



**MINUTES
of the
THREE-HUNDRED-SEVENTY-EIGHTH MEETING
of the
LEGISLATIVE COUNCIL
June 26, 2018
Santa Fe**

The three-hundred-seventy-eighth meeting of the Legislative Council was called to order on Tuesday, June 26, 2018, at 1:50 p.m. in Room 307 of the State Capitol by Senator Mary Kay Papen, co-chair.

Present

Rep. Brian Egolf, Co-Chair
Sen. Mary Kay Papen, Co-Chair
Sen. Carlos R. Cisneros
Rep. Candy Spence Ezzell
Rep. Roberto "Bobby" J. Gonzales
Sen. Stuart Ingle
Sen. William H. Payne
Sen. Clemente Sanchez
Sen. John Arthur Smith
Rep. Sheryl Williams Stapleton
Sen. James P. White
Sen. Peter Wirth

Absent

Rep. Zachary J. Cook
Rep. Doreen Y. Gallegos
Rep. Nate Gentry
Rep. Rod Montoya

Special Advisory Members Present

Rep. Eliseo Lee Alcon
Rep. Gail Chasey
Rep. Kelly K. Fajardo
Sen. Ron Griggs
Rep. Antonio Maestas
Sen. Cisco McSorley
Sen. Michael Padilla
Rep. Jane E. Powdrell-Culbert
Rep. Debbie A. Rodella
Rep. Patricia Roybal Caballero
Sen. William E. Sharer
Rep. Elizabeth "Liz" Thomson
Rep. Carl Trujillo
Rep. Jim R. Trujillo

Special Advisory Members Absent

Rep. Deborah A. Armstrong
Sen. Pete Campos
Rep. Rebecca Dow
Rep. Jason C. Harper
Sen. Daniel A. Ivey-Soto
Rep. Rick Little
Rep. Georgene Louis
Sen. George K. Munoz
Sen. Steven P. Neville
Sen. Cliff R. Pirtle
Sen. Benny Shendo, Jr.
Sen. Mimi Stewart

Staff

Raúl E. Burciaga, Director, Legislative Council Service (LCS)
Amy Chavez-Romero, Assistant Director for Drafting Services, LCS
Anesa Serna-Espinoza, Financial Assistant, LCS
Jon Boller, Senior Staff Attorney, LCS
Jeret Fleetwood, Researcher, LCS

Approval of Minutes

On a motion made, seconded and passed, the minutes of the April 26, 2018 meeting were approved as submitted.

Insurance Nominating Committee Appointment

Mr. Burciaga explained that Bill Kinyon, an appointee of the council to the Insurance Nominating Committee, had announced his resignation from the committee, effective July 1, 2018.

On a motion made, seconded and passed, Frank Sayner was appointed by the council to serve the remainder of Mr. Kinyon's term on the Insurance Nominating Committee.

Interim Committee Work Plans and Budgets

Interim committee work plans were presented by the appropriate LCS staff members. A copy of each work plan and budget is in the original meeting file.

The work plan and meeting dates for the Investments and Pensions Oversight Committee were approved as submitted. A budget of \$28,222 for voting members and \$19,818 for advisory members was also approved.

The work plan and meeting dates for the Military and Veterans' Affairs Committee, including two October meetings outside of the State Capitol, were approved as submitted. A budget of \$22,413 for voting members and \$39,163 for advisory members was also approved.

The work plan and meeting dates for the New Mexico Finance Authority Oversight Committee, including a November meeting outside of the State Capitol, were approved as submitted. A budget of \$61,062 for voting members and \$41,335 for advisory members was also approved.

The work plan and meeting dates for the Public School Capital Outlay Oversight Task Force (PSCOOTF) were approved as submitted. A budget of \$31,258 for voting members and \$21,875 for advisory members was also approved.

The work plan and meeting dates for the Tobacco Settlement Revenue Oversight Committee were approved as submitted. A budget of \$8,755 for voting members and \$4,848 for advisory members was also approved.

The work plan and meeting dates for the Water and Natural Resources Committee, including an October meeting outside of the State Capitol, were approved as submitted. A budget of \$58,984 for voting members and \$107,826 for advisory members was also approved. Additionally, the council approved per diem and mileage reimbursement for members of the committee who wish to attend an energy policy workshop being held in conjunction with the committee's November meeting.

The work plan and meeting dates for the Radioactive and Hazardous Materials Committee were approved as submitted. A budget of \$22,126 for voting members and \$14,483 for advisory members was also approved.

The work plan and meeting dates for the Economic and Rural Development Committee, including an October meeting outside of the State Capitol, were approved as submitted. A budget of \$64,409 for voting members and \$108,679 for advisory members was also approved.

The work plan and meeting dates for the Indian Affairs Committee, including October and November meetings outside of the State Capitol and a proposed joint meeting with the Transportation Infrastructure Revenue Subcommittee, were approved as submitted. A budget of \$62,442 for voting members and \$63,201 for advisory members was also approved.

The work plan and meeting dates for the Mortgage Finance Authority Act Oversight Committee, including two October meetings and one November meeting outside of the State Capitol, were approved as submitted. A budget of \$12,383 for voting members and \$23,441 for advisory members was also approved.

The work plan and meeting dates for the Science, Technology and Telecommunications Committee, including an October meeting outside of the State Capitol, were approved as submitted. A budget of \$41,430 for voting members and \$50,237 for advisory members was also approved.

The work plan and meeting dates for the Transportation Infrastructure Revenue Subcommittee, including an October meeting outside of Santa Fe and a proposed joint meeting with the Indian Affairs Committee, were approved as submitted. A budget of \$21,478 for voting members, \$2,000 for expert testimony and \$28,334 for advisory members was also approved.

The work plan and meeting dates for the Land Grant Committee, including an October meeting outside of the State Capitol, were approved as submitted. A budget of \$31,844 for voting members and \$30,929 for advisory members was also approved.

The work plan and meeting dates for the Legislative Health and Human Services Committee, including a proposed joint meeting with the Courts, Corrections and Justice Committee, were approved as submitted. A budget of \$49,132 for voting members, \$6,000 for expert testimony and \$109,490 for advisory members was also approved.

The work plan and meeting dates for the Courts, Corrections and Justice Committee, including an October meeting outside of the State Capitol, were approved as submitted. A budget of \$45,749 for voting members and \$36,615 for advisory members was also approved.

The meeting dates, including October and November meetings outside of the State Capitol, for the Criminal Justice Reform Subcommittee were approved as submitted. A budget of \$13,971 was also approved.

The work plan and meeting dates for the Revenue Stabilization and Tax Policy Committee were approved as submitted. A budget of \$56,836 for voting members, including up to \$20,000 for professional services, was also approved. In response to a question, staff noted that the committee would be reviewing the tax study commissioned by the legislature in 2017.

A budget of \$6,740 was approved for the Interim Legislative Ethics Committee in the event that the committee would need to convene.

In response to questions, Mr. Burciaga explained that the procedures outlined in the legislature's recently adopted anti-harassment policy are followed in each harassment case reported to the ethics committee, and investigative subcommittees appointed by either the speaker of the house of representatives or the president pro tempore of the senate select outside counsel on a case-by-case basis.

Mr. Burciaga noted that approved work plans and a revised legislative interim calendar would be posted on the legislature's website shortly.

Executive Session

On a motion made, seconded and passed, the council met in executive session.

Use of Chambers

Upon returning from executive session, Mr. Burciaga noted that the council had previously approved use of the chambers for a College Republicans group, and that the group had selected September 7 and 8 for its meeting.

The council approved use of the chambers for a group from the Model United Nations program in early November.

The council also approved use of the chambers for Emerge New Mexico on September 15, with Senator Payne voting NO.

Per Diem and Mileage Approval

Mr. Burciaga explained that, per passage of House Joint Memorial 16 during the 2018 legislative session, a Criminal Justice and Public Safety Task Force had been formed and had already held two meetings. He said that some members had attended the previous meetings, with

the approval of the speaker of the house of representatives or the president pro tempore of the senate, but that council approval was required for per diem and mileage reimbursement.

On a motion made, seconded and passed, per diem and mileage reimbursement was approved for members attending past and subsequent meetings of the Criminal Justice and Public Safety Task Force.

Mr. Burciaga also explained that the Conference of State Governments (CSG) West planned to hold its annual Border Legislative Conference in August. He noted that Senator Cisneros is chair of the Border Legislative Conference and that other members are CSG West officers who have been invited to the conference.

On a motion made, seconded and passed, the council approved per diem and mileage reimbursement for attendance at the CSG West Border Legislative Conference.

Staff Reports

Mr. Burciaga said that the discussion of safety and security at public schools and in the State Capitol was being deferred until the August 27 meeting.

Mr. Burciaga also advised the council that, in preparation for the 2020 census, \$300,000 was appropriated in House Bill 2 (2018) for the Department of Finance and Administration (DFA) to provide funding for the Local Update of Census Addresses (LUCA). He said that he had been advised by the DFA that it has entered into a memorandum of understanding with the University of New Mexico's Geospatial and Population Studies for the LUCA operation.

Mr. Burciaga also noted that the DFA has been working with the U.S. Census Bureau's regional office on the creation of complete count committees that use local knowledge and resources to educate communities and promote the census in order to help the Census Bureau get a complete count in 2020.

Mr. Burciaga said that Research and Polling, Inc., is continuing its work on the Voting District Project, which is phase two of the 2020 Redistricting Data Program of the Decennial Census of Population and Housing, where updated voting district information is provided to the Census Bureau for all counties.

Members of the council pointed out that the Legislative Education Study Committee (LESC), the Legislative Finance Committee (LFC) and the PSCOOTF had recently held meetings regarding school safety and that their input may be valuable during the August council meeting on school safety.

On a motion made, seconded and passed, the council authorized the chairs of the LESL, LFC and PSCOOTF to attend the August council meeting.

There being no further business, the council adjourned at 4:53 p.m.