and make recommendations to the border authority on border development, infrastructure and port-of-entry improvements as well as ways in which the border authority is involved in stimulating the border economy;
- (9) take testimony from the energy, minerals and natural resources department on expenditures of its portion of the governmental gross receipts tax that is distributed to the New Mexico youth conservation corps;
- (10) receive testimony and continue oversight of GRIP projects; and
- (11) recommend necessary changes in law or policy to the legislature.

For the 2006 interim, the committee proposed to:

- (1) monitor and oversee the operations of the NMFA and the border authority;
- (2) review and vote on any rules proposed by the authorities;

- (3) take testimony from state and local officials on capital needs;
- (4) review NMFA's financing programs to clarify the differences among the programs to assist legislators and applicants;
- (5) receive progress reports on capital projects funded through the NMFA to ensure that projects are proceeding in a timely manner;
- (6) receive testimony on the various financing mechanisms for funding capital projects through the NMFA, with a focus on water projects and behavioral health financing;
- (7) assess infrastructure developments and water and wastewater needs in the border region and hear testimony on the border economy and border security, including use of the New Mexico national guard;
- (8) receive updates from the NMFA on the results of legislation passed in the 2006 session that expanded NMFA's powers, specifically:
  - a) changes made to the Statewide Economic Development Finance Act to allow NMFA's participation in the federal new market tax credit program; and
  - b) changes made to NMFA's enabling legislation related to the public project revolving fund;
- (9) hear testimony and make recommendations on loans or grants from the water project fund for interstate water projects that benefit New Mexico;
- (10) take testimony on GRIP 1 and 2 financing, project development and bonding;
- (11) investigate the availability of federal funding and programs for local government infrastructure needs and how to maximize this federal funding;
- (12) evaluate the use of funds from the Indian reservation roads program as a revenue stream for bonding for road construction on the Navajo reservation; and
- (13) recommend necessary changes in law or policy to the legislature.

## **Radioactive and Hazardous Materials Committee**

*2005, 2006*

The radioactive and hazardous materials committee was created in 1979 by Section 74-4A-9 NMSA 1978 to provide a means of coordinating information exchange and developing appropriate state actions in relation to the waste isolation pilot plant (WIPP) near Carlsbad. The name of the committee was changed in 1983 and again in 1986 to more accurately reflect

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2005*

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Sen. Vernon D. Asbill, Carlsbad  
Rep. Donald E. Bratton, Hobbs  
Sen. John T.L. Grubestic, Santa Fe  
Rep. Manuel G. Herrera, Bayard  
Sen. Gay G. Kernan, Hobbs  
Sen. Carroll H. Leavell, Jal  
Rep. Antonio Lujan, Las Cruces  
Sen. Richard C. Martinez, Española  
Rep. Jim R. Trujillo, Santa Fe  
Rep. Jeannette O. Wallace, Los Alamos

*advisory*

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Sen. Mary Jane M. Garcia, Dona Ana  
Sen. Clinton D. Harden, Jr., Clovis  
Sen. William H. Payne, Albuquerque  
Sen. John Pinto, Tohatchi  
Rep. Nick L. Salazar, Pueblo of San Juan  
Rep. Avon W. Wilson, Roswell

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Gordon Meeks  
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2006*

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Sen. Vernon D. Asbill, Carlsbad  
Rep. Donald E. Bratton, Hobbs  
Sen. John T.L. Grubestic, Santa Fe  
Rep. Manuel G. Herrera, Bayard  
Sen. Gay G. Kernan, Hobbs  
Sen. Carroll H. Leavell, Jal  
Rep. Antonio Lujan, Las Cruces  
Sen. Richard C. Martinez, Española  
Rep. Jim R. Trujillo, Santa Fe  
Rep. Jeannette O. Wallace, Los Alamos

*advisory*

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Sen. Mary Jane M. Garcia, Dona Ana  
Sen. Clinton D. Harden, Jr., Clovis  
Sen. William H. Payne, Albuquerque  
Sen. John Pinto, Tohatchi  
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Evan Blackstone  
Jeret Fleetwood

the scope of the committee's work, which was broadened by the legislature in 1981, 1986 and 1991. Over the years, the committee has continued to receive extensive testimony on a variety of subject matter relating to the environment. For example, in addition to the committee hearing testimony on the progress of WIPP, it has received testimony on air and water quality, solid waste, ground water quality, mining, pipeline safety and other issues that require attention from the legislature in its deliberation of proposed environmental regulation.

During the 2005 interim, the committee proposed to gather information and hear testimony on numerous environmental issues, including:

- (1) waste plants and cleanup, and to:
  - a) review the status of WIPP and its permit modifications under the federal Resource Conservation and Recovery Act of 1976;
  - b) hear a report from waste control specialists on the WIPP waste disposal plant;
  - c) examine the proposed construction of a uranium enrichment plant



near Hobbs;

d) assess the state's recent agreement with Louisiana energy services;

and

e) receive an update on LANL's environmental compliance and the federal department of energy settlement with the state concerning legacy waste cleanup;

(2) the organization, structure, budget and legislative and regulatory initiatives of NMED, and to:

a) hear testimony from various industries throughout New Mexico, including manufacturing, mining, oil and gas and agriculture, and from cities and counties on their interaction with NMED, the NMED permitting process, oversight issues and environmental impacts; and

b) consider issues related to NMED's intention to assume primacy over the federal environmental protection agency's (EPA's) national pollutant discharge elimination system and its implementation and enforcement of newly approved septic tank regulations;

(3) the status of superfund sites in New Mexico under the federal Comprehensive Environmental Response, Compensation and Liability Act of 1980;

(4) environmental impacts of mercury emissions; and

(5) the use of nuclear and renewable energies.

The committee proposed for the 2006 interim to gather information and hear testimony on three areas of focus adopted by the legislative council, including:

(1) NMED's progress in implementing the federal consent order on environmental remediation and cleanup at LANL;

(2) the status of WIPP's state permit modification to accept remote-handled waste and Louisiana energy services' permit applications for its uranium-enrichment plant near Hobbs; and

(3) NMED's intended primacy over the EPA's national pollutant discharge elimination system.

In addition, the committee proposed to:

(1) hear testimony on the implementation of new mine safety requirements enacted by the legislature in 2006, mining reclamation activities in New Mexico and other current issues affecting the mining and oil and gas industries;

(2) assess the impacts of NMED's implementation of new septic tank regulations;

(3) receive an update on NMED's inspection activities to prevent food-borne

illnesses;

- (4) consider the inclusion of environmental justice in NMED's community-based policies and planning initiatives; and
- (5) review the budget and legislative and regulatory initiatives of NMED.

## **Revenue Stabilization and Tax Policy Committee**

*2005, 2006*

The revenue stabilization and tax policy committee is a statutorily created committee that is directed, in Section 2-16-3 NMSA 1978, to "examine the statutes, constitutional provisions, regulations and court decisions governing revenue stabilization and tax policy in New Mexico and recommend legislation or changes if any are found to be necessary".

During the 2005 interim, the committee proposed to focus its work on four main topics.

- (1) State-sponsored economic development tax incentives.

Legislation is adopted each year to provide tax incentives to promote economic development in New Mexico. During the 2004 interim, the committee heard testimony regarding the frequency of use of existing incentives and learned that there are currently few tools to monitor job growth, salary increases, income growth or increased economic activity generated by specific incentives. During the 2005 interim, the committee proposed to gather input from the economic development department, the taxation and revenue department and other agencies and organizations to better evaluate the effectiveness of those incentives in contributing to New Mexico's economy and to review whether those incentives meet general principles of good tax policy, including a review of recent court decisions that might affect the provision of state-sponsored tax incentives in the future.

- (2) Competitive disadvantages attributable to the state's gross receipts and compensating tax structure.

New Mexico businesses that sell goods and services often claim that they are at a competitive disadvantage with out-of-state businesses due to New Mexico's gross receipts and compensating tax structure. Those New Mexico businesses claim that when they sell goods and services to New Mexico consumers, they must pass on to those consumers local option gross receipts taxes in addition to the five percent gross receipts tax imposed by the state. Meanwhile, the same consumers could pay only a five percent compensating tax rate if they purchase the same goods and services from out-of-state businesses. Thus, some consumers

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2005*

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Rep. Janice E. Arnold-Jones, Albuquerque  
Sen. Mark Boitano, Albuquerque  
Sen. Carlos R. Cisneros, Questa  
Sen. Kent L. Cravens, Albuquerque  
Rep. Anna M. Crook, Clovis  
Sen. Joseph A. Fidel, Grants  
Rep. Keith J. Gardner, Roswell  
Rep. Roberto "Bobby" J. Gonzales, Taos  
Rep. George J. Hanosh, Grants  
Rep. Ben Lujan, Santa Fe  
Sen. William E. Sharer, Farmington  
Rep. Daniel P. Silva, Albuquerque  
Sen. H. Diane Snyder, Albuquerque  
Rep. James G. Taylor, Albuquerque  
Rep. Thomas C. Taylor, Farmington

*designees*

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Rep. Donald E. Bratton, Hobbs  
Sen. Phil A. Griego, San Jose  
Sen. John T.L. Grubestic, Santa Fe  
Rep. Irvin Harrison, Gallup  
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Sen. Steven P. Neville, Aztec  
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Sen. Bernadette M. Sanchez, Albuquerque  
Rep. Joe M Stell, Carlsbad  
Rep. Don L. Tripp, Socorro  
Rep. Luciano "Lucky" Varela, Santa Fe

*staff*

Amy Chavez  
Pam Ray  
Cleo Griffith  
Tim Crawford

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2006*

*voting*

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Sen. Mark Boitano, Albuquerque  
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Sen. Kent L. Cravens, Albuquerque  
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Sen. Stuart Ingle, Portales  
Sen. Gay G. Kernan, Hobbs  
Sen. Cisco McSorley, Albuquerque  
Sen. Steven P. Neville, Aztec  
Rep. Andy Nuñez, Hatch  
Sen. Leonard Lee Rawson, Las Cruces  
Rep. Bill Rehm, Albuquerque  
Rep. Debbie A. Rodella, Ohkay Owingeh  
Sen. Nancy Rodriguez, Santa Fe  
Sen. John C. Ryan, Albuquerque  
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might opt to purchase those goods and services from out-of-state businesses to pay the lower tax rates. During the 2005 session, the legislature passed Senate Joint Memorial 46, which directs the taxation and revenue department to conduct a study of the competitive disadvantages realized by New Mexico businesses as a result of the state's gross receipts and compensating tax structure and present a written report of its findings and recommendations to the appropriate interim committee of the legislature. The revenue stabilization and tax policy committee proposed to review and discuss the findings and recommendations in this study.

(3) Highway and commercial motor-vehicle-related taxes and fees.

The motor transportation division (MTD) of the department of public safety (DPS) monitors and enforces the payment of several highway and commercial motor-vehicle-related taxes and fees, such as the trip tax, the weight distance tax and fees for oversize and overweight permits. MTD might encounter several challenges due to its existence as a division under the DPS and due to issues that arise from the quantity of travelers near the Mexico border. The committee proposed to discuss what those challenges might be and examine models for divisions similar to MTD in other border states.

(4) Streamlined sales and use tax agreement negotiations.

During the 2005 session, the legislature passed House Bill 575, which permits the secretary of taxation and revenue to participate with other states in developing a plan to simplify administration of sales and use taxes. The committee requested an update on the progress of those negotiations.

The committee also proposed to:

- (1) examine economic and revenue trends;
- (2) discuss revenue enhancement and tax relief possibilities;
- (3) monitor severance tax revenues, including revenue and bonding authority estimates, and management of bond appropriations and expenditures;
- (4) monitor general obligation bond capacity and indebtedness status;
- (5) receive an update on the performance of state permanent fund investments;
- (6) receive an update on fuel taxation on tribal lands;
- (7) review existing tax laws for technical correction, cleanup or amendment;
- (8) study gross receipts tax pyramiding issues;
- (9) discuss local option gross receipts and compensating tax issues;
- (10) receive updates on the food and medical gross receipts tax deductions;
- (11) discuss the potential for a national retail sales tax and possible effects on the state;

- (12) study the implementation and effects of combined reporting;
- (13) receive an update on tax relief provided to veterans and implementation of the veterans' property tax exemption;
- (14) obtain updates on property tax developments;
- (15) discuss the taxpayer bill of rights, commonly known as "TABOR";
- (16) examine tax increments used to finance local economic development projects;
- (17) explore methods to fund local infrastructure projects;
- (18) receive a report on the status of intergovernmental agreements with tribes and resulting revenue trends;
- (19) study the effect of transportation-related taxes on state vehicle use;
- (20) explore highway funding mechanisms; and
- (21) conduct any other study or review of tax administration, tax laws, tax policy, public finance and revenue stabilization issues that the committee deems necessary.

For the 2006 interim, the committee proposed to:

- (1) review the adequacy of state revenues, including the adequacy of the tax base in years without windfalls or surpluses and the state's ability to generate revenue from the current tax system; identify the most important tax issues for businesses and establish a timetable to address them; and discuss the most beneficial way to address windfall revenues;
- (2) review the effectiveness of the current tax structure, including working with the taxation and revenue department to establish a tax expenditure report to identify the impact of various tax changes;
- (3) examine the fairness and equity of the tax structure, including an examination of the balance of revenue collections from property taxes, personal income taxes, corporate income taxes and gross receipts taxes; determine the relative burden on residents and state and local governments from property taxes, personal income taxes, corporate income taxes and gross receipts taxes; and examine the adequacy of local taxes and distribution of taxes between the state and local governments; and
- (4) monitor the price of oil and gas, the price of gasoline and the stability of revenue from the gasoline tax and the adequacy of collections in providing for the costs of road construction and maintenance.

## Tobacco Settlement Revenue Oversight Committee

### 2005, 2006

<i>TSROC Membership 2005</i>	<i>TSROC Membership 2006</i>
<i>voting</i>	<i>voting</i>
Rep. Gail Chasey, Co-Chair, Albuquerque	Rep. Gail Chasey, Co-Chair, Albuquerque
Sen. Mary Jane M. Garcia, Co-Chair, Dona Ana	Sen. Mary Jane M. Garcia, Co-Chair, Dona Ana
Sen. John T.L. Grubestic, Santa Fe	Sen. John T.L. Grubestic, Santa Fe
Rep. Danice Picraux, Albuquerque	Rep. Danice Picraux, Albuquerque
Sen. John C. Ryan, Albuquerque	Sen. John C. Ryan, Albuquerque
Rep. Gloria C. Vaughn, Alamogordo	Rep. Gloria C. Vaughn, Alamogordo
 <i>advisory</i>	 <i>advisory</i>
Sen. Rod Adair, Roswell	Sen. Rod Adair, Roswell
Rep. Ray Begaye, Shiprock	Rep. Ray Begaye, Shiprock
Sen. Joseph J. Carraro, Albuquerque	Sen. Joseph J. Carraro, Albuquerque
Sen. Dede Feldman, Albuquerque	Sen. Dede Feldman, Albuquerque
Sen. Linda M. Lopez, Albuquerque	Sen. Linda M. Lopez, Albuquerque
Sen. James G. Taylor, Albuquerque	Sen. James G. Taylor, Albuquerque
Rep. Luciano "Lucky" Varela, Santa Fe	Rep. Teresa A. Zanetti, Albuquerque
Rep. Teresa A. Zanetti, Albuquerque	
 <i>staff</i>	 <i>staff</i>
Ramona Schmidt	Ramona Schmidt
	Cristina Martinez

The tobacco settlement revenue oversight committee is created in Section 2-19-1 NMSA 1978 as the body responsible for monitoring the use of revenues received by the state under the master settlement agreement with tobacco companies and to recommend program funding levels for each fiscal year. Section 6-4-9 NMSA 1978, as amended in 2003, transfers all tobacco settlement revenues received in fiscal years 2003 through 2006 to the general fund, discontinuing the transfer of 50 percent of the revenues to the tobacco settlement program fund until fiscal year 2007. However, since many of the programs previously funded by the tobacco settlement program fund continue to be funded through the general fund, the committee continues its oversight duties for those programs.

For both the 2005 and 2006 interims, the tobacco settlement revenue oversight committee proposed to:

- (1) monitor the use of tobacco settlement revenue by maintaining oversight of those programs recommended by the committee and funded by the legislature;
- (2) prepare recommendations, based on its program evaluation process, for

program funding levels for fiscal years 2007 and 2008;

(3) examine issues and legislation to enhance the collection of tobacco taxes;

(4) examine the status of the revenue and reserve fund relating to the sunset provision for tobacco settlement revenue;

(5) work with the attorney general's office, as necessary, to ensure that New Mexico continues to receive the highest possible revenue from the tobacco settlement; and

(6) recommend legislation or changes to existing legislation, if any.

## **Water and Natural Resources Committee**

*2005, 2006*

The water and natural resources committee, which was originally created by the legislative council in 1998, was created for the current biennium on May 9, 2005 and again on May 9, 2006.

For the 2005 interim, the committee proposed to focus primarily on:

(1) legal and jurisdictional issues, including status reports on interstate compact compliance, endangered species, legal aspects of water management and regulatory control of water and environmental permitting;

(2) water conservation measures, including tax incentives, water planning, improving water use efficiencies and urban planning;

(3) clean energy; and

(4) financing water needs, including permanent funding sources to meet the state's water needs.

Under direction of the legislative council, the committee narrowed its focus for the 2006 interim to consider funding the water trust fund; financing for large water projects; and drought and water conservation issues. Within those topics, the committee proposed to hear testimony on:

(1) water rights files transfers out of field offices;

(2) the proposed Surface Owners Protection Act;

(3) the definition of surface water;

(4) acequia issues;

(5) bosque projects;

(6) the proposed Land, Wildlife and Clean Energy Act;

*WNR Membership  
2005*

*voting*

Sen. Carlos R. Cisneros, Chair, Questa  
Rep. Joe M Stell, Vice Chair, Carlsbad  
Sen. Sue Wilson Beffort, Sandia Park  
Rep. Ray Begaye, Shiprock  
Rep. Joseph Cervantes, Las Cruces  
Sen. Dede Feldman, Albuquerque  
Sen. Mary Jane M. Garcia, Dona Ana  
Rep. Dona G. Irwin, Deming  
Rep. Larry A. Larrañaga, Albuquerque  
Rep. Kathy A. McCoy, Cedar Crest  
Sen. Cynthia Nava, Las Cruces  
Sen. Steven P. Neville, Aztec  
Rep. Andy Nuñez, Hatch  
Sen. Mary Kay Papen, Las Cruces  
Sen. H. Diane Snyder, Albuquerque  
Rep. Mimi Stewart, Albuquerque  
Rep. Sandra L. Townsend, Aztec  
Rep. Don L. Tripp, Socorro

*advisory*

Sen. Rod Adair, Roswell  
Sen. Vernon D. Asbill, Carlsbad  
Rep. Richard P. Cheney, Farmington  
Rep. Anna M. Crook, Clovis  
Rep. Candy Spence Ezzell, Roswell  
Sen. Clinton D. Harden, Jr., Clovis  
Sen. Timothy Z. Jennings, Roswell  
Sen. Gay G. Kernan, Hobbs  
Rep. Rhonda S. King, Stanley  
Rep. Ben Lujan, Santa Fe  
Rep. James Roger Madalena, Pueblo of Jemez  
Rep. Greg Payne, Albuquerque  
Rep. Danice Picraux, Albuquerque  
Sen. Leonard Lee Rawson, Las Cruces  
Sen. Nancy Rodriguez, Santa Fe  
Sen. John C. Ryan, Albuquerque  
Rep. Henry Kiki Saavedra, Albuquerque  
Sen. Leonard Tsosie, Crownpoint  
Rep. Peter Wirth, Santa Fe  
Rep. Eric A. Youngberg, Albuquerque

*staff*

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Evan Blackstone  
Jon Boller  
Jeret Fleetwood

*WNR Membership  
2006*

*voting*

Rep. Joe M Stell, Chair, Carlsbad  
Sen. Carlos R. Cisneros, Vice Chair, Questa  
Sen. Sue Wilson Beffort, Sandia Park  
Rep. Ray Begaye, Shiprock  
Rep. Joseph Cervantes, Las Cruces  
Sen. Dede Feldman, Albuquerque  
Sen. Mary Jane M. Garcia, Dona Ana  
Rep. Dona G. Irwin, Deming  
Rep. Larry A. Larrañaga, Albuquerque  
Rep. Kathy A. McCoy, Cedar Crest  
Sen. Cynthia Nava, Las Cruces  
Sen. Steven P. Neville, Aztec  
Rep. Andy Nuñez, Hatch  
Sen. Mary Kay Papen, Las Cruces  
Sen. H. Diane Snyder, Albuquerque  
Rep. Mimi Stewart, Albuquerque  
Rep. Sandra L. Townsend, Aztec  
Rep. Don L. Tripp, Socorro

*advisory*

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Sen. Vernon D. Asbill, Carlsbad  
Rep. Richard P. Cheney, Farmington  
Rep. Anna M. Crook, Clovis  
Rep. Candy Spence Ezzell, Roswell  
Sen. Clinton D. Harden, Jr., Clovis  
Sen. Timothy Z. Jennings, Roswell  
Sen. Gay G. Kernan, Hobbs  
Rep. Rhonda S. King, Stanley  
Rep. Ben Lujan, Santa Fe  
Rep. James Roger Madalena, Pueblo of Jemez  
Rep. Terry T. Marquardt, Alamogordo  
Rep. Danice Picraux, Albuquerque  
Sen. Leonard Lee Rawson, Las Cruces  
Sen. Nancy Rodriguez, Santa Fe  
Sen. John C. Ryan, Albuquerque  
Rep. Henry Kiki Saavedra, Albuquerque  
Sen. Leonard Tsosie, Crownpoint  
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- (7) the forests and watershed institute at New Mexico highlands university; and
- (8) private water development financing.

## Welfare Reform Oversight Committee

2005, 2006

<i>WROC Membership 2005</i>	<i>WROC Membership 2006</i>
<i>voting</i>	<i>voting</i>
Sen. Linda M. Lopez, Chair, Albuquerque	Rep. Luciano "Lucky" Varela, Chair, Santa Fe
Rep. Luciano "Lucky" Varela, Vice Chair, Santa Fe	Sen. Linda M. Lopez, Vice Chair, Albuquerque
Sen. Sue Wilson Beffort, Sandia Park	Sen. Sue Wilson Beffort, Sandia Park
Rep. Kandy Cordova, Belen	Sen. Clinton D. Harden, Jr., Clovis
Sen. Clinton D. Harden, Jr., Clovis	Rep. Irvin Harrison, Gallup
Rep. Irvin Harrison, Gallup	Rep. Larry A. Larrañaga, Albuquerque
Sen. Steven P. Neville, Aztec	Sen. Steven P. Neville, Aztec
Sen. Gerald Ortiz y Pino, Albuquerque	Sen. Gerald Ortiz y Pino, Albuquerque
Sen. John Pinto, Tohatchi	Sen. John Pinto, Tohatchi
Rep. Nick L. Salazar, Pueblo of San Juan	Rep. Nick L. Salazar, Ohkay Owingeh
Rep. Gloria C. Vaughn, Alamogordo	Rep. Jim R. Trujillo, Santa Fe
Rep. Avon W. Wilson, Roswell	Rep. Gloria C. Vaughn, Alamogordo
<i>advisory</i>	<i>advisory</i>
Sen. Ben D. Altamirano, Silver City	Sen. Ben D. Altamirano, Silver City
Rep. Ernest H. Chavez, Albuquerque	Rep. Ernest H. Chavez, Albuquerque
Rep. Richard P. Cheney, Farmington	Rep. Richard P. Cheney, Farmington
Sen. Dianna J. Duran, Tularosa	Rep. Kandy Cordova, Belen
Rep. Candy Spence Ezzell, Roswell	Sen. Dianna J. Duran, Tularosa
Rep. Daniel R. Foley, Roswell	Rep. Candy Spence Ezzell, Roswell
Rep. Larry A. Larrañaga, Albuquerque	Rep. Daniel R. Foley, Roswell
Sen. John C. Ryan, Albuquerque	Rep. Miguel P. Garcia, Albuquerque
Rep. Edward C. Sandoval, Albuquerque	Sen. John C. Ryan, Albuquerque
Sen. James G. Taylor, Albuquerque	Rep. Edward C. Sandoval, Albuquerque
Rep. Jim R. Trujillo, Santa Fe	Rep. Mary H. Skeen, Picacho
<i>staff</i>	<i>staff</i>
Jennie Lusk	Jennie Lusk
Pam Ray	Pam Ray
Carrie McGovern	Ramona Schmidt
	Carrie McGovern

The welfare reform oversight committee is created in Section 2-17-1 NMSA 1978, and in Section 2-17-3 NMSA 1978 the committee is directed to:

- "(1) examine the statutes, constitutional provisions and rules governing welfare

reform in New Mexico;

(2) monitor and oversee the implementation of the New Mexico Works Act;

(3) review issues related to welfare reform, including job training programs and related contracts; cash assistance; child care, transportation and other job-related services; and other issues that arise because of the devolution of the federal welfare programs to the states; and

(4) make recommendations relating to the adoption of rules and legislation, if any are found to be necessary".

During the 2005 interim, the committee proposed to hold hearings on:

(1) the effectiveness of the TANF program in reducing the New Mexico poverty rate;

(2) barriers to successful work placement for TANF participants;

(3) the joint powers agreement between the human services department (HSD) and the office of workforce training and development (OWTD);

(4) coordination of programs among state agencies providing TANF services;

(5) drug rehabilitation and substance abuse programs as they relate to workforce training services and the effectiveness of existing state TANF programs;

(6) the equity of funding for Navajo Nation and Pueblo of Zuni TANF clients, including an explanation of federal requirements;

(7) the effect of the new pre-kindergarten initiative on TANF children, including an inquiry into its effects on work programs and before- and after-school programs;

(8) implementation of Workforce Investment Act training programs, including the transition of oversight functions from HSD to OWTD;

(9) implementation of programs to address hunger and increase food stability;

(10) implementation of programs for child-support enforcement;

(11) the state of poverty in New Mexico, with a panel presentation to include representatives from the Lutheran office of governmental ministry, the center on law and poverty, New Mexico voices for children and Albuquerque interfaith;

(12) the hunger task force;

(13) state agency strategic plans and performance measures; and

(14) national poverty legislative initiatives.

In the 2006 interim, the committee agreed to focus on the following issues recommended by the legislative council:

(1) federal statutory changes affecting delivery of services in New Mexico;

- (2) evaluation and oversight of agencies, including OWTD;
- (3) ensuring compliance with federal rules; and
- (4) examining whether poverty initiatives are getting people into adequate, sustainable work.

To fulfill its charge, the committee proposed to:

- (1) study, review and discuss applications of the federal statutory changes that will make the state more vulnerable to fines from the federal government because of high work activity requirements for clients in the TANF program;

- (2) examine ways in which state agencies plan to meet federal work requirements despite changes in the law and examine barriers to work and levels of income HSD may disregard;

- (3) visit the Belen one-stop shop used by TANF recipients and clients of various state and federal programs;

- (4) hear a summary of an HSD performance audit as well as updates on the operation of the central New Mexico regional workforce and TANF programs;

- (5) consider various options for improving sustainable support for children whose parents are returning to the workforce;

- (6) examine effective and successful work and training programs and on-the-job education;

- (7) hear special concerns regarding the homeless population;

- (8) receive an update on financial support for students in community colleges;

- (9) evaluate changes made in programs that support people in moving from unemployment to gainful employment;

- (10) continue its oversight functions in hearing from appropriate departments on performance measures;

- (11) hear the LFC's audit update; and

- (12) make endorsements for legislation for the 2007 session.



**SUBCOMMITTEES, COMMISSIONS, TASK FORCES  
AND  
SPECIAL INTERIM COMMITTEES**



# Capital Outlay Subcommittee

2006

On June 28, 2006, the legislative council created a subcommittee of the council and LFC to focus on capital outlay issues. The subcommittee's charge was to recommend improvements in prioritizing statewide and local projects; minimize the number of capital outlay requests to more closely match available funding amounts; improve the communication process between the house and the senate and between the legislature and the executive; and review other issues the subcommittee deems appropriate.

To carry out this charge during the 2006 interim, the subcommittee proposed to:

- (1) hear testimony on the history of the capital outlay process;
- (2) review criteria for national ranking of states' capital outlay processes;
- (3) receive testimony from state agencies and councils of governments to discern good planning processes already in place and to establish coordination among these processes;
- (4) propose a means of looking at statewide needs and prioritizing statewide project funding by project category;
- (5) propose criteria for project prioritization and funding;
- (6) develop time lines and procedures for consideration of capital requests from the executive branch;
- (7) propose a method for effective communication between the house and senate and the legislature and executive during the capital budget process;
- (8) propose a policy for reauthorizations that could include subcommittee review and limiting scope and time extensions; and
- (9) streamline project implementation and monitoring procedures.

## *COS Membership 2006*

### *voting*

Sen. Ben. D. Altamirano, Co-Chair, Silver City  
Rep. Ben Lujan, Co-Chair, Santa Fe  
Sen. Kent L. Cravens, Albuquerque  
Sen. Dianna J. Duran, Tularosa  
Sen. Joseph A. Fidel, Grants  
Sen. Carroll H. Leavell, Jal  
Rep. Terry T. Marquardt, Alamogordo  
Rep. W. Ken Martinez, Grants  
Rep. Brian K. Moore, Clayton  
Sen. Leonard Lee Rawson, Las Cruces  
Rep. Henry Kiki Saavedra, Albuquerque  
Sen. Michael S. Sanchez, Belen  
Rep. Edward C. Sandoval, Albuquerque  
Sen. John Arthur Smith, Deming  
Rep. Jeannette O. Wallace, Los Alamos  
Rep. Teresa A. Zanetti, Albuquerque

### *advisory*

Rep. Janice E. Arnold-Jones, Albuquerque  
Sen. Stuart Ingle, Portales  
Sen. Timothy Z. Jennings, Roswell  
Sen. H. Diane Snyder, Albuquerque

### *staff*

Renée Gregorio  
Ric Gaudet  
Linda Kehoe  
Paula Tackett

# Election Reform Task Force

2005

## *ETF Membership 2005*

### *legislative*

Sen. Linda M. Lopez, Co-Chair, Albuquerque  
Rep. Edward C. Sandoval, Co-Chair, Albuquerque  
Rep. Janice E. Arnold-Jones, Albuquerque  
Sen. Dianna J. Duran, Tularosa  
Rep. Mary Helen Garcia, Las Cruces  
Sen. Gerald Ortiz y Pino, Albuquerque

### *public*

Rhoda Coakley  
Joe Goldberg  
Mary Herrera  
Melinda Hughes  
Audrey Jaramillo  
Denise Lamb  
Leland Lehrman  
Jim Noel  
Charlotte Roybal  
Mary Ann Sedillo  
Karen P. Smyer  
Mario Trujillo  
J. Fred Vigil  
Rebecca Vigil-Giron  
Claire Weiner

### *advisory*

Sen. Rod Adair, Roswell  
Sen. Ben D. Altamirano, Silver City  
Rep. Kandy Cordova, Belen  
Sen. Dede Feldman, Albuquerque  
Rep. Justine Fox-Young, Albuquerque  
Rep. Ted Hobbs, Albuquerque  
Rep. Ben Lujan, Santa Fe  
Rep. James Roger Madalena, Pueblo of Jemez  
Rep. W. Ken Martinez, Grants  
Rep. Kathy A. McCoy, Cedar Crest  
Sen. Mary Kay Papen, Las Cruces  
Rep. Debbie A. Rodella, Pueblo of San Juan  
Sen. Michael S. Sanchez, Belen

### *staff*

Jon Boller  
Evan Blackstone  
Chase Van Gorder  
Tim Crawford  
Liz Holmes

The election reform task force was created by the legislative council on May 9, 2005 in response to a number of election issues addressed by the legislature during the 2005 regular session. Due to the numerous complex and extensive changes made to the Election Code during that session, the task force was created to review the provisions and implementation of the new law, review the Election Code to ensure that any obsolete language that conflicts with federal law was adequately addressed and, if necessary, recommend legislation for the 2006 legislative session to address any implementation problems or other unintended consequences of the new law.

The election reform task force proposed to consider the following issues and topics during the 2005 interim:

- (1) the cost of converting all voting machines in the state to provide for voter-verifiable paper ballots by December 31, 2006;
- (2) types of voting systems available that will comply with both the federal Help America Vote Act and with state law;
- (3) new rules for provisional ballots;
- (4) implementation of voter ID requirements and voter ID cards;
- (5) procedures allowing voters to contest decisions to not count their provisional ballots;
- (6) new rules for third-party



- registration organizations, registration agents and registration forms;
- (7) procedures for random checks of voting system accuracy;
  - (8) timing of open registration and early voting;
  - (9) same-day voter registration;
  - (10) voter education and outreach to disenfranchised voters;
  - (11) up-front costs of recounts;
  - (12) problems with precinct-level reporting of absentee and early vote totals and secrecy of the ballot;
  - (13) costs of implementing all the changes in law;
  - (14) types of addresses that are acceptable for registration purposes and petitions;
  - (15) state compliance with federal consent decrees;
  - (16) filing dates for minor-party candidates; and
  - (17) other issues arising from review of the new law.

## **Funding Formula Study Task Force**

*2005, 2006*

The funding formula study task force was originally created for the 2005 and 2006 interims by Laws 2005, Chapter 49. The life of the task force was later extended by amendment in Laws 2006, Chapter 56, with a new sunset date of December 2007.

Recognizing its multiyear charge, the task force proposed to focus during the 2005 interim on understanding the historical development of the public school funding formula and the public policy decisions that are reflected in the current formula. Within that scope, the task force proposed to:

- (1) review previous studies of the New Mexico funding formula and piecemeal amendments to the formula since the last major revisions in 1997;
- (2) review funding formulas and mechanisms in other states;
- (3) scope issues of concern preparatory to developing the request for proposals (RFP), including:
  - a) evaluating current factors in the funding formula;
  - b) evaluating public education policy decisions that affect the formula;

and

*FFTF Membership  
2005*

*legislative*

Rep. Mimi Stewart, Co-Chair, Albuquerque  
Sen. Ben D. Altamirano, Silver City  
Sen. Vernon D. Asbill, Carlsbad  
Sen. Mark Boitano, Albuquerque  
Rep. William "Ed" Boykin, Las Cruces  
Sen. Pete Campos, Las Vegas  
Rep. Gail Chasey, Albuquerque  
Rep. Roberto "Bobby" J. Gonzales, Taos  
Rep. Joni Marie Gutierrez, Mesilla  
Rep. Jimmie C. Hall, Albuquerque  
Sen. Gay G. Kernan, Hobbs  
Sen. Linda M. Lopez, Albuquerque  
Rep. Terry T. Marquardt, Alamogordo  
Rep. Rick Miera, Albuquerque  
Rep. Brian K. Moore, Clayton  
Sen. Cynthia Nava, Las Cruces  
Sen. Mary Kay Papen, Las Cruces  
Sen. Bernadette M. Sanchez, Albuquerque  
Sen. James G. Taylor, Albuquerque  
Rep. Richard D. Vigil, Ribera  
Rep. Teresa A. Zanetti, Albuquerque

*public*

Dick Pool, Co-Chair  
Robert Archuleta  
Dr. V. Sue Cleveland  
Jack Jenkins  
Randy Manning  
Lilliemae Ortiz  
James M. Phipps  
Dennis Roch  
Manuel F. Valdez  
Karen White

*staff*

Jonelle Maison  
Raúl Burciaga  
Jennie Lusk  
Doug Williams

*FFTF Membership  
2006*

*legislative*

Rep. Mimi Stewart, Co-Chair, Albuquerque  
Sen. Ben D. Altamirano, Silver City  
Sen. Vernon D. Asbill, Carlsbad  
Sen. Mark Boitano, Albuquerque  
Rep. William "Ed" Boykin, Las Cruces  
Sen. Pete Campos, Las Vegas  
Rep. Gail Chasey, Albuquerque  
Rep. Roberto "Bobby" J. Gonzales, Taos  
Rep. Joni Marie Gutierrez, Mesilla  
Rep. Jimmie C. Hall, Albuquerque  
Sen. Gay G. Kernan, Hobbs  
Sen. Linda M. Lopez, Albuquerque  
Rep. Terry T. Marquardt, Alamogordo  
Rep. Rick Miera, Albuquerque  
Rep. Brian K. Moore, Clayton  
Sen. Cynthia Nava, Las Cruces  
Sen. Mary Kay Papen, Las Cruces  
Sen. Bernadette M. Sanchez, Albuquerque  
Sen. James G. Taylor, Albuquerque  
Rep. Richard D. Vigil, Ribera  
Rep. Teresa A. Zanetti, Albuquerque

*public*

Dick Pool, Co-Chair  
Robert Archuleta  
Charles Bowyer  
Dr. V. Sue Cleveland  
Jack Jenkins  
Randy Manning  
Lilliemae Ortiz  
James M. Phipps  
Dennis Roch  
Manuel F. Valdez  
Karen White

*staff*

Jonelle Maison  
Sharon Ball  
Doug Williams  
Jeremy LaFaver

c) identifying education reform policies and decisions the state supports in the public school budget; and

(4) consider and make recommendations to the legislature on critical transitional issues, including how funding for required three-tier salaries will be handled in the general appropriation act.

The task force also proposed to compile information on other states' experiences in conducting comprehensive funding formula studies, including costs, in order to assist the task force in making recommendations to the legislature and governor for funding the New Mexico study.

Prior to developing the RFP, the task force proposed to:

- (1) seek input from school districts, school staffs, parents, business groups and other interested persons;
- (2) interact with the relevant professional associations and provide information to their members at annual meetings where possible; and
- (3) hold two two-day meetings in representative areas around the state, including evening meetings, to provide briefings to the public on the funding formula and seek input on formula-related concerns.

For the 2006 interim, the task force proposed to issue an RFP for the planned study of the funding formula by late May, evaluate the proposals received during June and July and select a contractor to perform the study by the end of July. The co-chairs of the task force and the director of the legislative council service will then negotiate the contract with the winning bidder and, as part of the study, the task force will name a panel of outside experts to review the work of the contractor.

The task force proposed a truncated meeting schedule for the interim while the contractor conducted the first phase of the study, including the surveys and interviews required in the RFP and meetings with focus groups around the state.

## **Indian Education Act Subcommittee**

### **2006**

The Indian Education Act subcommittee was created by the legislative council on September 25, 2006 in response to concerns raised during meetings of the Indian affairs committee regarding implementation of the Indian Education Act. The subcommittee consisted of members of LESC and the Indian affairs committee, and its charge was to work with the public education department to propose consensus amendments to the act that

#### *IEA Membership 2006*

##### *voting*

Sen. Ben D. Altamirano, Silver City  
Rep. Irvin Harrison, Gallup  
Rep. Rhonda S. King, Stanley  
Rep. Rick Miera, Albuquerque  
Sen. Cynthia Nava, Las Cruces  
Sen. Lidio G. Rainaldi, Gallup  
Sen. John C. Ryan, Albuquerque  
Rep. Jeannette O. Wallace, Los Alamos  
Rep. Teresa A. Zanetti, Albuquerque

##### *staff*

Jennie Lusk

would:

- (1) clarify the department's responsibility to consult with tribes throughout the process of service delivery for Native American students;
- (2) formalize the department's commitment to meet with tribes every six months for input;

- (3) strengthen the requirement for culturally appropriate education; and
- (4) establish terms for members of the Indian education advisory council.

*LSPS Membership  
2006*

*legislative*

Rep. Janice E. Arnold-Jones, Albuquerque  
Rep. Ray Begaye, Shiprock  
Sen. Mark Boitano, Albuquerque  
Rep. Donald E. Bratton, Hobbs  
Sen. Stuart Ingle, Portales  
Rep. Larry A. Larrañaga, Albuquerque  
Sen. Cynthia Nava, Las Cruces  
Sen. Steven P. Neville, Aztec  
Rep. Al Park, Albuquerque  
Sen. Gerald Ortiz y Pino, Albuquerque  
Sen. William H. Payne, Albuquerque  
Sen. Nancy Rodriguez, Santa Fe  
Rep. Henry Kiki Saavedra, Albuquerque  
Rep. Thomas C. Taylor, Farmington  
Rep. Peter Wirth, Santa Fe

*public*

Thomas A. Donnelly, Co-Chair  
Richard E. Olson, Co-Chair  
Max Coll  
Linda M. Davis  
Charles Dorame  
Marie Eaves  
F. Chris Garcia  
William R. Humphries  
Tommy Jewell  
Judy K. Jones  
Willard Lewis  
David McCumber  
Brian McDonald  
Marilyn O'Leary  
Murray Ryan  
Kim Seckler  
Anthony Williams

*staff*

John Yaeger  
Raúl Burciaga  
Paula Tackett  
Evan Blackstone  
Ric Gaudet

## **Legislative Structure and Process Study Task Force 2006**

The legislative structure and process study task force was created by the legislative council on June 28, 2006 to address the problem faced by the legislature, especially during sessions, of having an inordinate amount of work to do in a limited amount of time. The task force was charged with developing a series of recommendations to help the legislature conduct its work and perform its duties in a more effective and efficient manner.

The task force proposed for the 2006 interim to:

- (1) review and evaluate past and present organizational and operational practices of the legislature for regular, special and extraordinary sessions, including the critical work of interim committees and the relationship of the interim committees to the next regular session to which they necessarily report;
- (2) review constraints on

operational structures and processes contained in the constitution of New Mexico and statutes, as well as those set out in the rules and policies of the legislature;

- (3) review the operational structures and processes of comparable state legislatures;
- (4) concern itself with ensuring that the public participates in, understands, has confidence in and has regard for the processes of the legislature;
- (5) obtain public comment on its study and preliminary recommendations; and
- (6) report regularly to the legislative council on its progress, issue a preliminary report of any conclusions and recommendations that can be addressed during the 2007 session and produce a final report of all of its conclusions and recommendations, including a summary of any public comment, by December 21, 2007 for action during the 2008 legislative session.

## **Lottery Tuition Scholarship Study Subcommittee**

**2005**

The lottery tuition scholarship study subcommittee, a subcommittee of the legislative council, was created by the council on May 9, 2005 in response to Senate Joint Memorial 74 of the 2005 regular session. Numerous bills were introduced during that session to change the lottery tuition scholarship program, some of which proposed to expand the purpose of the scholarship to allow payment for other expenses, some of which proposed to change the program from a merit program to a needs-based program and some of which proposed to open the program to more people and types of institutions.

The subcommittee's charge for the 2005 interim was to:

- (1) study the constitution of New Mexico, statutes and case law pertaining to

### *LTSS Membership 2005*

#### *voting*

Sen. Michael S. Sanchez, Chair, Belen  
Rep. W. Ken Martinez, Vice Chair, Grants  
Sen. Stuart Ingle, Portales  
Sen. Timothy Z. Jennings, Roswell  
Rep. James Roger Madalena, Pueblo of Jemez  
Rep. Terry T. Marquardt, Alamogordo  
Rep. Rick Miera, Albuquerque  
Sen. Leonard Lee Rawson, Las Cruces  
Sen. John Arthur Smith, Deming  
Rep. Jeannette O. Wallace, Los Alamos

#### *advisory*

Rep. William "Ed" Boykin, Las Cruces  
Rep. Donald E. Bratton, Hobbs  
Sen. Kent L. Cravens, Albuquerque  
Sen. Joseph A. Fidel, Grants  
Rep. Irvin Harrison, Gallup  
Rep. Ben Lujan, Santa Fe  
Sen. Lidio G. Rainaldi, Gallup  
Rep. Teresa A. Zanetti, Albuquerque

#### *staff*

Jonelle Maison  
Lisa Barsumian  
Paula Tackett  
Annie Rodriguez  
Diana Martinez-Herrera

scholarships;

(2) consider the legislative proposals of the 2005 session, including their costs and effects;

(3) work with the New Mexico lottery authority and the higher education department to establish baseline data on and forecasts for the tuition scholarship fund and develop impact analyses on the various proposals on the fund and on institutions, students and taxpayers; and

(4) seek input from boards of regents, college and university student associations, legislators, the higher education department, the lottery authority and other interested persons.

## Public Employee Benefits Oversight Subcommittee

2005

The public employee benefits oversight subcommittee, a subcommittee of the legislative council, was created by the council on May 9, 2005 to ensure that benefits programs of the general services department's risk management division, public school insurance authority,

retiree health care authority and Albuquerque public school district are providing the best possible programs for their employees and are operating in a fiscally sound manner.

For the 2005 interim, the subcommittee proposed to receive public testimony and review:

- (1) the statutes, constitutional provisions, regulations and court decisions governing the benefits plans provided by the retiree health care authority, the public school insurance authority, the Albuquerque public schools benefits program and the state group benefits program;
- (2) the present and future costs of maintaining the programs;
- (3) present enrollment, trends in enrollment over the last five years and projected

### *PEBO Membership 2005*

#### *voting*

Sen. Dianna J. Duran, Tularosa  
Sen. John T.L. Grubestic, Santa Fe  
Rep. Ted Hobbs, Albuquerque  
Rep. Ben Lujan, Santa Fe  
Sen. Lidio G. Rainaldi, Gallup  
Rep. Sheryl Williams Stapleton, Albuquerque

#### *advisory*

Sen. Sue Wilson Beffort, Sandia Park  
Rep. Ernest H. Chavez, Albuquerque  
Rep. James Roger Madalena, Pueblo of Jemez  
Sen. Leonard Lee Rawson, Las Cruces  
Sen. James G. Taylor, Albuquerque  
Rep. Teresa A. Zanetti, Albuquerque

#### *staff*

Pam Ray  
Lisa Barsumian  
Phil Lynch  
Maha Khoury

future enrollment;

(4) the comparative premium burden with similar benefits programs;

(5) benefits coverage changes;

(6) cost shifting used to maintain lower premiums, such as higher deductibles and increased co-pays;

(7) balancing enrollment of younger and older members to ensure continued fund health;

(8) the actuarial soundness and performance of program funds and term of actuarial analyses;

(9) investment of reserves and premium funds and five-year comparison of return on the investment of the reserves and premium funds;

(10) the extent and effect of participation required by statute or lack of statutory requirement to participate in benefits programs;

(11) contractual relationships with third-party providers, administrators and agents;

(12) participation by counties and municipalities, including arguments for and against;

(13) current board members, consultants and conflicts of interest;

(14) a report on the small employers participation program administered by the general services department;

(15) the extent and purpose of expenditures by health plans that are not related directly to benefits coverage;

(16) the size of reserve funds and source of indemnification if reserves are inadequate;

(17) legislative proposals affecting benefits programs;

(18) where the authority resides to change benefit plans and the legislature's role in the oversight of changes;

(19) the scope of the authority to refuse membership to a public group that qualifies, the criteria for such refusal and the recourse of a public entity that is refused; and

(20) any other pertinent area of inquiry that arises during the course of reviewing information presented to the subcommittee.

# Public School Capital Outlay Oversight Task Force

2005, 2006

The public school capital outlay oversight task force, which was initially created as the "public school capital outlay task force" by Laws 2001, Chapter 338, consists of legislators, public members who have expertise in finance and education, superintendents of school districts or their designees from districts that receive federal impact aid grants and certain designated public officials. As set forth in statute, the duties of the task force are to:

(1) study and evaluate the progress and effectiveness of programs administered pursuant to the Public School Capital Outlay Act and the Public School Capital Improvements

<i>PSCOOTF Membership 2005</i>	<i>PSCOOTF Membership 2006</i>
<i>legislative</i>	<i>legislative</i>
Rep. Rick Miera, Co-Chair, Albuquerque	Rep. Rick Miera, Co-Chair, Albuquerque
Sen. Cynthia Nava, Co-Chair, Las Cruces	Sen. Cynthia Nava, Co-Chair, Las Cruces
Sen. Ben D. Altamirano, Silver City	Sen. Ben D. Altamirano, Silver City
Sen. Vernon D. Asbill, Carlsbad	Sen. Vernon D. Asbill, Carlsbad
Rep. Ray Begaye, Shiprock	Sen. Joseph A. Fidel, Grants
Sen. Joseph A. Fidel, Grants	Rep. Larry A. Larrañaga, Albuquerque
Rep. Larry A. Larrañaga, Albuquerque	Sen. Carroll H. Leavell, Jal
Sen. Carroll H. Leavell, Jal	Rep. Ben Lujan, Santa Fe
Rep. Ben Lujan, Santa Fe	Rep. Henry Kiki Saavedra, Albuquerque
Rep. Henry Kiki Saavedra, Albuquerque	Sen. Leonard Tsosie, Crownpoint
Rep. W.C. "Dub" Williams, Glencoe	Rep. W.C. "Dub" Williams, Glencoe
<i>public</i>	<i>public</i>
Gary Bland	Gary Bland
Dr. Leslie Carpenter	Dr. Leslie Carpenter
Veronica Garcia	Veronica Garcia
Cecilia J. Grimes	Cecilia J. Grimes
Pancho Guardiola	Pancho Guardiola
Leonard Haskie	Leonard Haskie
Robbie Heyman	Robbie Heyman
James Jimenez	Anna Lamberson
Kilino Marquez	Kilino Marquez
Elizabeth Marrufo	Elizabeth Marrufo
Tony Monfiletto	Kathryn B. Miller
Bud Mulcock	Bud Mulcock
Norman Suazo	Norman Suazo
Dr. Moises Venegas	Dr. Moises Venegas
<i>staff</i>	<i>staff</i>
Doug Williams	Sharon Ball
Paula Tackett	Paula Tackett
Liz Holmes	Doug Williams
	Jeremy LaFaver



Act;

(2) evaluate the existing permanent revenue streams and other potential revenues as adequate long-term funding sources for public school capital outlay projects and recommend any changes that may be more cost-effective or appropriate;

(3) evaluate the effectiveness and fairness of the formula used in determining the amount of grant assistance that an approved public school capital outlay project may receive from the public school capital outlay fund and recommend any proposed changes to the legislature; and

(4) monitor and assist the public school capital outlay council as it:

a) defines outstanding public school capital outlay deficiencies pursuant to Section 22-24-4.1 NMSA 1978;

b) works with school districts in conducting self-assessments of the projects needed to correct the outstanding deficiencies and establishes criteria for addressing those needs;

c) develops statewide adequacy standards that establish the minimum acceptable level for the physical condition and capacity of public school buildings, the educational suitability of educational facilities and the need for technological infrastructure; and

d) develops guidelines and procedures for reporting requirements and conditions to ensure that the grants are expended in the most prudent manner possible and that they are consistent with the original purpose for which they were made.

## Senate Rules Committee

2005, 2006

<i>SRC Membership 2005</i>	<i>SRC Membership 2006</i>
Sen. Linda M. Lopez, Chair, Albuquerque	Sen. Linda M. Lopez, Chair, Albuquerque
Sen. John T.L. Grubestic, Vice Chair, Santa Fe	Sen. John T.L. Grubestic, Vice Chair, Santa Fe
Sen. Rod Adair, Roswell	Sen. Rod Adair, Roswell
Sen. Ben D. Altamirano, Silver City	Sen. Ben D. Altamirano, Silver City
Sen. Kent L. Cravens, Albuquerque	Sen. Kent L. Cravens, Albuquerque
Sen. Dianna J. Duran, Tularosa	Sen. Dianna J. Duran, Tularosa
Sen. Dede Feldman, Albuquerque	Sen. Dede Feldman, Albuquerque
Sen. Steve Komadina, Corrales	Sen. Steve Komadina, Corrales
Sen. Gerald Ortiz y Pino, Albuquerque	Sen. Gerald Ortiz y Pino, Albuquerque
<i>staff</i> provided by the senate chief clerk's office	<i>staff</i> provided by the senate chief clerk's office

The senate rules committee is the only standing committee of the legislature allowed to meet during the interim. Upon the approval of the voters in 1986, Article 4 of the constitution of New Mexico was amended to add Section 42, which allows the committee to operate during the interim to conduct hearings and take testimony on the confirmation or rejection of gubernatorial appointments. The senate rules committee then makes its recommendations to the next session of the legislature.

*SPF Membership  
2005*

*legislative*

Rep. John A. Heaton, Chair, Carlsbad  
Sen. John Arthur Smith, Vice Chair, Deming  
Rep. Donald E. Bratton, Hobbs  
Sen. Pete Campos, Las Vegas  
Sen. Joseph J. Carraro, Albuquerque  
Sen. Carlos R. Cisneros, Questa  
Sen. Joseph A. Fidel, Grants  
Rep. Justine Fox-Young, Albuquerque  
Rep. Miguel P. Garcia, Albuquerque  
Sen. Phil A. Griego, San Jose  
Sen. Stuart Ingle, Portales  
Rep. Larry A. Larrañaga, Albuquerque  
Sen. Carroll H. Leavell, Jalisco  
Rep. Kathy A. McCoy, Cedar Crest  
Sen. Leonard Lee Rawson, Las Cruces  
Rep. Henry Kiki Saavedra, Albuquerque  
Sen. H. Diane Snyder, Albuquerque  
Rep. Joe M Stell, Carlsbad  
Rep. Luciano "Lucky" Varela, Santa Fe

*public*

Gary Bland  
Frank Foy  
Robert Gish  
James Jimenez

*staff*

Doug Williams  
Cleo Griffith  
Larry Matlock

## **State Permanent Fund Task Force**

*2005*

The state permanent fund task force was created by the legislative council on December 17, 2003 in response to Senate Joint Memorial 14 of the 2003 regular session.

The task force proposed to examine the controls and safeguards applicable to the investment of New Mexico's permanent funds. In order to accomplish the duties set forth in the legislation, the task force proposed to focus on the following areas during the 2005 interim:

(1) testimony concerning current fund balances, investment performance, portfolio composition and growth expectations, including an examination of the variety of investment opportunities currently available in the marketplace such as derivatives, and a review of the sources of revenue for the funds and distributions made from them; and

(2) alternative strategies for

ensuring that the principal balances of several permanent funds are adequately safeguarded and for minimizing investment expense, including suggestions from the general public concerning safeguards.

## Other Committees

Certain interim legislative committees meet only when a topic or situation arises within their purview, including the interim legislative ethics committee and the legislative committee on compacts. The ethics committee is created in Section 2-15-7 NMSA 1978 as the legislative body to address all matters arising during the interim pertaining to legislative ethics. The charge for the committee on compacts, which was created by Laws 1999, Chapter 252, is to review proposed new Indian gaming compacts or proposed amendments to existing Indian gaming compacts; request modifications to proposed compacts or amendments; and make recommendations to the legislature.



## **OTHER APPOINTMENTS**



In addition to interim committee work, members of the legislature served by appointment on committees and task forces of organizations such as the national conference of state legislatures, the council of state governments and the energy council. Although these are important assignments for the members serving on these bodies, the appointments are too numerous for inclusion in this report. A complete list of these appointments is available in the LCS library.

## Commission on Uniform State Laws

*2005, 2006*

<i>CUSL Membership 2005</i>	<i>CUSL Membership 2006</i>
<p><i>legislative</i> Rep. W. Ken Martinez, Grants Sen. Cisco McSorley, Albuquerque</p> <p><i>public</i> Jack Burton, Albuquerque Thomas P. Foy, Bayard Philip Larragoite, Albuquerque Raymond G. Sanchez, Albuquerque</p>	<p><i>legislative</i> Rep. W. Ken Martinez, Grants Sen. Cisco McSorley, Albuquerque</p> <p><i>public</i> Jack Burton, Albuquerque Thomas P. Foy, Bayard Philip Larragoite, Albuquerque Raymond G. Sanchez, Albuquerque</p>

Chapter 2, Article 4 NMSA 1978 provides for the creation of a commission for the promotion of uniformity of legislation in the United States, whose purpose is to confer with commissioners from other states concerning uniform laws. The commission on uniform state laws is the national organization to which New Mexico's commissioners belong. The director of the legislative council service, Paula Tackett, and the dean of the UNM school of law are ex-officio members.

## Educational Commission of the States

*2005, 2006*

New Mexico became a member of the educational commission of the states in 1967 when it entered into the Compact for Education. As enumerated in Section 11-8-5 NMSA 1978, the

<i>ECS Membership 2005</i>
<p><i>legislative</i> Sen. Cynthia Nava, Las Cruces Rep. Sheryl Williams Stapleton, Albuquerque</p>
<i>ECS Membership 2006</i>
<p><i>legislative</i> Sen. Cynthia Nava, Las Cruces Rep. Sheryl Williams Stapleton, Albuquerque</p>

commission has the authority to:

"A. collect, correlate, analyze and interpret information and data concerning educational needs and resources;

B. encourage and foster research in all aspects of education, but with special reference to the desirable scope of instruction, organization, administration, and instructional methods and standards employed or suitable for employment in public educational systems;

C. develop proposals for adequate financing of education as a whole and at each of its many levels;

D. conduct or participate in research of the types referred to in this article in any instance where the commission finds that such research is necessary for the advancement of the purposes and policies of this compact, utilizing fully the resources of national associations, regional compact organizations for higher education and other agencies and institutions, both public and private;

E. formulate suggested policies and plans for the improvement of public education as a whole, or for any segment thereof, and make recommendations with respect thereto available to the appropriate governmental units, agencies and public officials;

F. do such other things as may be necessary or incidental to the administration of any of its authority or functions pursuant to this compact".



THE  
LEGISLATIVE COUNCIL SERVICE



## The Legislative Council Service

### *Duties*

The LCS is the staff agency created by law to serve all legislators. Among the major services it provides are: bill drafting; bill indexing; production of publications on legislative actions; daily bill location and cumulative action; reference and spot research, including constituent services; preparation of memoranda, including bill analyses and arguments for and against specified legislation; maintenance of the legislative research library; bookkeeping and accounting for the legislature; staffing and drafting for interim committees; certain housekeeping functions for the house and senate; and preparation of major research studies.

The LCS maintains several publications for the legislature's use both during legislative sessions and during interims. See the *Publications* heading below for a list and descriptions of these documents.

In addition to work performed at the request of individual legislators, the LCS assists the permanent legislative committees and the executive and the judiciary with preparation of their bill drafts. By law, all requests are confidential unless released by the person making the request.

Projects requiring a great amount of staff time must be requested through and approved by the legislative council.

Section 2-3-8 NMSA 1978 sets forth the duties of the LCS as follows:

"A. to assist the legislature of the state of New Mexico in the proper performance of its constitutional functions by providing its members with impartial and accurate information and reports concerning the legislative problems which come before them; and by providing digests showing the practices of other states and foreign nations in dealing with similar problems;

B. when so requested, to secure information for and to report to the legislators of this state on the social and economic effects of statutes of this state or elsewhere by cooperating with the legislative service agencies in other states and other reference agencies and libraries;

C. to furnish to the members of the legislature of this state the assistance of expert draftsmen, qualified to aid the legislators in the preparation of bills for introduction into the legislature;

D. to recommend to the legislature measures which will improve the form and working of the statutes of this state, and clarify and reconcile their provisions;

E. to provide for the legislature adequate staff facilities and to provide the adequate expert assistance without which no legislature can properly perform its required functions; and

F. to prepare and index for printing as promptly as possible after the adjournment of each session the session laws therefor, which compilation shall include all resolutions and acts which the legislature has adopted or passed during the session, and have received the approval of the governor when such approval is necessary".

### ***Policies***

The established policies for the LCS were continued through this biennium. The prime concern of the LCS remains in the field of assistance to legislators, which includes drafting of all bills, resolutions, memorials, amendments, rule changes and capital outlay requests; legal analysis of issues and legislation; research; compiling of data and memoranda; and committee staffing.

The LCS is headed by a director who is hired by and responsible to the legislative council. The staff of the LCS is comprised of such technical, clerical and stenographic personnel as the director deems necessary.

Because of the impartial and technical nature of the work of the LCS, employees are hired without regard to party affiliation. By the same token, LCS employees are prohibited from participating in partisan politics, other than the exercise of their individual voting rights.

The law also permits the director to hire temporary personnel to handle the extra workload of legislative sessions. The LCS hires additional receptionists, proofreaders, word processors, bill historians, bill clerks, billroom and mailroom clerks, central telephone operators and print shop workers during each session. The LCS may also contract with experts to provide drafting services during the session.

### ***Staff — as of June 30, 2006***

<u>Name</u>	<u>Position</u>
Zelda Abeita	Library Assistant
Jeffrey Anaya	Print Service Operator

Sharon Ball	Researcher II
Evan Blackstone	Staff Attorney I
Jon A. Boller	Staff Attorney III
Raúl E. Burciaga	Assistant Director/Drafting
Tim Crawford	Records Officer
Stephanie Crespín	Receptionist
Matt Cummings	Computer Specialist II
Blanca DeLira Rodriguez	Financial Assistant I
Kathleen Dexter	Researcher I
Doris Faust	Staff Attorney I
Jeret L. Fleetwood	<i>Locator</i> Coordinator and Committee Staff
Renee Gregorio	Researcher II
Cleo Griffith	Bill Drafter III
Pamela L. Jensen	Proofreader II
Maha Khoury	Staff Attorney I
Tracey R. Kimball	Senior Legislative Librarian
Jeremy LaFaver	Research Assistant II
Robert W. Lange	Proofreader I
Jennie Lusk	Staff Attorney I
Jonelle G. Maison	Senior Bill Drafter
Sheila J. Manzagol	Financial Assistant III
Cristina M. Martinez	Word Processor I
Fernando Martinez	Print Service Operator I
Diane M. Martinez-Herrera	Word Processor I
Larry Matlock	Research Assistant I
Carrie McGovern	Proofreader I
Gordon Meeks, Jr.	Bill Drafter II
Kathy Pacheco-Dofflemeyer	Assistant Director/Administration
J. Pamela Ray	Staff Attorney III
Anita A. Rodriguez	Word Processing Supervisor
Robert J. Rodriguez	Print Service Manager
Cynthia Romero	Financial Assistant II
Meliza J. Romero	Receptionist
Sarah Salazar	Research Assistant I

Ramona Schmidt	Staff Attorney I
Brad Schroeder	Systems Analyst
Anesa Serna-Espinosa	Administrative Assistant I
Adam Sloane-Warren	Information Technology Specialist
Paula Tackett	Director
Charles H. Van Gorder	Staff Attorney II
Doug Williams	Researcher II
John Yaeger	Assistant Director/Legislative Affairs
Darrell Yazza	Information Technology Specialist
Linda Zillman	Proofreader I

***Staff Changes — July 1, 2004 through June 30, 2006***

***Additions***

- In 2004* Jennie Lusk transferred from the public education department as a staff attorney I on July 3, 2004.
- Robert W. Lange was hired as a proofreader I on July 6, 2004.
- Tim Crawford was hired as the records officer on July 7, 2004.
- Matt Cummings was hired as a computer specialist II on July 26, 2004.
- Evan C. Blackstone was hired as a staff attorney I on August 16, 2004.
- Cristina Martinez was hired as a word processor I on August 23, 2004.
- Lisa Barsumian was hired as a researcher II on November 1, 2004.
- In 2005* Blanca DeLira-Rodriguez was hired as a financial assistant I on January 10, 2005.
- Sarah Salazar was hired as a receptionist on April 25, 2005.
- Sharon Ball transferred from the LESC as a researcher II on July 30, 2005.
- Jeremy LaFaver was hired as a research assistant II on August 22, 2005.
- Stephanie Crespin was hired as a receptionist on August 29, 2005.
- Linda Zillman was hired as a proofreader on August 31, 2005.
- Jeffrey Anaya transferred from the department of transportation as a print service operator I on September 12, 2005.
- Adam Sloane-Warren was hired as an information technology specialist on September 28, 2005.
- In 2006* Brad Schroeder was hired as a systems analyst on February 27, 2006.
- Doris Faust was hired as a staff attorney I on June 26, 2006.

### ***Promotions***

*In 2005* Jon Boller was promoted to staff attorney III on July 2, 2005.  
Amy Chavez was promoted to staff attorney II on July 2, 2005.  
Sarah Salazar was promoted to research assistant I on August 29, 2005.

### ***Resignations and Retirements***

*In 2004* Mary Hurtado resigned from her position as financial assistant I on July 30, 2004.  
Leslie Schaar resigned from her position as staff attorney I on August 27, 2004.  
Rachel Ray resigned from her position as bill drafter I on October 1, 2004.  
Janice McCrary resigned from her position as researcher II on November 19, 2004.

*In 2005* Jeannette C. Gurule resigned from her position as financial assistant I on January 14, 2005.  
Sharon Viarreal resigned from her position as word processor I on January 26, 2005.  
Janet Mae Peacock retired from her position as research and fiscal policy analyst on January 29, 2005.  
Mark H. Cross retired from his position as proofreader on July 31, 2005.  
Elizabeth C. Holmes resigned from her position as research assistant I on August 5, 2005.  
Kelly Schwinkendorf resigned from her position as systems analyst on December 16, 2005.

*In 2006* Amy Chavez resigned from her position as staff attorney II on April 7, 2006.  
Lisa Barsumian resigned from her position as researcher II on April 28, 2006.

### ***Special Notes***

After more than 20 years working in New Mexico state government, Janet Peacock retired as the LCS research and fiscal policy analyst in January 2005. Janet worked for the department of finance and administration, state board of finance, taxation and revenue department, legislative finance committee and house taxation and revenue committee before joining the LCS in 1998. She also worked with the public school capital outlay task force to develop the "Zuni fix" — the standards-based methodology now used to fund public school capital outlay expenditures as a result of the *Zuni School District v. State* lawsuit — and was one of the masterminds behind the sliding-scale formula and "offset" put into place to address concerns about inequity in public school funding. In addition to her work in New Mexico, she

worked as an overseas policy analyst for the New Zealand treasury department and inland revenue department on reforming and restructuring that country's tax system. Janet, an avid hiker, always chafed at the schedule for legislative sessions, because they come during the best time of year for hiking in New Zealand, and she looked forward to retirement as a chance to spend more time outdoors in the country that had become her second home.

Philip J. Lynch, a bill drafter who had been with the council service for many years specializing in health and human services issues, passed away unexpectedly on July 30, 2005. Mr. Lynch first joined the LCS in 1970 and staffed the original interim committee on aging and health before leaving in 1979. When he rejoined the LCS in 1995, he resumed staffing that committee, which, by that time, had been created in statute and renamed the "legislative health and human services committee". It seemed fitting to those who knew his passion for and commitment to helping those in need that Mr. Lynch's final days were spent with that committee as it held a meeting in a remote and underserved area of the state. Prior to joining the LCS, Mr. Lynch served as public relations director for the Santa Fe opera; worked as a reporter for the *Washington D.C. Daily News* and the *Las Cruces Sun Times*; worked for the law firm of Hinkle, Cox, Eaton, Coffield and Hensley, LLP; provided contractual services to the energy, minerals and natural resources department and other executive agencies; and made a living as a leather craftsman, specializing in fine sandals, belts, wallets and vests.

### *Activities*

A primary function of the LCS is the drafting of legislation.

With the length of sessions set by the constitution, the continuing use of the techniques developed over the years permits drafters to fulfill the legislative requests expeditiously. The *LCS Drafting Manual* facilitates the production process by answering most of those questions relating to form and style that plague those who prepare legislation. Wide use of the manual by private attorneys, state agency staff attorneys and employees of the legislature promotes uniformity in drafts, amendments and format, reduces errors and eliminates uncertainty.

The greatest aid to rapid and accurate bill production by the LCS is the work process developed and followed in detail for each request. When a request is made of the LCS, it is logged by number, name of requester and subject matter, and a file is opened. An entry is also made in a chronological request book that includes, in addition to the above information, the name of the drafter assigned to the project. When a drafter has completed a given assignment, the file is sent to the proofreading department for an initial proofing and review of format, style and correct citations in bills. From there, the file is sent to the word processing department,



where the contents are entered into the LCS word processing system and printed in the form and style specified in the drafting manual.

After the bill is in its final form and has been thoroughly second-proofed with all corrections made, it is transmitted to a bill clerk for duplicating the required number of copies, assembled and sent to the delivery drawer, at which time a notice is sent to the requester. Upon delivery of the bill, a notation is made on the file copy of the date and name of the persons making and taking delivery of the bill. The above procedure is the minimum process given each request.

The drafter, in preparing a bill for introduction, must thoroughly research the matter involved and may find it necessary to hold several conferences with the requester or to confer with those best informed about the subject. Such work inevitably adds many hours or even days to the processing time.

In addition to bills, the LCS is also responsible for processing capital outlay project requests. During the first half of each regular session, LCS capital outlay staff draft project descriptions for introduction on the floor of the house and senate; following the midpoint bill introduction deadline, capital outlay staff draft the final capital outlay bill based on legislators' funding decisions. Capital outlay projects are reported through a separate locator system and are indexed by sponsor, location and subject.

Another vital function of the LCS is the research and preparation of information memoranda. Legislators may request a detailed and comprehensive summary of any information necessary to their deliberations. A memorandum may be one page or many pages in length. It may supply a single needed fact or an exhaustive survey of a field of interest. As with bill drafts, all memoranda are confidential, and not even the fact that they have been requested may be divulged to anyone unless released by the requester.

Requests for other services performed by the LCS have been steadily increasing over the years. These include requests for information or services, other than bill drafts or information memoranda, that are of sufficient importance that separate files are opened. LCS staff provide speeches; press releases; suggested language for house and senate certificates of congratulations or condolence; compilations of bill sponsorship for legislators; and answers to legislators' requests for information, such as information on the laws of other states, statistics, material from other agencies and other data.

In addition to information requests that require enough staff time to warrant a separate file, the LCS receives many requests for information that can be answered by letter or by telephone. The cost of keeping a precise account of all requests would be prohibitive, but

tallies maintained by the library staff and records officer show the LCS received an average of 50 information and service requests per day during the biennium. Requests come from citizens, news media, legislative service agencies of other states, survey publications and private industry, as well as from legislators and state agencies. Questions cover a variety of subjects and include queries from students of all ages.

### ***Library***

The LCS library is an important resource in providing information for and about the legislative process. Library staff respond to requests from legislators and legislative staff, governmental agencies and a wide array of members of the public in and outside of New Mexico.

Special print materials include a historical collection of New Mexico bills, house and senate journals, session laws and statute compilations. The library keeps a comprehensive database of state legislators from 1912 to the present, tracks significant internet resources and maintains a select collection of reports, periodicals and other material focusing on legislative issues.

Library staff prepare several LCS publications and serve as liaison to the state publications program of the state library.

### ***Publications***

The LCS publishes many annual reports and studies requested by the legislature, as well as other materials of importance to the legislature and the general public. Publications prepared during this biennium or available from the LCS include the following.

*Capital Outlay Projects*

*Committee Staff Handbook*

*Constitutional Amendments Proposed by the Legislature in 2005 and 2006 – Brief Analysis and Arguments For and Against*

*Directory of Permanent Legislative Staff* – a pre-session publication to provide pictures and information about permanent staff of the legislature

*Highlights of the Forty-Seventh Legislature, First Session, 2005* – a summary of the most important legislation that passed and became law, as well as detailed information about the general appropriation act, special appropriations, revenue measures and

capital outlay projects

*Highlights of the Forty-Seventh Legislature, Second Session, 2006, and First Special Session, 2005*

*Index to Special District Governments in New Mexico*

*Index to Revenue Sources of New Mexico*

*Inventory of Statutory Executive Boards and Commissions*

*Legislative Council Service Report to the Legislative Council*

*Legislative Drafting Manual*

*Legislative Style Manual*

*New Mexico State Legislature* – a booklet explaining the legislature and how a bill becomes law, prepared for legislators to give to constituents

Organizational Chart of New Mexico State Government

*Piecemeal Amendment of the Constitution of New Mexico, 1911-1996*

Reports of special studies conducted under direction of the legislature

The LCS also prepares the following reference publications for each session:

*Bill Index* – an index of all bills, memorials and resolutions introduced, prepared weekly during the session

*Bill Locator, Daily* – a cumulative record of all action on bills, memorials and resolutions through the previous day's session, published daily during each session

*Bill Locator, Final* – a cumulative record showing all action on each bill, memorial and resolution introduced in the session

*Bill Sponsorship List* – a record of all legislation introduced by each member of the legislature (reference copy only)

*Concordance* – a list of all bills and proposed constitutional amendments that passed both houses, arranged numerically by chapter to bill and bill to chapter

*Conflicts List* (weekly and final) – a list of all bills that propose to amend, repeal, compile, recompile or make other changes to the same section of law

*Directory of Legislative Offices*

*Legislative Handbook*, which includes house and senate rules; various

committee and legislator information lists, including standing committees, committee assignments by committees and members, legislators' occupations, seniority lists, floor seating charts and preceding interim committee lists; parliamentary procedure information; information on current public officials; maps of congressional, PRC, judicial and state board of education districts; information on executive departments, district judges, district attorneys and state board of education members; lists of county officials; classification of counties; official decennial census population of the state, counties and municipalities; history of political control of legislative sessions; list of legislative leaders since statehood; list of governors and lieutenant governors and their terms; women legislators since statehood; and the legislative staff code of conduct

*Senate Journal* and *House Journal* – records of the proceedings of the senate and house prepared by each and printed by the LCS

*Subject Index* – a multilevel cross-referenced index of all subjects covered by introduced bills, memorials and resolutions

*Table of Changes, Proposed* (weekly) and *Final* – a list of all substantive sections of law being amended, repealed, compiled or recompiled by bill (proposed) or chapter (final)

*Veto Messages* – a bound compilation of the governor's messages regarding the governor's reasons for vetoing bills

*Voting Record* – each roll call vote abstracted from the journals of the house and senate

The LCS produces numerous lists and documents for the legislature and the public that pertain to interim committee work, including interim committee lists, which are updated as necessary; interim committee reports; unofficial elections candidates lists; and lists of legislators' names, addresses and phone numbers, also updated as necessary.

### ***Legislative Information System***

Supporting and developing projects in the legislative information system (LIS) is an ongoing function of the IT staff at the LCS. With continual user support and system maintenance, the IT staff has been able to enhance both the network infrastructure and quality

of service. A three-year strategic plan for the LIS, available through the LCS library, is updated annually and provides detailed information on current and future legislative IT initiatives.

Major IT projects during the 2004-2006 biennium include the following.

A. A pilot project to test wireless access throughout the capitol.

Testing the possibility of having wireless internet access for staff, legislators and visitors was essential to providing an up-to-date technology that is currently in demand. This allows anyone to have a secure and stable network connection without having to use a physical network cable.

B. Network infrastructure upgrades.

Major improvements to the infrastructure include the installation of new Cisco switches and routers, which are able to provide higher throughput and make the system easier to manage and maintain.

C. Enhancements to the legislative web site.

This ongoing project includes constant data updates and making the web site a more user-friendly environment. New search functions have been added making it easier for the user to access data in an efficient way.

D. Email system upgrades.

Implementation of redundant email servers through the use of server clustering has significantly improved daily operations at the legislature. Such clustering is essential in order to provide the high availability and scalability of services required to support legislative operations 24 hours a day, seven days a week.

E. Backup system upgrades.

Data is critical to legislative operations, and recovering data quickly and managing it efficiently helps both the users and the LIS staff keep the legislature running smoothly. All servers are backed up nightly to disk and, from there, backed up to tape as well, a process that helps preserve data integrity and provides a reliable backup system for the legislature.

In addition to these IT projects, support and service continue to be top priorities, and these are provided by a combination of in-house staff, local vendors and consultants.

### ***Print Shop***

Legislative branch publications are produced in the print shop of the LCS, which is a complete printing and binding facility. The print shop is responsible for a variety of duties, including large, professional duplicating jobs and logistical support for committees. During special sessions, all bills, memorials and resolutions are printed in the print shop, rather than contracted out as they are during regular sessions. During sessions, the print shop operates in

shifts and brings in temporary employees to assist its three permanent employees. The print shop performs printing services for all of the legislative agencies.

### ***Bill Room Complex***

During regular sessions, the bill room complex is maintained by LCS staff. Here, introduced bills are received in quantity from the contract printer or the LCS print shop and are distributed as rapidly as possible:

- A. to each member of the house and senate;
- B. to each county clerk, district judge, radio and television station, newspaper and general library of each state-supported institution of higher learning;
- C. upon written request, to each state department, commission, board, institution or agency, each elected state official, each incorporated municipality, each district attorney, each ex-governor and each public school district in the state;
- D. to any person who pays the amount specified by law; and
- E. to each of not more than two other addresses that may be specified by each member of the legislature as recipients for the member's district (applicable only to 60-day sessions).

The bill room also serves as one of the communication centers during a session. It contains mail and message boxes for each legislator. Thousands of pieces of mail are sorted and processed for delivery to legislators and staff. *Bill Locators*, daily calendars and other informational materials are all available here. The legislative switchboard and message center, located in the bill room complex, is staffed by highly qualified operators. Even during the haste and urgency of the next-to-last legislative day, the LCS, together with the bill room complex, keeps materials, information and messages flowing smoothly.

BUILDINGS AND GROUNDS  
CAPITOL ART FOUNDATION  
AND  
TOURIST INFORMATION SERVICES





## **Buildings and Grounds**

Through legislative enactments, the "care, custody and maintenance" of the buildings in which the legislature and the state library are located and their surrounding grounds are vested in the legislative council. The director of the LCS is responsible for all matters pertaining to these buildings and grounds.

Under the supervision of the building superintendent, a crew composed of custodians, electricians, plumbers, mechanics, carpenters and painters performs the routine functions of maintenance and custodial services for the complex. Normal maintenance systems have been established to reduce major repairs and ensure operation of all equipment at maximum efficiency.

The landscaping, under the supervision of the director of the LCS, has continued with the replacement and addition of more shrubs, trees and flowers. The landscape of the state capitol was designed to conserve water and to reduce the hours of staff time necessary to maintain the well-groomed ground areas. The appearance of the grounds receives an increasing amount of praise each year.

The legislative council is responsible for the enhanced security at the capitol, including limited access to parking facilities, permit parking and a larger security force under the LCS.

### ***Capitol North***

The legislative building services department, under the direction of the director of the LCS, continues to be responsible for the maintenance and custodial work at the capitol annex, the first three-branch building in the state. It provides offices for LESC, LFC, the secretary of state and the administrative office of the courts, as well as some legislative offices for members of the house.

## **Capitol Art Foundation**

The capitol art foundation was created in 1992 in response to senate and house memorials passed by the legislature requesting the LCS and the capitol art selection committee to establish a nonprofit foundation to assist in the acquisition of art for display in the state capitol. The legislative council approves the membership of the foundation based on recommendations from the foundation board.

The mission of the capitol art foundation is to collect, preserve, display and interpret works of art by New Mexico artists and other relevant works of art that reflect the rich and varied history, cultures and art forms of the state. The capitol art foundation also promotes public appreciation and understanding of the art, history and culture of New Mexico by displaying art and artifacts of historical or cultural significance in temporary exhibitions at the capitol. The capitol art foundation is committed to public education programs that address the needs of a diverse audience and seeks to promote goodwill and understanding through its programs.

The capitol art collection was begun with the purchase of 14 works of art and 17 art furniture groupings, using funds set aside during renovation of the capitol for the purchase of art under the state's one percent for the arts program. Subsequent acquisitions of art for the collection have been purchased with proceeds from fundraising activities and charitable donations to the foundation. State funds are provided for framing, installing, securing installations (to protect the works from damage and theft), routine maintenance, occasional conservation and restoration, associated administrative costs and the development and publication of educational materials to accompany the art, which is installed permanently in public areas of the capitol.

As the central mission of the capitol art foundation, acquiring art for the collection is an ongoing project. The executive director/curator works with arts organizations, artists and art collectors throughout the state and region and the appropriate committees of the capitol art foundation to identify suitable works of art for the collection. Once a work of art is acquired, through purchase or gift, suitable framing or other preparation and installation occurs as soon as possible in fulfillment of the foundation's mission and its responsibilities to donors. The more than 100,000 people who visit the capitol each year see, under one roof, a collection of art that reflects the wide aesthetic, cultural and technical diversity and virtuosity that is New Mexico art.

The missions of the capitol art foundation and New Mexico's art and folk art museums, while different, are complementary. Recognizing that New Mexico's art organizations can most benefit one another and the public by cooperating and sharing resources, many New Mexico museum professionals serve on the capitol art foundation board of directors and on its various committees. Several projects and programs developed jointly by the foundation and other arts organizations have occurred and more are planned. The capitol art foundation with its unique, highly visible mission, and the capitol art collection have become welcome additions to New Mexico's arts community.

In fulfillment of its mission, the foundation developed a plan that addresses all aspects of the foundation's large mission and day-to-day operation, and the plan was developed with the interests of a wide public foremost at all times. The foundation continues to acquire art for and promote the capitol art collection.

## **Tourist Information Services**

The state capitol is a tourist attraction second only to the museums of New Mexico with an estimated 280,000 visitors touring the building during any two-year period. Tourist information services, which are an important part of the duties of the LCS, are provided by a full-time and a part-time employee and, during the peak summer tourist season, by college students hired as seasonal guides.

Basic tours are given for such varied groups as senior citizens, students, art collectors, architects and foreign dignitaries. The spring season is a particularly active time for students from throughout New Mexico to tour the capitol. The tour is the first view of state government in action for the majority of these students. Others who tour the capitol come from throughout the United States and the world, including numerous visitors from Germany, China and Russia. Specialty tours are conducted for visiting foreign dignitaries, and publications about the capitol are available in Italian, Spanish, Chinese and German. Visitor tours include the rotunda with its mosaic great seal, galleries of the house and senate, offices of the legislators, committee rooms, permanent art collection and reception areas of the governor, lieutenant governor and secretary of state, as well as a discussion on the symbolism of the building and the Zia sun symbol of New Mexico.

The information and tour director and the tour guides research New Mexico's prime legislative issues, cultures and current affairs, Native American history and the five state capitols that have housed the legislature in order to be well-versed in the history of the state and the operation of its government. In addition, they research New Mexican art traditions and tour New Mexico state museum art exhibits in order to provide comprehensive information about the capitol art collection. Tourist information services staff field questions daily about state, city, county and federal departments, agencies and programs both by phone and at the reception counter located in the east lobby.



# APPENDIX



**STATEMENT OF APPROPRIATIONS AND EXPENDITURES  
of the  
LEGISLATIVE COUNCIL SERVICE\***

**Year Ending June 30, 2005**

Appropriations		\$4,311,669
Expenditures:		
Org. 0000		
personal services		2,913,305
contractual services		143,871
other costs		400,597
other financing sources		-0-
Org. 0100		
other costs		263,768
Total Expenditures and Encumbrances		3,721,541
Reversion to General Fund		<u>\$590,128</u>

**Year Ending June 30, 2006**

Appropriations		\$4,622,800
Expenditures:		
Org. 0000		
personal services		3,160,173
contractual services		158,344
other costs		501,210
other financing sources		-0-
Org. 0100		
other costs		404,185
Total Expenditures and Encumbrances		4,223,912
Reversion to General Fund		<u>\$398,888</u>

*\*Does not include appropriations and expenditures of Legislative Building Services.*

