



TWENTY-SIXTH BIENNIAL REPORT

JULY 1, 2002 THROUGH JUNE 30, 2004

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

NEW MEXICO LEGISLATIVE COUNCIL SERVICE

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OVERVIEW

The 2002-2004 Biennium in Brief

During the course of the 2002-2004 biennium, the legislature convened for two regular sessions and one special session, and legislators served on 47 interim committees, subcommittees, commissions and task forces, including the legislative council — an increase of three interim bodies over the previous biennium and three over the biennium 10 years prior.

Interims

Four new interim bodies were created during the biennium to address new or ongoing issues facing the state and the legislature.

The only new committee to be formed — the land grant committee — was initially created in statute as a one-year committee for the 2003 interim and charged with studying existing law regarding land grants and developing legislation to improve the law. The committee was renewed by action of the legislative council for the 2004 interim.

The subcommittee on reorganization was created by the legislative council for the 2003 interim in response to an executive order issued by the governor to elevate four state agencies — the state agency on aging, office of cultural affairs, New Mexico office of Indian affairs and New Mexico veterans' service commission — to cabinet-department status. The subcommittee was directed to consider the new departmental structures and to recommend statutory changes, as well as to study proposals to reorganize the public regulation commission. The subcommittee endorsed legislation that created the aging and long-term services department, cultural affairs department, Indian affairs department and veterans' services department in statute, and the legislation passed in the 2004 session.

The state permanent fund task force was created for the 2004 interim to examine the controls and safeguards applicable to the investment of the state's permanent funds. Following its interim work, the task force recommended that the legislature:

- remove statutory limitations on investment instruments in favor of the higher standards imposed by the Uniform Prudent Investor Act;
- exempt the state's investment agencies from the Procurement Code bid process in the case of personal service investment advisor contracts;
- revise the statutory prohibition on the use of out-of-state custodial banks; and
- permit custodial banks to serve as securities lenders.

Legislation carrying all of the recommendations put forward by the task force passed during the 2005 session.

The most visible interim body of the biennium — the blue ribbon tax reform commission — was created to deal with a widespread feeling that New Mexico's tax system, a legacy mainly of the reform efforts of the late 1960s and 1970s, may have slowly gotten out of step with the state and national economies and may not fully meet the state's diverse needs. Piecemeal updates aimed at particular problems were no longer enough; a deep look at fundamental relationships in the system was necessary to realign the tax system with the state's evolving goals.

The commission was charged by Laws 2003, Chapter 77 with developing recommendations for reform of New Mexico's tax laws in order to establish "a balanced tax system that provides maximum economic development benefits and maintains necessary government services at an appropriate level". The commission's general goal was to align New Mexico's taxes more closely with its economy and its future. Twenty-three legislative and public members were appointed to the commission and immediately organized into five committees to better deal with the vast territory to be covered in the short time available: a steering committee; economic development committee; equity committee; family committee; and selective excise tax committee.

By the end of the interim, the commission formally developed 196 separate proposals to alter the tax system; of these, the commission adopted 71 for recommendation to the legislature in the special session convened in October 2003. Highlights of the commission's recommendations included:

- ▶ expansion and enrichment of the low-income comprehensive tax rebate table and an added personal income tax exemption of up to \$3,000 for families below the median income level for their filing status;
- ▶ a new gross receipts tax deduction for health care practitioners for receipts from managed health care contracts and part C medicare payments;
- ▶ a gross receipts tax deduction for for-profit hospitals expanded from 50 percent to 100 percent to treat virtually all hospitals similarly;
- ▶ restoration of some progressivity in the income tax and capping of the state capital gains deduction;
- ▶ dropping the highest corporate income tax rate from 7.6 percent to 6.4 percent and compressing the three-step tax table to two steps, with a requirement that corporations file on a combined unitary basis; and
- ▶ increasing the gasoline and special fuel (diesel) tax rates, vehicle registration fees and other fees to increase funding for state and local road funds.

In the end, the commission made no recommendations pertaining to gross receipts tax on food, personal income tax rates, gross receipts tax exemptions for nonprofit organizations and the liquor excise tax, though these issues were high-profile concerns addressed during the commission's deliberation.

An omnibus tax reform bill was introduced during the 2003 special session with support from the governor, though without an endorsement from the blue ribbon tax reform commission. The bill did not gain the support it needed in the legislature, in part because it deviated sharply from some of the recommendations made by the commission, with one conspicuous omission being a two-cent gasoline tax increase that the commission had supported. The bill also contained proposals not adopted by the commission, most notably a proposal to authorize the New Mexico finance authority to issue \$1.585 billion in bonds for highway projects throughout the state. Two scaled-down versions of the omnibus bill were eventually introduced, and in the end, the only measures to survive the process were the bonding authorization for highway projects and provisions having to do with highway-related taxes and fees.

A few of the commission's recommendations resurfaced in successful legislation during the 2004 session and were signed into law, including an expansion on the types of government revenue that are subject to the governmental gross receipts tax, enactment of a high-wage jobs tax credit and an exemption from the motor vehicle excise tax for gasoline-electric hybrid vehicles.

Sessions

The 2003 regular legislative session, marked by newfound cooperation with the executive, moved with unprecedented speed and efficiency on major pieces of legislation. Personal income tax relief, education reform, changes to medicaid and drunken driving and public safety measures were all approved relatively quickly. The efforts to enact these and other measures produced plenty of noise, but the debate centered more on policy than on politics; communication was frequent and frank.

New Mexico did not face the same budget crisis as other states, and a personal income tax cut expected to be worth \$360 million once fully implemented was approved before the session's halfway point — a remarkable feat. By the end of the session, however, measures were approved to deposit all of the money from the state's settlement with tobacco companies for the next four years into the general fund rather than saving half in a permanent fund, increase the cigarette tax by \$.70 per pack, squeeze up to \$22.5 million from the medicaid

program and retain \$.01 of the gasoline tax that was set to expire July 1, 2004.

A comprehensive education reform package, including higher minimum salaries for teachers, was approved. Two proposed amendments to the constitution — one to give the governor control over state education policy and another to devote more money from the land grant permanent funds for public schools — were approved for submission to the voters at a special election in September. Legislation to deal with public health emergencies, drunken driving, hate crimes and concealed weapons were all enacted. The interstate stream commission was charged with developing a comprehensive state water plan, public employees were once again given the right to collectively bargain and the state investment council was given more flexibility in investing the permanent funds.

As usual, the variety of issues before the legislature was broad. More than a dozen new special license plates were created; the state game commission was given authority to require the use of bear-proof garbage containers; emergency dispatchers were required to receive calls for help via email; and the Sandia hairstreak, the New Mexico whiptail lizard and the New Mexico spadefoot toad were named the official state butterfly, reptile and amphibian, respectively.

The governor signed 436 bills and allowed three others to become law without his signature, a provision not exercised since 1969. The governor also vetoed 84 bills, including 72 by pocket veto — a number for pocket vetoes not seen since 1957, when Governor Mechem allowed 93 bills to be vetoed without signature. Even as the legislature adjourned, members expected to return in a special session in the fall to consider the recommendations of the blue ribbon tax reform commission, which was created during the session.

The governor did indeed call for a special session to convene in October, but in response to recent tragic events, he broadened his call beyond comprehensive tax reform to include consideration of stricter punishments against sex offenders. Final action on tax reform in the special session was slim, with only a few of the blue ribbon tax reform commission's recommendations being signed into law and all of those narrowly focused on highway funding. An omnibus sex offender bill was more successful and resulted in the creation of a sex offender management board, increased penalties for certain sex offenses and new conditions for probation and parole of sex offenders.

In sharp contrast with the regular session a year earlier, legislators took little pleasure in their work during the 2004 session. Contentiousness and acrimony seemed to await at every turn. Few issues were without controversy and prolonged debate, and disagreements among legislators and between legislators and the governor over certain policies added to the tension.

The fact that legislators had met just months earlier in special session exacerbated the strain.

The issues presented were legion. A proposal to repeal the tax on most food while raising the tax on other goods and services in cities was at the center of much of the controversy, leading to late-night floor sessions, parliamentary maneuvering and impassioned and dramatic floor speeches. Also sparking considerable debate were the ultimately successful measures to raise funds for medicaid by taxing nursing homes, add staff at the governor's official residence and correct a technical problem in a one-year-old law protecting gays and lesbians from job discrimination. Proposals that failed to win approval — consolidating public employee health care plans, requiring ignition interlock devices on all vehicles and establishing safety standards for all-terrain vehicles — also contributed to the work and the pressure.

Even a delay in the signing of the enrolled and engrossed copy of the general appropriation act by the lieutenant governor, which prevented the legislation from reaching the governor in time to require him to act upon it while the legislature was still in session, triggered objections from some legislators.

Some grumbling about the executive's style behind closed doors erupted publicly during the session. After the legislature adjourned, the governor vetoed tens of millions of dollars worth of capital outlay projects, an action some asserted was targeted at projects sponsored by the governor's harshest critics while others said it was simply the first step in capital outlay reform.

In spite of the acrimony, the session was one of the most productive in years, with the legislature approving 140 bills, a typical number for a short session, and the governor vetoing only 14 — the lowest number of regular session vetoes since 1994. The food tax was repealed, the budget was approved, capital improvements were funded, DWI legislation was enacted, methamphetamine laws were strengthened and a host of other measures were debated, passed and signed into law.

THE
NEW MEXICO LEGISLATIVE COUNCIL

The New Mexico Legislative Council

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.

<i>LC Membership 2003</i>	<i>LC Membership 2004</i>
<p><i>voting</i></p> <p>Rep. Ben Lujan, Co-Chair, Santa Fe Sen. Richard M. Romero, Co-Chair, Albuquerque Sen. Ben D. Altamirano, Silver City Sen. Dianna J. Duran, Tularosa Sen. Joseph A. Fidel, Grants Rep. Ted Hobbs, Albuquerque Sen. Stuart Ingle, Portales Sen. Timothy Z. Jennings, Roswell Rep. W. Ken Martinez, Grants Sen. Cisco McSorley, Albuquerque Rep. Danice Picraux, Albuquerque Sen. Leonard Lee Rawson, Las Cruces Rep. James G. Taylor, Albuquerque Rep. Joe Thompson, Albuquerque Rep. Jeannette O. Wallace, Los Alamos Rep. Donald L. Whitaker, Eunice</p> <p><i>special advisory</i></p> <p>Sen. Mary Jane M. Garcia, Dona Ana Rep. Ron Godbey, Cedar Crest Rep. Irvin Harrison, Gallup Sen. Carroll H. Leavell, Jal Rep. Patricia A. Lundstrom, Gallup Rep. James Roger Madalena, Pueblo of Jemez Sen. Roman M. Maes, III, Santa Fe Rep. Terry T. Marquardt, Alamogordo Sen. William H. Payne, Albuquerque Sen. Lidio G. Rainaldi, Gallup Rep. Earlene Roberts, Lovington Rep. Debbie A. Rodella, Pueblo of San Juan Rep. Joe M Stell, Carlsbad</p> <p><i>staff</i></p> <p>Paula Tackett Kathy Pacheco-Dofflemeyer John Yaeger Jeret Fleetwood</p>	<p><i>voting</i></p> <p>Rep. Ben Lujan, Co-Chair, Santa Fe Sen. Richard M. Romero, Co-Chair, Albuquerque Sen. Ben D. Altamirano, Silver City Sen. Dianna J. Duran, Tularosa Sen. Joseph A. Fidel, Grants Rep. Ted Hobbs, Albuquerque Sen. Stuart Ingle, Portales Sen. Timothy Z. Jennings, Roswell Rep. W. Ken Martinez, Grants Sen. Cisco McSorley, Albuquerque Rep. Danice Picraux, Albuquerque Sen. Leonard Lee Rawson, Las Cruces Rep. Joe Thompson, Albuquerque Rep. Jeannette O. Wallace, Los Alamos Rep. Donald L. Whitaker, Eunice</p> <p><i>special advisory</i></p> <p>Sen. Mary Jane M. Garcia, Dona Ana Rep. Ron Godbey, Cedar Crest Rep. Irvin Harrison, Gallup Sen. Carroll H. Leavell, Jal Rep. Patricia A. Lundstrom, Gallup Rep. James Roger Madalena, Pueblo of Jemez Rep. Terry T. Marquardt, Alamogordo Sen. William H. Payne, Albuquerque Sen. Lidio G. Rainaldi, Gallup Rep. Earlene Roberts, Lovington Rep. Debbie A. Rodella, Pueblo of San Juan Rep. Joe M Stell, Carlsbad</p> <p><i>staff</i></p> <p>Paula Tackett Raul Burciaga Kathy Pacheco-Dofflemeyer John Yaeger Jeret Fleetwood</p>

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 four policy changes during the 2002-2004 biennium. At its November 18, 2002 meeting, the council adopted a new policy regarding the legislative information system, which reads as follows.

"It is the policy of the legislative council that a legislative employee or legislator may not connect, install or attach any device to or modify any equipment connected, installed or attached to the legislative information system without the permission of the director of the legislative council service. The director shall submit any such request to the co-chairs of the legislative council prior to acting on the request."

At its May 13, 2003 meeting, the council amended Policy 3 regarding interim committee meetings outside Santa Fe. The new language reads as follows.

"No council-created committee or any other committee whose work plan is subject to the approval of the council shall meet outside the state capitol after September 30 without the permission of the council."

At its November 20, 2003 meeting, the council adopted a new policy regarding lying in state in the capitol rotunda, which reads as follows.

"It is the policy of the legislative council that persons eligible to lie in state are those persons who at the time of their death held or previously

held an office created by the constitution of New Mexico or the United States constitution and who made extraordinary contributions to the state of New Mexico. A request to lie in state shall be made to the director of the legislative council service who shall approve the request only after receiving the approval of the co-chairs of the legislative council and ensuring that the arrangements provide for a closed casket, display of the flags of the United States and the state of New Mexico, a definitive and reasonable amount of time for lying in state, continuous attendance upon the casket by an honor guard and other reasonable and necessary parameters."

At its January 19, 2004 meeting, the council approved revisions to Policy 7 regarding staff attendance at committee meetings during legislative sessions as follows.

"7. SERVICES TO LEGISLATORS.--

A. Any major research or drafting project requested by an individual legislator or committee of the legislature:

(1) *[which]* that requires an unusual amount of staff time or money, shall be referred by the director, with the knowledge and approval of the requester, for approval to the council in order that available services may be spread as equitably as possible among legislative requesters; and

(2) *[which]* that is under consideration by or within the specific jurisdiction of a legislative interim committee, and until such time as the interim committee has reported or the time for making its report has elapsed, shall be referred by the director, with the knowledge and approval of the requester, for approval to the council in order that duplication of staff time, effort and expense shall insofar as possible be avoided.

B. *[During the legislative session:*

(1) No member of the staff shall advocate or oppose the passage of any legislation pending before the legislature or committee thereof; provided that this subsection shall not preclude a member of the staff who has been *[officially]* assigned to a legislative interim committee as staff *[during the preceding interim]* from appearing before legislative committees in support of legislation adopted, drafted and introduced in the session by the legislative

interim committee or at the request thereof; provided further that a staff member assigned to an interim committee may sit with a member in the chamber while the interim committee legislation is being discussed;

[(2)] C. No member of the staff shall attend any standing or special legislative committee meeting unless his presence is *[requested]* approved by the chairman of that committee or, in the event the chairman is absent, by the vice chairman of the committee. Except as provided in *[in Subsection (1)] Paragraph B*, the staff member's appearance at the committee meeting shall be for the sole purpose of assisting the committee *[and advising the chairman as to the]* with an explanation of *[and]* the technical matters pertaining to a specific bill, resolution, memorial or report under consideration by the committee. The chairman of the committee should announce to those present at the meeting that the council service staff member is in attendance *[at the request of the chairman]* to advise the committee on the specific matter at hand and that he does not appear at the meeting in support of or opposition to the legislation or the report. In the failure of the chairman to so announce, the staff member prior to his presentation shall make such announcement. *[When practicable, the staff member should sit with the chairman, but in no instance shall he sit with the sponsor or the opponents of the specific legislation or report concerned;*

(3)] D. Except as provided in *[Subsection (1)] Paragraph B*, no member of the staff shall sit with any member of the legislature in the chambers while that house is in session unless a member has made *[written]* a request *[at least one day prior to the day a staff member's services are needed]* to the chairman or vice chairman or co-chairmen of the legislative council. This request must be *[approved in writing and]* transmitted to the director of the legislative council service. *[and*

(4)] E. It is the policy of the legislative council that attendance of staff members at committee meetings and in the chambers as provided in this section shall be confined to a period of time no longer than is necessary to explain the draft or provide the assistance specifically requested. In the event the services required by law of the council service for the legislature as a whole during a session are impaired or decreased by such excessive use of staff in committee meetings or in the chambers, the chairman and vice chairman or co-

chairmen of the legislative council may jointly order the director to temporarily suspend such use of staff members until the level of general service and efficiency for the legislature as a whole is restored.

[C.] F. Members of the staff of the legislative council may upon order of the director of the council service attend public meetings of interim legislative committees not staffed by the legislative council service for the purpose of gathering information, but shall not participate in the meeting unless requested by the chairman of the committee, in which case, the announcement required in [Subsection (2)] Paragraph C shall be made."

PERMANENT INTERIM COMMITTEES

Legislative Education Study Committee

2003, 2004

<i>LESC Membership 2003</i>	<i>LESC Membership 2004</i>
<i>voting</i>	<i>voting</i>
Rep. Rick Miera, Chair, Albuquerque	Rep. Rick Miera, Chair, Albuquerque
Sen. Cynthia Nava, Vice Chair, Las Cruces	Sen. Cynthia Nava, Vice Chair, Las Cruces
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
Rep. Pauline J. Ponce, Roswell	Rep. Pauline J. Ponce, Roswell
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. Mark Boitano, Albuquerque	Sen. Mark Boitano, Albuquerque
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. Ron Godbey, Cedar Crest	Rep. Ron Godbey, Cedar Crest
Rep. Roberto "Bobby" J. Gonzales, Taos	Rep. Roberto "Bobby" J. Gonzales, Taos
Rep. John A. Heaton, Carlsbad	Rep. John A. Heaton, Carlsbad
Rep. Rhonda S. King, Stanley	Rep. Rhonda S. King, Stanley
Sen. John Pinto, Tohatchi	Sen. John Pinto, Tohatchi
Rep. Sheryl Williams Stapleton, Albuquerque	Rep. Sheryl Williams Stapleton, Albuquerque
Rep. J. Paul Taylor, Mesilla	Rep. J. Paul Taylor, Mesilla
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

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 LESL 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.

Legislative Finance Committee

2003, 2004

LFC Membership 2003

voting

Sen. Ben D. Altamirano, Chair, Silver City
Rep. Luciano "Lucky" Varela, Vice Chair, Santa Fe
Sen. Sue Wilson Beffort, Albuquerque
Sen. Joseph J. Carraro, Albuquerque
Rep. Max Coll, Santa Fe
Sen. Phil A. Griego, San Jose
Sen. Linda M. Lopez, Albuquerque
Sen. Cisco McSorley, Albuquerque
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 Townsend, Aztec
Rep. Jeannette O. Wallace, Los Alamos
Rep. Donald L. Whitaker, Eunice

designees

Sen. Joseph A. Fidel, Grants
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
Rep. Patricia A. Lundstrom, Gallup
Sen. Roman M. Maes, III, Santa Fe
Rep. Terry T. Marquardt, Alamogordo
Sen. Mary Kay Papen, Las Cruces
Sen. John Pinto, Tohatchi
Rep. Pauline J. Ponce, Roswell
Rep. Edward C. Sandoval, Albuquerque
Sen. H. Diane Snyder, Albuquerque
Rep. J. Paul Taylor, Mesilla
Rep. Thomas C. Taylor, Farmington
Sen. Leonard Tsosie, Crownpoint

LFC Membership 2004

voting

Sen. Ben D. Altamirano, Chair, Silver City
Rep. Luciano "Lucky" Varela, Vice Chair, Santa Fe
Sen. Sue Wilson Beffort, Albuquerque
Sen. Joseph J. Carraro, Albuquerque
Sen. Phil A. Griego, San Jose
Sen. Linda M. Lopez, Albuquerque
Sen. Cisco McSorley, Albuquerque
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 Townsend, Aztec
Rep. Jeannette O. Wallace, Los Alamos
Rep. Donald L. Whitaker, Eunice

designees

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. Clinton D. Harden, Jr., Clovis
Rep. John A. Heaton, Carlsbad
Sen. Stuart Ingle, Portales
Rep. Rhonda King, Stanley
Rep. Larry A. Larrañaga, Albuquerque
Sen. Carroll H. Leavell, Jal
Rep. Patricia A. Lundstrom, Gallup
Rep. Terry T. Marquardt, Alamogordo
Sen. Mary Kay Papen, Las Cruces
Sen. John Pinto, Tohatchi
Rep. Pauline J. Ponce, Roswell
Rep. Edward C. Sandoval, Albuquerque
Sen. H. Diane Snyder, Albuquerque
Rep. J. Paul Taylor, Mesilla
Rep. Thomas C. Taylor, Farmington
Sen. Leonard Tsosie, Crownpoint

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

Corrections Oversight and Justice Committee

Corrections Oversight, Courts and Justice Committee

2003, 2004

The corrections oversight and justice committee was created by the legislative council on May 13, 2003 and again, under the new name corrections oversight, courts and justice committee, on May 5, 2004.

During both the 2003 and 2004 interims, the committee proposed to:

(1) oversee implementation of the recommendations set forth in the January 14, 2000 document entitled *The Consultants' Report on Prison Operations in New Mexico Correctional Institutions*;

<i>COJ Membership 2003</i>	<i>COCJ Membership 2004</i>
<p><i>voting</i></p> <p>Rep. W. Ken Martinez, Co-Chair, Grants Sen. Michael S. Sanchez, Co-Chair, Belen Rep. Thomas A. Anderson, Albuquerque Rep. Joseph Cervantes, Las Cruces Rep. Ron Godbey, Cedar Crest Sen. Carroll H. Leavell, Jal Sen. Richard C. Martinez, Espanola Sen. William H. Payne, Albuquerque</p> <p><i>advisory</i></p> <p>Sen. Ben D. Altamirano, Silver City Rep. Gail C. Beam, Albuquerque Sen. Mary Jane M. Garcia, Dona Ana Sen. Gay G. Kernan, Hobbs Sen. Cisco McSorley, Albuquerque Rep. Al Park, Albuquerque Rep. Jane E. Powdrell-Culbert, Corrales Sen. Lidio G. Rainaldi, Gallup Sen. Shannon Robinson, Albuquerque Rep. Sheryl Williams Stapleton, Albuquerque Rep. Mimi Stewart, Albuquerque Rep. Thomas E. Swisstack, Rio Rancho Rep. Joe Thompson, Albuquerque</p> <p><i>staff</i></p> <p>Tony Ortiz Maha Khoury Liz Holmes</p>	<p><i>voting</i></p> <p>Rep. W. Ken Martinez, Co-Chair, Grants Sen. Michael S. Sanchez, Co-Chair, Belen Rep. Thomas A. Anderson, Albuquerque Rep. Joseph Cervantes, Las Cruces Rep. Ron Godbey, Cedar Crest Sen. Carroll H. Leavell, Jal Sen. Richard C. Martinez, Espanola Sen. William H. Payne, Albuquerque</p> <p><i>advisory</i></p> <p>Sen. Ben D. Altamirano, Silver City Rep. Gail C. Beam, Albuquerque Sen. Mary Jane M. Garcia, Dona Ana Sen. Gay G. Kernan, Hobbs Sen. Cisco McSorley, Albuquerque Rep. Al Park, Albuquerque Rep. Jane E. Powdrell-Culbert, Corrales Sen. Lidio G. Rainaldi, Gallup Sen. Shannon Robinson, Albuquerque Sen. H. Diane Snyder, Albuquerque Rep. Sheryl Williams Stapleton, Albuquerque Rep. Mimi Stewart, Albuquerque Rep. Thomas E. Swisstack, Rio Rancho Rep. Joe Thompson, Albuquerque Sen. Leonard Tsosie, Crownpoint Rep. Peter F. Wirth, Santa Fe</p> <p><i>staff</i></p> <p>Maha Khoury John Yaeger Liz Holmes</p>

- (2) assess the feasibility of expanding community corrections programming as a means to reduce the inmate population;
- (3) monitor other issues related to the operation of public and private correctional facilities, including:
 - (a) the corrections department's short-term and long-term plans to manage an inmate population that is close to exceeding the number of available prison beds;
 - (b) whether the department plans to expand the availability of therapeutic communities and other substance abuse programs for inmates; and
 - (c) the department's plans for improving recruitment and retention of correctional officers;
- (4) monitor issues related to criminal justice;
- (5) examine issues related to uninsured motorists; and
- (6) recommend legislation or changes, if they are found to be necessary, to the legislature.

Economic and Rural Development and Telecommunications Committee 2003, 2004

The economic and rural development and telecommunications committee was created by the legislative council on May 13, 2003 and again on May 5, 2004.

For the 2003 interim, the council directed the committee to review the economic development department's (EDD's) implementation of initiatives approved during the 2003 session and, further, to focus on two or three other of the most relevant issues of interest to the committee. In terms of the economic development initiatives passed in that session, the committee proposed to review:

- (1) tax measures that relate to economic development;
- (2) recruitment of film productions;
- (3) venture capital investments by the state investment officer; and
- (4) the marketing organization of EDD.

In addition, the committee proposed to hear testimony on:

- (1) future economic development issues, including:
 - (a) recruitment of businesses and related telecommunications issues,

*ERDT Membership
2003*

voting

Sen. Roman M. Maes, III, Chair, Santa Fe
Rep. Mary Helen Garcia, Vice Chair, Las Cruces
Rep. Jose A. Campos, Santa Rosa
Rep. Richard P. Cheney, Farmington
Rep. Daniel R. Foley, Roswell
Sen. Mary Jane M. Garcia, Dona Ana
Sen. Phil A. Griego, San Jose
Sen. Clinton D. Harden, Jr., Clovis
Sen. Carroll H. Leavell, Jal
Rep. Patricia A. Lundstrom, Gallup
Sen. John Pinto, Tohatchi
Rep. Raymond M. Ruiz, Albuquerque
Sen. William E. Sharer, Farmington
Rep. Richard D. Vigil, Ribera

advisory

Sen. Ben D. Altamirano, Silver City
Sen. Dianna J. Duran, Tularosa
Rep. Dianne Miller Hamilton, Silver City
Rep. John A. Heaton, Carlsbad
Rep. Ted Hobbs, Albuquerque
Sen. Stuart Ingle, Portales
Sen. Timothy Z. Jennings, Roswell
Sen. Raymond Kysar, Farmington
Rep. Andy Nuñez, Hatch
Rep. Pauline J. Ponce, Roswell
Rep. Debbie A. Rodella, Pueblo of San Juan
Rep. Nick L. Salazar, Pueblo of San Juan
Sen. Leonard Tsosie, Crownpoint

staff

Gordon Meeks
Amy Chavez
Larry Matlock

*ERDT Membership
2004*

voting

Rep. Mary Helen Garcia, Chair, Las Cruces
Rep. Jose A. Campos, Santa Rosa
Rep. Richard P. Cheney, Farmington
Rep. Daniel R. Foley, Roswell
Sen. Mary Jane M. Garcia, Dona Ana
Sen. Phil A. Griego, San Jose
Sen. Clinton D. Harden, Jr., Clovis
Sen. Carroll H. Leavell, Jal
Rep. Patricia A. Lundstrom, Gallup
Rep. Andy Nuñez, Hatch
Sen. John Pinto, Tohatchi
Sen. William E. Sharer, Farmington
Rep. Richard D. Vigil, Ribera

advisory

Sen. Ben D. Altamirano, Silver City
Sen. Dianna J. Duran, Tularosa
Rep. Dianne Miller Hamilton, Silver City
Rep. John A. Heaton, Carlsbad
Rep. Ted Hobbs, Albuquerque
Sen. Stuart Ingle, Portales
Sen. Timothy Z. Jennings, Roswell
Sen. Raymond Kysar, Farmington
Rep. Pauline J. Ponce, Roswell
Rep. Debbie A. Rodella, Pueblo of San Juan
Rep. Harriet I. Ruiz, Albuquerque
Rep. Nick L. Salazar, Pueblo of San Juan
Sen. Leonard Tsosie, Crownpoint

staff

Rachel Ray
Gordon Meeks
Larry Matlock

specifically examining certain methods of promoting business activity in New Mexico, such as working with business incubators that attract and facilitate business creation in the state;

(b) recruitment of high-technology businesses such as biotech companies and e-businesses, with testimony from representatives from New Mexico first and next generation economy;

(c) improvement of telecommunications policy; and

(d) rural extension and water issues;

(2) rural development issues, including:

(a) recruitment of certain businesses, including high-technology

businesses, to rural areas;

- (b) telecommunications policy;
 - (c) rural extension; and
 - (d) border development; and
- (3) energy production and transmission issues, including:
- (a) alternative energy production in New Mexico; and
 - (b) gas transmission and pipeline capacity.

For the 2004 interim, the committee proposed to focus on the status of implementing legislation enacted in recent years concerning rural development and telecommunications. Funded initiatives for which the committee proposed to receive progress reports included:

- (1) workforce development and in-plant training;
- (2) business incubators in New Mexico;
- (3) marketing efforts by New Mexico;
- (4) the e-government MAGPortal of the taxation and revenue department;
- (5) individual development accounts; and
- (6) alternative financing, also known as payday lending.

The committee also proposed to receive progress reports on reform of the public capital funding process and its effect on economic development.

Finally, the committee proposed to hear testimony on conditions in various business sectors, such as the arts, mining, dairies, nuclear energy and small business; the impact of new septic tank regulations that may affect rural communities; and the potential effect in New Mexico of outsourcing jobs to Asia.

Indian Affairs Committee

2003, 2004

The Indian affairs committee, which has existed since 1989, was created by the legislative council on May 13, 2003 and again on May 5, 2004.

The committee proposed to explore and discuss the following topics during the 2003 interim:

- (1) health care for Native Americans in tribal communities and urban settings, including services for the elderly;
- (2) education for Native American students, including the implementation of

<i>IAC Membership 2003</i>	<i>IAC Membership 2004</i>
<i>voting</i>	<i>voting</i>
Rep. James Roger Madalena, Co-Chair, Pueblo of Jemez	Rep. James Roger Madalena, Co-Chair, Pueblo of Jemez
Sen. Leonard Tsosie, Co-Chair, Crownpoint	Sen. Leonard Tsosie, Co-Chair, Crownpoint
Sen. Rod Adair, Roswell	Sen. Rod Adair, Roswell
Rep. Ray Begaye, Shiprock	Rep. Ray Begaye, Shiprock
Rep. Irvin Harrison, Gallup	Rep. Irvin Harrison, Gallup
Sen. Raymond Kysar, Farmington	Rep. Patricia A. Lundstrom, Gallup
Sen. John Pinto, Tohatchi	Sen. Raymond Kysar, Farmington
Sen. Lidio G. Rainaldi, Gallup	Sen. John Pinto, Tohatchi
Sen. Nancy Rodriguez, Santa Fe	Sen. Lidio G. Rainaldi, Gallup
Rep. Avon W. Wilson, Roswell	Sen. Nancy Rodriguez, Santa Fe
Rep. Teresa A. Zanetti, Albuquerque	Rep. Don Tripp, Socorro
	Rep. Avon W. Wilson, Roswell
	Rep. Teresa A. Zanetti, Albuquerque
<i>advisory</i>	<i>advisory</i>
Sen. Joseph J. Carraro, Albuquerque	Sen. Ben D. Altamirano, Silver City
Rep. Ben Lujan, Santa Fe	Sen. Joseph J. Carraro, Albuquerque
Rep. Fred Luna, Los Lunas	Rep. Ben Lujan, Santa Fe
Rep. Patricia A. Lundstrom, Gallup	Rep. Fred Luna, Los Lunas
Sen. Richard C. Martinez, Espanola	Sen. Richard C. Martinez, Espanola
Rep. Debbie A. Rodella, Pueblo of San Juan	Rep. Debbie A. Rodella, Pueblo of San Juan
Rep. Nick L. Salazar, Pueblo of San Juan	Rep. Nick L. Salazar, Pueblo of San Juan
Sen. William E. Sharer, Farmington	Sen. William E. Sharer, Farmington
Rep. James G. Taylor, Albuquerque	Rep. W. C. "Dub" Williams, Glencoe
Rep. W. C. "Dub" Williams, Glencoe	
<i>staff</i>	<i>staff</i>
Pam Ray	Leslie Schaar
Leslie Schaar	Chase Van Gorder
Pamela Jensen	Pamela Jensen

current laws and an update on problem schools;

(3) natural resources and telecommunications, including the Navajo Nation water settlement and environmental issues in Indian country;

(4) reorganization of the New Mexico office of Indian affairs and the state agency on aging, including reviewing their performance measures; and

(5) authenticity of Native American arts and crafts, including economic impact and enforcement.

For the 2004 interim, the committee proposed to explore and discuss the following topics:

(1) education for Native American students, including the implementation of current laws, public education department outreach programs and an update on problem

schools;

(2) reorganization of the Indian affairs department and the aging and long-term services department, including performance measures and outreach programs;

(3) rural economic development, including coordinating and monitoring the development of projects in the Navajo Nation;

(4) discrimination against Native Americans in the areas of legal services, motor vehicles and education; and

(5) capital outlay, including reviewing a process for accounting for projects, tracking funds and streamlining, planning and assessing projects.

During both the 2003 and 2004 interims, the committee proposed to coordinate, as needed, with other committees regarding presentations of subject matter of common concern.

Information Technology Oversight Committee

2003, 2004

<i>ITOC Membership 2003</i>	<i>ITOC Membership 2004</i>
<i>voting</i>	<i>voting</i>
Rep. Debbie A. Rodella, Chair, Pueblo of San Juan	Sen. Richard C. Martinez, Chair, Espanola
Sen. Richard C. Martinez, Vice Chair, Espanola	Rep. Debbie A. Rodella, Vice Chair, Pueblo of San Juan
Rep. Janice E. Arnold-Jones, Albuquerque	Rep. Janice E. Arnold-Jones, Albuquerque
Sen. Mark Boitano, Albuquerque	Sen. Steve Komadina, Corrales
Sen. Linda M. Lopez, Albuquerque	Sen. Linda M. Lopez, Albuquerque
Rep. Rory J. Ogle, Albuquerque	Rep. Rory J. Ogle, Albuquerque
Sen. William H. Payne, Albuquerque	Sen. William H. Payne, Albuquerque
Rep. Luciano "Lucky" Varela, Santa Fe	Rep. Luciano "Lucky" Varela, Santa Fe
<i>advisory</i>	<i>advisory</i>
Sen. Rod Adair, Roswell	Sen. Rod Adair, Roswell
Rep. Ted Hobbs, Albuquerque	Sen. Mark Boitano, Albuquerque
Sen. Steve Komadina, Corrales	Rep. Ted Hobbs, Albuquerque
Rep. Jeannette O. Wallace, Los Alamos	Rep. Jeannette O. Wallace, Los Alamos
<i>staff</i>	<i>staff</i>
Ross Peters	Raul Burciaga
Ralph Vincent	Ralph Vincent
	Kathleen Dexter

When it was created in 1999, the information technology (IT) oversight committee was statutorily charged with specific duties relating to the oversight of the state's IT initiatives. Specifically, the committee shall:

"(1) monitor the work of the information technology commission and the office of the chief information officer, including reviewing the commission's rules setting out the policies, standards, procedures and guidelines for information architecture and development projects and the annual update of the state information technology strategic plan;

(2) oversee the implementation of the Information Technology Management Act, review the work of the judicial information systems council and the judicial information division and oversee any other state-funded systems;

(3) meet on a regular basis to receive and evaluate periodic reports from the information technology commission and office of the chief information officer; and

(4) perform such other related duties as assigned by the legislative council."

In addition to those duties spelled out in law, the committee proposed in its 2003 work plan to:

(1) take testimony regarding the amount of money paid by the state of New Mexico for information technology services provided by private vendors; and

(2) take testimony regarding information technology innovations currently employed in public education.

For the 2004 interim, the committee expanded its focus to review the status or feasibility of the following items:

(1) current plans for IT enterprise security based on expert testimony from the New Mexico institute of mining and technology, Sandia national laboratories and Los Alamos national laboratory, including business continuity planning, formerly referred to as disaster recovery; the security project funded during the 2004 session; homeland security; and wireless access security at the capitol;

(2) creation of an IT funding stream, its sources and its allocation;

(3) development of new technologies such as voice and data integration, open-source software and wireless access;

(4) enterprise IT projects, including SHARE, email consolidation, MAGNet and MAGPortal;

(5) large IT projects at state agencies;

(6) trends in legislation affecting IT, including electronic commerce and signatures, internet taxation, computer crime, cyberstalking, privacy and electronic access to

records and information;

(7) IT in education at both public schools and post-secondary educational institutions and their respective infrastructures; and

(8) the role of the chief information officer and the work and effectiveness of the information technology commission.

The committee also proposed to work closely with the different branches of government that it is charged with overseeing and monitor various IT initiatives under way in each branch, as well as possibly initiate some of its own.

Land Grant Committee

2003, 2004

<i>LGC Membership 2003</i>	<i>LGC Membership 2004</i>
<i>voting</i> Rep. Miguel P. Garcia, Chair, Albuquerque Sen. Bernadette M. Sanchez, Vice Chair, Albuquerque Sen. Rod Adair, Roswell Sen. Richard C. Martinez, Espanola Rep. Debbie A. Rodella, Pueblo of San Juan Rep. Don Tripp, Socorro	<i>voting</i> Sen. Bernadette M. Sanchez, Chair, Albuquerque Rep. Miguel P. Garcia, Vice Chair, Albuquerque Sen. Rod Adair, Roswell Sen. Richard C. Martinez, Espanola Rep. Debbie A. Rodella, Pueblo of San Juan Rep. Don Tripp, Socorro
<i>advisory</i> Sen. Manny M. Aragon, Albuquerque Sen. Joseph J. Carraro, Albuquerque Rep. Ben Lujan, Santa Fe Rep. Bengie Regensberg, Cleveland Sen. Richard M. Romero, Albuquerque Rep. James G. Taylor, Albuquerque Rep. Eric A. Youngberg, Albuquerque	<i>advisory</i> Sen. Joseph J. Carraro, Albuquerque Rep. Ben Lujan, Santa Fe Rep. Bengie Regensberg, Cleveland Rep. Eric A. Youngberg, Albuquerque
<i>staff</i> Alfred Creecy Jon Boller Sheila Manzagol	<i>staff</i> Jon Boller Sheila Manzagol

The land grant committee was created for the 2003 interim with the signing of Laws 2003, Chapter 431 and continued for the 2004 interim by action of the legislative council on May 5, 2004.

The committee was initially directed to study existing law regarding land grants; develop legislation to improve existing law; gather testimony from land grant heirs, state agencies and other community groups from across New Mexico to understand the relationships among the different groups and the issues and concerns faced by the different groups; and work in conjunction with the Guadalupe Hidalgo task force.

To carry out these tasks and statutory duties during the 2003 legislative interim, the land grant committee proposed to:

- (1) review the existing law and determine the effect these laws have on land grant heirs and other groups throughout the state;
- (2) hear testimony regarding the:
 - (a) history of land grants;
 - (b) relationship between land grants, the Treaty of Guadalupe Hidalgo and the Protocol of Queretaro;
 - (c) current statutes and governance of community land grants;
 - (d) economic development of land grants;
 - (e) issues concerning land grants and Native Americans; and
 - (f) current legal status of land grants in New Mexico;
- (3) conduct visits to various land grants to determine the conditions and specific problems facing the residents;
- (4) work with the Guadalupe Hidalgo treaty division of the office of the attorney general to resolve state constitutional and statutory legal issues regarding land grants; and
- (5) recommend necessary changes in current law or policy to the legislature.

For the 2004 interim, the committee proposed to follow up on the work it began in 2003 by addressing several issues raised with the passage of Senate Bill 142 and Senate Joint Memorials 10 and 11 of the 2004 legislative session. These issues include:

- (1) clarification of the responsibility for legal representation of land grants;
- (2) the definition of common lands;
- (3) political subdivision status;
- (4) verification of land grant status;
- (5) ejectment and delinquent heir issues;
- (6) review of statutes affecting individual community grants; and
- (7) the status of negotiations between the Juan Tafoya grant and the state game commission.

In addition, the committee proposed to invite the authors of the federal general

accounting office study entitled *Treaty of Guadalupe Hidalgo: Findings and Possible Options Regarding Longstanding Community Land Grant Claims in New Mexico* to present their findings and allow the attorney general and New Mexico's congressional delegation an opportunity to respond to that report. Finally, the committee proposed to hear testimony on the economic development plans of various community land grants.

Legislative Health and Human Services Committee

2003, 2004

<i>LHHS Membership 2003</i>	<i>LHHS Membership 2004</i>
<p><i>voting</i></p> <p>Sen. Dede Feldman, Chair, Albuquerque Rep. J. Paul Taylor, Vice Chair, Mesilla Sen. Rod Adair, Roswell Sen. Steve Komadina, Corrales Rep. Terry T. Marquardt, Alamogordo Rep. Rory J. Ogle, Albuquerque Sen. Mary Kay Papen, Las Cruces Rep. Jim Trujillo, Santa Fe</p> <p><i>advisory</i></p> <p>Sen. Manny M. Aragon, Albuquerque Rep. Gail C. Beam, Albuquerque Sen. Sue Wilson Beffort, Albuquerque Rep. Ray Begaye, Shiprock Rep. William "Ed" Boykin, Las Cruces Rep. Ron Godbey, Cedar Crest Rep. John A. Heaton, Carlsbad Sen. Timothy Z. Jennings, Roswell Sen. Linda M. Lopez, Albuquerque Rep. Antonio Lujan, Las Cruces Rep. Rick Miera, Albuquerque Rep. Al Park, Albuquerque Rep. Danice Picraux, Albuquerque Sen. Bernadette M. Sanchez, Albuquerque Rep. Edward C. Sandoval, Albuquerque Rep. Gloria C. Vaughn, Alamogordo</p> <p><i>staff</i></p> <p>Phil Lynch Raul Burciaga Karen Wells</p>	<p><i>voting</i></p> <p>Sen. Dede Feldman, Chair, Albuquerque Rep. J. Paul Taylor, Vice Chair, Mesilla Sen. Rod Adair, Roswell Sen. Steve Komadina, Corrales Rep. Terry T. Marquardt, Alamogordo Rep. Rory J. Ogle, Albuquerque Sen. Mary Kay Papen, Las Cruces Rep. Jim Trujillo, Santa Fe</p> <p><i>advisory</i></p> <p>Rep. Gail C. Beam, Albuquerque Sen. Sue Wilson Beffort, Albuquerque Rep. Ray Begaye, Shiprock Rep. William "Ed" Boykin, Las Cruces Rep. Ron Godbey, Cedar Crest Rep. John A. Heaton, Carlsbad Sen. Timothy Z. Jennings, Roswell Sen. Linda M. Lopez, Albuquerque Rep. Antonio Lujan, Las Cruces Rep. James Roger Madalena, Pueblo of Jemez Rep. Rick Miera, Albuquerque Rep. Al Park, Albuquerque Rep. Danice Picraux, Albuquerque Sen. Bernadette M. Sanchez, Albuquerque Rep. Edward C. Sandoval, Albuquerque Sen. Leonard Tsosie, Crownpoint Rep. Gloria C. Vaughn, Alamogordo</p> <p><i>staff</i></p> <p>Phil Lynch Ramona Schmidt Karen Wells</p>

The legislative health and human services committee is created in Section 2-13-1 NMSA 1978 and charged with conducting "a continuing study of the programs, agencies, policies, issues and needs relating to health and human services".

For the 2003 interim, the committee was directed to focus on the implementation of provisions in House Government and Urban Affairs Committee Substitute for House Bill 955, which calls for a comprehensive study on health care and health care costs, and to oversee various medicaid reform initiatives, including those in Senate Bill 338 and House Bill 384, all from the 2003 session. In addition, the legislative council directed committee staff to report on the proposed closing of the university of New Mexico dialysis unit in Gallup and on why the university is billing local hospitals for providing visiting medical staff; and it directed the committee to consider issues related to medical malpractice, particularly as it affects obstetricians and gynecologists.

As part of the study on health care and health care costs, the committee proposed to hear testimony from national leaders in health care and from other states in its examination of the rudiments of health care definitions; expenditures related to the uninsured; costs, regardless of compensation, associated with the uninsured population; and costs of providing health care access or coverage to all New Mexicans. The committee also proposed to hear testimony on health professional shortages, behavioral health, border health, rural health, long-term care and prescription drugs.

For the 2004 interim, the committee proposed to:

(1) hold oversight hearings with the major relevant departments — the human services department (HSD), the department of health (DOH), the children, youth and families department and the newly created aging and long-term services department — to review the agencies' strategic plans for the coming year and possible difficulties of the respective departments;

(2) continue its detailed focus on HSD's implementation of the program changes, studies, analyses, pilot projects and administrative changes directed by Laws 2003, Chapters 279, 314 and 315 as developed by the medicaid reform committee;

(3) finish the health care finance study;

(4) examine and monitor various medicaid cuts and administrative changes made by HSD in addition to those mandated by legislation;

(5) monitor HSD's efforts to identify and insure the more than 400,000 uninsured state residents under a \$900,000 federal health resources and services administration grant; and

(6) track the implementation of the state coverage initiative.

In addition to these major efforts, the committee proposed to:

(1) continue its long-standing commitment to bring health and human services needs to the attention of the legislature after hearing from many organizations and advocates;

(2) continue its efforts to reduce the cost of prescription drugs both in public programs and to all New Mexico citizens by reviewing the application of the preferred drug list program required by the legislature to be developed by HSD and examine the effects of the new medicare pharmacy reforms on price and availability;

(3) focus on public planning for the care of New Mexico seniors, a population projected to more than double by 2020;

(4) look at the state's health care work force, which lags behind the state's demands in spite of increased educational efforts;

(5) examine the unique and complex border health problems as presented at the committee's September 2002 meeting in Las Cruces;

(6) monitor the impact of federal changes to both medicaid and medicare;

(7) monitor the implementation of HSD's behavioral health purchasing collaborative and DOH's comprehensive strategic health plan with an eye toward ensuring a stronger emphasis on preventive measures in these programs;

(8) review tax breaks provided in the 2003 legislative session to physicians to ensure that sufficient numbers of medical specialists remain in New Mexico;

(9) examine the benefit of increased educational support as well as tax incentives for professionals, including medical doctors, family nurse practitioners and physician assistants in underserved areas;

(10) hear testimony on alcoholism and drug addiction in New Mexico and hear from DOH's newly appointed experts in the fields of drug abuse, mental health and DWI;

(11) examine the implementation of changes called for by the *Olmstead* decision and the cuts in maternal and child health programs;

(12) review new early childhood, teen pregnancy and other initiatives undertaken by the children's cabinet;

(13) hear testimony on the continuing issues of domestic violence, suicide, especially teen suicide, and sufficiency and quality of daycare; and

(14) receive reports called for by joint memorials passed by the legislature relating to health care.

Los Alamos National Laboratory Oversight Committee

2003, 2004

<i>LANL Membership 2003</i>	<i>LANL Membership 2004</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. Manny M. Aragon, Albuquerque Sen. William H. Payne, Albuquerque Rep. Debbie A. Rodella, Pueblo of San Juan Rep. Nick L. Salazar, Pueblo of San Juan	<i>voting</i> Rep. Roberto "Bobby" J. Gonzales, Co-Chair, Taos Sen. Phil A. Griego, Co-Chair, San Jose Rep. Thomas A. Anderson, Albuquerque Rep. Debbie A. Rodella, Pueblo of San Juan Rep. Nick L. Salazar, Pueblo of San Juan Sen. William E. Sharer, Farmington
<i>advisory</i> Rep. Ben Lujan, Santa Fe Sen. Richard C. Martinez, Espanola Sen. Richard M. Romero, Albuquerque Sen. William E. Sharer, Farmington Rep. Jeannette O. Wallace, Los Alamos	<i>advisory</i> Rep. Ben Lujan, Santa Fe Sen. Richard C. Martinez, Espanola Sen. William H. Payne, Albuquerque Rep. Jeannette O. Wallace, Los Alamos
<i>staff</i> Claudia McKay Jeret Fleetwood	<i>staff</i> Jonelle Maison Cenissa Martinez

The Los Alamos national laboratory (LANL) oversight committee was created by the legislative council for the 2003 interim on May 13, 2003 and for the 2004 interim on May 5, 2004.

For the 2003 interim, the committee proposed to:

- (1) review the activities, operation and management of LANL, including state-related issues concerning the laboratory's management contract currently out for bid;
- (2) take testimony from various persons, including members of the public, on state-related issues concerning the laboratory;
- (3) focus on the hiring, job training, continuing education and promotion experience at the laboratory, and on any changes that could be made at the laboratory and in New Mexico's public school and higher educational systems to support New Mexicans in their efforts to pursue successful careers at the laboratory; and
- (4) report its findings to the laboratory and the legislature.

The committee proposed to hold a joint meeting with the radioactive and hazardous materials committee in an effort to discuss environmental issues concerning LANL.

For the 2004 interim, the committee proposed to focus on:

- (1) the federal department of energy's (DOE's) short- and long-range plans for LANL and Sandia national laboratories;
- (2) homeland security;
- (3) educational programs provided by LANL and the effect of its need for a highly educated work force on the state's public schools; and
- (4) economic development opportunities available from technology transfer and the provision of services to LANL by small businesses.

The committee's inquiry would not duplicate efforts of the legislative education study committee or the economic and rural development and telecommunications committee because of its specific and limited focus on LANL.

Because DOE's decision to request proposals for LANL management may have a direct impact on the state and on northern New Mexico communities, the committee proposed to discuss the department's short- and long-range plans for both of the state's national laboratories and the progress of its requests for proposals for management of LANL.

Homeland security is of vital interest to New Mexico, with two national laboratories, several military bases and radioactive and hazardous material stockpiles. In addition to looking at what LANL is doing to ensure the safety of laboratory assets, the committee proposed to hear testimony on LANL's development of homeland security strategies and tools for application in other locations.

Most of the high-paying jobs at LANL require employees with advanced degrees, particularly in science and engineering. There has been much discussion over the years concerning how prepared New Mexico residents are for lab employment. LANL has developed several educational programs to help New Mexico teachers and public school students, and the committee will look at the success of those programs. Also of interest are the cooperative agreements between LANL and state universities. The lab has memoranda of understanding (MOU) with New Mexico highlands university, New Mexico state university and the university of New Mexico, and it expects to sign one with the New Mexico institute of mining and technology. The committee proposed to consider the near-term and future academic and economic effects of these MOUs as well as what the legislature, public education department, commission on higher education and public and post-secondary schools can do to improve New Mexico residents' job-readiness for LANL employment. As part of its focus on education, the committee proposed to examine: the utility of LANL and Sandia national laboratories employment forecasts in post-secondary educational planning; and LANL's work-study

program and its curriculum collaboration with northern New Mexico community college and other post-secondary educational institutions.

In its focus on economic development, the committee proposed inquiry into the LANL procurement process for small contractors and the opportunities for technology transfer of LANL research, including a look at how successful New Mexico has been in attracting and keeping technology transfer entrepreneurs in the state.

The committee received legislative council approval for per diem and mileage for members to meet with their LANL oversight counterparts from California when that committee meets in New Mexico.

Mortgage Finance Authority Act Oversight Committee

2003, 2004

<i>MFA Membership 2003</i>	<i>MFA Membership 2004</i>
<i>voting</i> Sen. Nancy Rodriguez, Chair, Santa Fe Rep. Fred Luna, Vice Chair, Los Lunas Sen. Manny M. Aragon, Albuquerque Sen. Mark Boitano, Albuquerque Rep. Richard P. Cheney, Farmington Rep. Jane E. Powdrell-Culbert, Corrales Sen. Leonard Lee Rawson, Las Cruces Rep. Raymond M. Ruiz, Albuquerque	<i>voting</i> Rep. Fred Luna, Chair, Los Lunas Sen. Nancy Rodriguez, Vice Chair, Santa Fe Sen. Mark Boitano, Albuquerque Rep. Richard P. Cheney, Farmington Rep. Jane E. Powdrell-Culbert, Corrales Sen. Leonard Lee Rawson, Las Cruces Rep. Harriet I. Ruiz, Albuquerque
<i>advisory</i> Rep. Thomas A. Anderson, Albuquerque Rep. Miguel P. Garcia, Albuquerque Sen. Ramsay Gorham, Albuquerque Sen. Phil A. Griego, San Jose Rep. Antonio Lujan, Las Cruces Sen. Richard C. Martinez, Espanola Sen. Richard M. Romero, Albuquerque Rep. Daniel P. Silva, Albuquerque Sen. H. Diane Snyder, Albuquerque	<i>advisory</i> Rep. Thomas A. Anderson, Albuquerque Rep. Miguel P. Garcia, Albuquerque Sen. Ramsay Gorham, Albuquerque Sen. Phil A. Griego, San Jose Rep. Antonio Lujan, Las Cruces Sen. Richard C. Martinez, Espanola Rep. Daniel P. Silva, Albuquerque Sen. H. Diane Snyder, Albuquerque
<i>staff</i> Rachel Ray	<i>staff</i> Rachel Ray

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 for the 2003 interim to:

(1) draft legislation to enact the Affordable Housing Act in order to implement the amendment to Article 9, Section 14 of the constitution of New Mexico ratified by voters in the 2002 election, with the MFA's weatherization program addressed in the draft bill as well; and

(2) evaluate and hear progress reports on the work and recommendations of the MFA task force convened to select revenue sources for a state housing trust fund pursuant to Senate Joint Memorial 64 of the 2003 legislative session. Work on a state housing trust fund would encompass the MFA's housing priorities of aging housing rehabilitation and substandard housing in colonias and tribal trust land communities.

For the 2004 interim, the committee proposed to focus on:

(1) rules and regulations created by the MFA to implement portions of the Affordable Housing Act;

(2) progress reports on the establishment of a state housing trust fund, including a discussion of and presentations from the newly formed housing trust fund coalition, which seeks to garner grassroots support for the fund;

(3) the Home Loan Protection Act;

(4) Section 48-7-10.1 NMSA 1978, which pertains to available funds required at a real estate closing; and

(5) impact fees for property development.

New Mexico Finance Authority Oversight Committee

2003, 2004

NMFA Membership 2003

voting

Rep. Daniel P. Silva, Chair, Albuquerque
Sen. Pete Campos, Vice Chair, Las Vegas
Sen. Manny M. Aragon, Albuquerque
Sen. Clinton D. Harden, Jr., Clovis
Rep. Dona G. Irwin, Deming
Sen. Don Kidd, Carlsbad
Rep. Brian K. Moore, Clayton
Sen. Mary Kay Papen, Las Cruces
Rep. Earlene Roberts, Lovington
Sen. Shannon Robinson, Albuquerque
Sen. Nancy Rodriguez, Santa Fe
Rep. Raymond M. Ruiz, Albuquerque
Rep. Henry Kiki Saavedra, Albuquerque
Sen. H. Diane Snyder, Albuquerque
Rep. Sheryl Williams Stapleton, Albuquerque
Rep. Don Tripp, Socorro

advisory

Rep. Donald E. Bratton, Hobbs
Rep. Jose A. Campos, Santa Rosa
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. Leonard Lee Rawson, Las Cruces
Sen. Richard M. Romero, Albuquerque
Sen. Bernadette M. Sanchez, Albuquerque
Rep. Edward C. Sandoval, Albuquerque
Rep. James G. Taylor, Albuquerque
Rep. Luciano "Lucky" Varela, Santa Fe
Rep. Robert White, Albuquerque

staff

Jon Boller
Renee Gregorio
Alfred Creecy

NMFA Membership 2004

voting

Sen. Mary Kay Papen, Chair, Las Cruces
Rep. Daniel P. Silva, Vice Chair, Albuquerque
Sen. Pete Campos, Las Vegas
Sen. Kent L. Cravens, Albuquerque
Rep. Roberto "Bobby" J. Gonzales, Taos
Sen. Clinton D. Harden, Jr., Clovis
Rep. Dona G. Irwin, Deming
Rep. Brian K. Moore, Clayton
Rep. Earlene Roberts, Lovington
Sen. Shannon Robinson, Albuquerque
Sen. Nancy Rodriguez, Santa Fe
Rep. Henry Kiki Saavedra, Albuquerque
Sen. H. Diane Snyder, Albuquerque
Rep. Sheryl Williams Stapleton, Albuquerque
Rep. Don Tripp, Socorro

advisory

Rep. Donald E. Bratton, Hobbs
Rep. Jose A. Campos, Santa Rosa
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
Sen. Stuart Ingle, Portales
Sen. Don Kidd, Carlsbad
Rep. Ben Lujan, Santa Fe
Rep. Patricia A. Lundstrom, Gallup
Sen. Leonard Lee Rawson, Las Cruces
Rep. Harriet I. Ruiz, Albuquerque
Sen. Bernadette M. Sanchez, Albuquerque
Rep. Edward C. Sandoval, Albuquerque
Rep. Luciano "Lucky" Varela, Santa Fe
Rep. Robert White, Albuquerque

staff

Janice McCrary
Renee Gregorio

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.

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 2003 legislative interim, the committee proposed to:

- (1) monitor and oversee the operations of the NMFA and the border authority;
- (2) review and approve any rules proposed by the authorities;
- (3) receive progress reports on new and ongoing capital projects funded through the NMFA to ensure that projects are proceeding in a timely manner;
- (4) hear testimony on the various finance mechanisms and programs for capital projects;
- (5) hear testimony on border development, including Santa Teresa and Columbus border crossing issues; and
- (6) recommend necessary changes in law or policy to the legislature.

For the 2004 interim, the committee proposed to:

- (1) examine the functions and structure of the NMFA and its funding programs;
- (2) review the procedures for the assessment of public project needs in the state, how priorities are determined and the status of these projects in several areas of the state;
- (3) compare the processes for determination of needs and priorities used by the NMFA with those of the department of finance and administration through its local infrastructure capital improvement plan;
- (4) review the audit and management letter for the NMFA;
- (5) hear ongoing testimony on the status of Governor Richardson's road improvement projects, commonly known as GRIP;
- (6) examine recent border development issues;
- (7) study the issues and needs of the colonias areas throughout the state;
- (8) examine statutory changes in the New Mexico Finance Authority Act related to urgent economic development projects and the credit enhancement account;

(9) examine the water innovation fund, solicitation of letters of interest for financial assistance from the fund and the impact and relationship of this fund to the NMFA; and

(10) hear testimony on capital outlay reform.

Radioactive and Hazardous Materials Committee

2003, 2004

<i>RHMC Membership 2003</i>	<i>RHMC Membership 2004</i>
<i>voting</i>	<i>voting</i>
Rep. John A. Heaton, Chair, Carlsbad	Rep. John A. Heaton, Chair, Carlsbad
Sen. Richard C. Martinez, Vice Chair, Espanola	Sen. Richard C. Martinez, Vice Chair, Espanola
Rep. Donald E. Bratton, Hobbs	Rep. Donald E. Bratton, Hobbs
Sen. Mary Jane M. Garcia, Dona Ana	Sen. Mary Jane M. Garcia, Dona Ana
Sen. Phil A. Griego, San Jose	Sen. Phil A. Griego, San Jose
Rep. Manuel G. Herrera, Bayard	Rep. Manuel G. Herrera, Bayard
Sen. Gay G. Kernan, Hobbs	Sen. Gay G. Kernan, Hobbs
Sen. Don Kidd, Carlsbad	Sen. Don Kidd, Carlsbad
Sen. Carroll H. Leavell, Jal	Sen. Carroll H. Leavell, Jal
Rep. Antonio Lujan, Las Cruces	Rep. Antonio Lujan, Las Cruces
Rep. Pauline J. Ponce, Roswell	Rep. Pauline J. Ponce, Roswell
Rep. Jeannette O. Wallace, Los Alamos	Rep. Jeannette O. Wallace, Los Alamos
<i>advisory</i>	<i>advisory</i>
Rep. Thomas A. Anderson, Albuquerque	Rep. Thomas A. Anderson, Albuquerque
Sen. Clinton D. Harden, Jr., Clovis	Sen. Clinton D. Harden, Jr., Clovis
Sen. William H. Payne, Albuquerque	Sen. William H. Payne, Albuquerque
Sen. John Pinto, Tohatchi	Sen. John Pinto, Tohatchi
Rep. Avon W. Wilson, Roswell	Rep. Avon W. Wilson, Roswell
<i>staff</i>	<i>staff</i>
Maha Khoury	Gordon Meeks
	Jeret Fleetwood

The radioactive and hazardous materials committee is created in Section 74-4A-9 NMSA 1978, and its original purpose, in 1979, was to coordinate information exchange and develop appropriate state actions regarding the construction of 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 the scope of its work, which was broadened by the legislature in 1981, 1986 and 1991. Over the years, the committee has served as a de facto interim committee on

the environment in lieu of the formal creation of another committee to deal with environmental issues. In addition to hearing testimony on the progress of the opening of WIPP, the committee has received testimony on federal water quality and air quality laws enforced by the state, solid waste landfill closures and openings, the potential siting of an interim, high-level radioactive waste facility on the Mescalero Apache reservation and pipeline safety.

During the 2003 interim, the committee proposed to gather information and hear testimony:

- (1) on the organization and structure of the department of environment (NMED), its plans and objectives, its budget and how it intends to do business with industry and governmental entities in New Mexico;
- (2) from various communities and industries throughout New Mexico, including manufacturing, mining and agriculture, and from cities and counties on their interaction with the NMED, the timeliness of permits, oversight issues and environmental impacts;
- (3) on whether the safety and efficiency of oil and gas pipelines would be enhanced by moving oversight and regulation responsibilities from the public regulation commission to the oil conservation division of the energy, minerals and natural resources department; and
- (4) on the status of WIPP and its Resource Conservation and Recovery Act (RCRA) permit modifications and RCRA permits for LANL.

The committee also planned to visit the WIPP site and to recommend legislation or, if deemed necessary, changes to existing legislation.

For the 2004 interim, the committee proposed to review NMED initiatives, including:

- (1) the assumption of primacy over the federal environmental protection agency's (EPA's) national pollutant discharge elimination system;
- (2) air quality and water quality de novo hearing process revisions;
- (3) wastewater utility operator certification;
- (4) proposed changes to septic tank regulations; and
- (5) occupational safety and health standards for convenience stores.

The committee also proposed to hear testimony on the status of:

- (1) WIPP and its RCRA permit modification requests;
- (2) LANL's environmental compliance and proposed federal department of energy settlement with the state over legacy waste cleanup;
- (3) superfund or proposed listing of sites under the federal Comprehensive Environmental Response, Compensation and Liability Act of 1980;

- (4) underground storage tanks;
- (5) garbage burn standards;
- (6) hazardous carriers; and
- (7) de novo hearings pursuant to other issues.

Finally, the committee proposed to hear testimony on the proposed nuclear fuels enrichment plant in Eunice, the effect on New Mexico communities of changes in EPA standards for various pollutants, including mercury and arsenic, and issues related to extractive industries in the state.

Revenue Stabilization and Tax Policy Committee

2003, 2004

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 2003 interim, the committee proposed to coordinate its agenda with that of the blue ribbon tax reform commission, which was created by legislation passed in the 2003 session, and to prepare for a special legislative session on tax issues before the end of the year. Agenda items would focus on an examination of current New Mexico tax structure and tax policy, highlighting areas in which change may be necessary to adapt to economic, demographic and technological trends. Work during the 2003 interim would be a continuation of the committee's work in the previous three interims, with particular focus on:

- (1) taxation of extractive industries and fuel;
- (2) road user taxes and fees;
- (3) implementation and fiscal impacts of legislation from the 2002 session dealing with taxation and revenue matters; and
- (4) recently enacted federal taxation changes and the impact of these changes on state revenues.

The committee also proposed to:

- (1) review and study local government revenue sources and trends and the balance of taxing authority, revenue sources and expenditures between the state and local governments;

*RSTP Membership
2003*

voting

Sen. John Arthur Smith, Chair, Deming
Rep. Donald L. Whitaker, Vice Chair, Eunice
Rep. Janice E. Arnold-Jones, Albuquerque
Sen. Sue Wilson Beffort, Albuquerque
Sen. Mark Boitano, Albuquerque
Sen. Carlos R. Cisneros, Questa
Rep. Anna M. Crook, Clovis
Sen. Joseph A. Fidel, Grants
Rep. Roberto "Bobby" J. Gonzales, Taos
Rep. George J. Hanosh, Grants
Sen. Timothy Z. Jennings, Roswell
Rep. Ben Lujan, Santa Fe
Sen. Roman M. Maes, III, 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

Sen. Ben D. Altamirano, Silver City
Rep. William "Ed" Boykin, Las Cruces
Rep. Donald E. Bratton, Hobbs
Sen. Joseph J. Carraro, Albuquerque
Sen. Phil A. Griego, San Jose
Rep. Irvin Harrison, Gallup
Rep. Manuel G. Herrera, Bayard
Sen. Stuart Ingle, Portales
Sen. Steve Komadina, Corrales
Sen. Cisco McSorley, Albuquerque
Rep. Andy Nuñez, Hatch
Sen. Leonard Lee Rawson, Las Cruces
Rep. Debbie A. Rodella, Pueblo of San Juan
Sen. Nancy Rodriguez, Santa Fe
Rep. Henry Kiki Saavedra, Albuquerque
Sen. Bernadette M. Sanchez, Albuquerque
Rep. Joe M Stell, Carlsbad
Rep. Don Tripp, Socorro
Rep. Robert White, Albuquerque

staff

Cleo Griffith
Pam Ray
Amy Chavez
Cenissa Martinez

*RSTP Membership
2004*

voting

Rep. Donald L. Whitaker, Chair, Eunice
Sen. John Arthur Smith, Vice Chair, Deming
Rep. Janice E. Arnold-Jones, Albuquerque
Sen. Sue Wilson Beffort, Albuquerque
Sen. Mark Boitano, Albuquerque
Sen. Carlos R. Cisneros, Questa
Rep. Anna M. Crook, Clovis
Sen. Joseph A. Fidel, Grants
Rep. Roberto "Bobby" J. Gonzales, Taos
Sen. John T.L. Grubestic, Santa Fe
Rep. George J. Hanosh, Grants
Sen. Timothy Z. Jennings, Roswell
Rep. Ben Lujan, Santa Fe
Sen. William E. Sharer, Farmington
Rep. Daniel P. Silva, Albuquerque
Sen. H. Diane Snyder, Albuquerque
Rep. Thomas C. Taylor, Farmington
Rep. Luciano "Lucky" Varela, Santa Fe

designees

Sen. Ben D. Altamirano, Silver City
Rep. William "Ed" Boykin, Las Cruces
Rep. Donald E. Bratton, Hobbs
Sen. Joseph J. Carraro, Albuquerque
Sen. Phil A. Griego, San Jose
Rep. Irvin Harrison, Gallup
Rep. Manuel G. Herrera, Bayard
Sen. Stuart Ingle, Portales
Sen. Steve Komadina, Corrales
Sen. Cisco McSorley, Albuquerque
Rep. Andy Nuñez, Hatch
Sen. Leonard Lee Rawson, Las Cruces
Rep. Debbie A. Rodella, Pueblo of San Juan
Sen. Nancy Rodriguez, Santa Fe
Rep. Henry Kiki Saavedra, Albuquerque
Sen. Bernadette M. Sanchez, Albuquerque
Rep. Joe M Stell, Carlsbad
Rep. Don Tripp, Socorro
Rep. Robert White, Albuquerque

staff

Amy Chavez
Pam Ray
Cenissa Martinez

(2) monitor severance tax revenues, including revenue and bonding authority estimates, and management of bond appropriations and expenditures;

(3) review the investment policies and management of state permanent funds, as well as other state funds;

(4) review effectiveness of existing tax incentives designed to encourage economic development;

(5) review existing tax laws for technical correction, cleanup or amendment;

(6) conduct any other study or review of tax administration, tax laws, tax policy, public finance and revenue stabilization issues that the committee deems necessary;

(7) determine if there are benefits to the state in permitting the taxation and revenue department to implement a process of offer and compromise or settlements of tax disputes that allow the state to receive taxes due and determine changes necessary to New Mexico law or its constitution to implement such a change; and

(8) review the New Mexico Taxpayer Bill of Rights and its implementation.

Legislation adopted during the 2003 special session authorized approximately \$1.6 billion in state transportation bonds for statewide transportation projects. As part of its 2004 work plan, the committee proposed to monitor the issuance of the bonds and the department of transportation's progress with respect to those projects.

In addition, the committee proposed for the 2004 interim to:

(1) review the effectiveness of amendments to the Weight Distance Tax Act and the effect of changes in the motor vehicle fee structure adopted in the special session;

(2) receive updates regarding implementation and the projected impact of tax legislation adopted in the 2004 legislative session;

(3) review certain committee-endorsed legislation that failed and evaluate it for endorsement for the 2005 legislative session;

(4) on the recommendation of the blue ribbon tax reform commission, determine how to assess the economic development benefit to the state of business incentives such as tax credits, deductions and exemptions;

(5) examine economic and revenue trends;

(6) monitor severance tax revenues, including revenue and bonding authority estimates, and management of bond appropriations and expenditures;

(7) receive an update on the performance of state permanent fund investments, including economic development investment tools;

(8) review existing tax laws for technical correction, cleanup or amendment;

(9) discuss the ramifications of tax pyramiding and alternative methods of reducing pyramiding's effects on businesses;

- (10) discuss local option gross receipts and compensating tax issues;
- (11) review the imposition and distribution of governmental gross receipts tax;
- (12) receive an update on racing and gaming industries;
- (13) receive an update on the local DWI grant fund and its administration;
- (14) discuss the effects of changing the legal imposition of the gasoline tax;
- (15) receive a report on the status of intergovernmental agreements with tribes and the resulting revenue trends;
- (16) receive an update on the streamlined sales tax initiative;
- (17) monitor changes in federal tax policy;
- (18) review the implementation and most effective uses of dynamic scoring;
- (19) discuss issues pertaining to public employee retirement association and educational retirement board funds and programs;
- (20) study the impact of increased oil and gas revenues on long-range revenue forecasting;
- (21) receive an update on the effectiveness of film industry tax credits and their use;
- (22) review the implementation of the Civic and Convention Center Funding Act in Santa Fe and Santa Fe county; and
- (23) conduct any other study or review of tax administration, tax laws, tax policy, public finance and revenue stabilization issues that the committee deems necessary.

Tobacco Settlement Revenue Oversight Committee

2003, 2004

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.

Laws 2003, Chapter 312 transferred 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 program fund continue to be funded through the general fund, the committee continues its oversight duties with regard to those programs.

*TSROC Membership
2003*

voting

Rep. Gail C. Beam, Co-Chair, Albuquerque
Sen. Mary Jane M. Garcia, Co-Chair, Dona Ana
Sen. Ramsay Gorham, Albuquerque
Sen. Richard C. Martinez, Espanola
Rep. J. Paul Taylor, Mesilla
Rep. Gloria C. Vaughn, Alamogordo

advisory

Sen. Manny M. Aragon, Albuquerque
Sen. Joseph J. Carraro, Albuquerque
Sen. Dede Feldman, Albuquerque
Sen. Steve Komadina, Corrales
Sen. Linda M. Lopez, Albuquerque

staff

Maha Khoury

*TSROC Membership
2004*

voting

Rep. Gail C. Beam, Co-Chair, Albuquerque
Sen. Mary Jane M. Garcia, Co-Chair, Dona Ana
Sen. Ramsay Gorham, Albuquerque
Sen. Richard C. Martinez, Espanola
Rep. J. Paul Taylor, Mesilla
Rep. Gloria C. Vaughn, Alamogordo

advisory

Sen. Joseph J. Carraro, Albuquerque
Sen. Dede Feldman, Albuquerque
Sen. Steve Komadina, Corrales
Sen. Linda M. Lopez, Albuquerque
Rep. Danice Picraux, Albuquerque
Rep. Luciano "Lucky" Varela, Santa Fe
Rep. Teresa A. Zanetti, Albuquerque

staff

Maha Khoury
Cenissa Martinez

For the 2003 interim, the committee proposed to:

- (1) determine which of its recommended programs were actually funded, maintain its oversight of those programs by hearing testimony, reviewing reports and performance measures, where applicable, and evaluating the current and future success of the programs;
- (2) develop recommendations on program funding for fiscal year 2005, including funding levels and changes in the purposes or programs to be funded, and provide its recommendations to the legislative finance committee no later than December 15, 2003;
- (3) work with the attorney general's office on any legislation that may be necessary to ensure that New Mexico continues to receive the highest possible revenue from the tobacco settlement;
- (4) examine issues relating to tobacco taxation on tribal lands; and
- (5) recommend legislation or changes to existing legislation, if any.

During the 2004 interim, the 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 year 2006;

- (3) examine issues relating to tobacco possession by minors;
- (4) examine issues and legislation to enhance the collection of tobacco taxes;
- (5) examine the status of the revenue and reserve fund relating to the sunset provision for tobacco settlement revenue;
- (6) 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
- (7) recommend legislation or changes to existing legislation, if any.

Water and Natural Resources Committee

2003, 2004

The water and natural resources committee was originally created by the legislative council in 1998, and was created for the current biennium on May 13, 2003 and May 5, 2004.

Water-related litigation has increased in recent years, including cases dealing with the federal Endangered Species Act of 1973 and potential litigation with Texas pursuant to the Rio Grande Compact and the Pecos River Compact. Failure to deliver water to Texas under terms of these compacts could result in millions, possibly billions, of dollars of economic consequences to New Mexico. For the 2003 interim, the committee proposed to focus on issues related to these and other lawsuits arising in recent years and to continue monitoring the status of water rights acquisition by municipalities and water rights adjudications. In addition, the following topics were added to the committee's 2003 work plan at the request of the legislative council:

- (1) financing for water and wastewater projects, including through the water trust fund and water project fund; and
- (2) the development of water conservation techniques and improving water use efficiency, including testimony on cloud seeding, watershed management, conditions of water use permits, domestic well restrictions and conservation requirements for electric power plants.

For the 2004 interim, the committee proposed to focus on three primary topics:

- (1) legal issues, including cases in federal court related to the state's water authority and interstate compact litigation, with status reports on interstate compact compliance, endangered species and other legal aspects of water management;
- (2) water conservation, including a potential strategic water reserve, tax incentives, water planning, improving water use efficiencies and other conservation measures;

*WNR Membership
2003*

voting

Sen. Carlos R. Cisneros, Chair, Questa
Rep. Joe M Stell, Vice Chair, Carlsbad
Sen. Sue Wilson Beffort, Albuquerque
Sen. Joseph J. Carraro, Albuquerque
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. James Roger Madalena, Pueblo of Jemez
Rep. Brian K. Moore, Clayton
Rep. Andy Nuñez, Hatch
Sen. Mary Kay Papen, Las Cruces
Sen. Shannon Robinson, Albuquerque
Rep. Henry Kiki Saavedra, Albuquerque
Sen. H. Diane Snyder, Albuquerque
Rep. Don Tripp, Socorro
Rep. Robert W. White, Albuquerque

advisory

Rep. Ray Begaye, Shiprock
Rep. Anna M. Crook, Clovis
Sen. Clinton D. Harden, Jr., Clovis
Sen. Timothy Z. Jennings, Roswell
Sen. Gay G. Kernan, Hobbs
Rep. Rhonda S. King, Stanley
Sen. Steve Komadina, Corrales
Rep. Ben Lujan, Santa Fe
Rep. Danice Picraux, Albuquerque
Sen. Leonard Lee Rawson, Las Cruces
Sen. Nancy Rodriguez, Santa Fe
Rep. Mimi Stewart, Albuquerque
Sen. Leonard Tsosie, Crownpoint
Rep. Eric A. Youngberg, Albuquerque

staff

Gordon Meeks
Jon Boller

*WNR Membership
2004*

voting

Rep. Joe M Stell, Chair, Carlsbad
Sen. Carlos R. Cisneros, Vice Chair, Questa
Sen. Sue Wilson Beffort, Albuquerque
Sen. Joseph J. Carraro, Albuquerque
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. James Roger Madalena, Pueblo of Jemez
Rep. Brian K. Moore, Clayton
Rep. Andy Nuñez, Hatch
Sen. Mary Kay Papen, Las Cruces
Sen. Shannon Robinson, Albuquerque
Sen. H. Diane Snyder, Albuquerque
Rep. Mimi Stewart, Albuquerque
Rep. Don Tripp, Socorro
Rep. Robert W. White, Albuquerque

advisory

Rep. Ray Begaye, Shiprock
Rep. Anna M. Crook, Clovis
Sen. Clinton D. Harden, Jr., Clovis
Sen. Timothy Z. Jennings, Roswell
Sen. Gay G. Kernan, Hobbs
Rep. Rhonda S. King, Stanley
Sen. Steve Komadina, Corrales
Rep. Ben Lujan, Santa Fe
Rep. Danice Picraux, Albuquerque
Sen. Leonard Lee Rawson, Las Cruces
Sen. Nancy Rodriguez, Santa Fe
Rep. Henry Kiki Saavedra, Albuquerque
Sen. Leonard Tsosie, Crownpoint
Rep. Peter F. Wirth, Santa Fe
Rep. Eric A. Youngberg, Albuquerque

staff

Gordon Meeks
Jon Boller
Jeret Fleetwood

and

(3) financing water needs, including hearings on the governor's priorities for financing water capital projects and on the state water trust fund, which was created by the legislature but which has no permanent funding source.

Welfare Reform Oversight Committee

2003, 2004

<i>WROC Membership 2003</i>	<i>WROC Membership 2004</i>
<i>voting</i> Sen. Manny M. Aragon, Chair, Albuquerque Rep. Max Coll, Santa Fe, Vice Chair Rep. Kandy Cordova, Belen Sen. Ramsay Gorham, Albuquerque Sen. Clinton D. Harden, Jr., Clovis Rep. Larry A. Larrañaga, Albuquerque Sen. Linda M. Lopez, Albuquerque Sen. John Pinto, Tohatchi Rep. Nick L. Salazar, Pueblo of San Juan Sen. William E. Sharer, Farmington Rep. J. Paul Taylor, Mesilla Rep. Gloria C. Vaughn, Alamogordo	<i>voting</i> Rep. Luciano "Lucky" Varela, Chair, Santa Fe Sen. Linda M. Lopez, Vice Chair, Albuquerque Rep. Kandy Cordova, Belen Sen. Ramsay Gorham, Albuquerque Sen. Clinton D. Harden, Jr., Clovis Rep. Larry A. Larrañaga, Albuquerque Sen. John Pinto, Tohatchi Rep. Nick L. Salazar, Pueblo of San Juan Sen. William E. Sharer, Farmington Rep. J. Paul Taylor, Mesilla Rep. Gloria C. Vaughn, Alaamogordo
<i>advisory</i> Sen. Ben D. Altamirano, Silver City Sen. Dianna J. Duran, Tularosa Rep. Daniel R. Foley, Roswell Rep. Irvin Harrison, Gallup Sen. Timothy Z. Jennings, Roswell Sen. Raymond Kysar, Farmington Rep. Earlene Roberts, Lovington Rep. Edward C. Sandoval, Albuquerque Rep. Jim Trujillo, Santa Fe Rep. Avon W. Wilson, Roswell	<i>advisory</i> Sen. Ben D. Altamirano, Silver City Sen. Dianna J. Duran, Tularosa Rep. Daniel R. Foley, Roswell Rep. Irvin Harrison, Gallup Sen. Timothy Z. Jennings, Roswell Sen. Raymond Kysar, Farmington Rep. Earlene Roberts, Lovington Rep. Edward C. Sandoval, Albuquerque Rep. Jim Trujillo, Santa Fe Rep. Avon W. Wilson, Roswell
<i>staff</i> Pam Ray Leslie Schaar Larry Matlock	<i>staff</i> Pam Ray Leslie Schaar 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".

To meet its statutory duties, the committee proposed for the 2003 interim to:

(1) focus on the reauthorization of the Personal Responsibility and Work Opportunity Reconciliation Act and its funding; the decrease in the temporary assistance to needy families (TANF) population due to the 60-month time limit on people receiving TANF services; the number of people receiving hardship exemptions from the 60-month limit; and the way in which the state is helping and monitoring the success of former recipients of TANF services;

(2) review the level of coordination among the state agencies providing TANF services, receive updates from tribes with TANF programs and seek information regarding the support the programs are receiving from state agencies, especially the human services department (HSD), and the level of coordination between the state TANF program and tribal TANF programs;

(3) continue to seek data pertaining to barriers to successful work placement for TANF participants throughout the state, with special emphasis on the barriers created by domestic violence and substance abuse, and to review TANF services available for recipients dealing with substance abuse;

(4) continue to review the strategic plans and performance measures of HSD, the children, youth and families department and the labor department to determine if welfare reform and workforce development goals are being adequately identified, coordinated, cooperatively implemented and achieved. The committee will consider services provided from the point of view of availability of needed services, ease of access to services and equitable treatment of those who are employed to provide services;

(5) gather information on the effect of TANF programs on the overall poverty rate of people in New Mexico, what strategies can be used to move New Mexico out of last or nearly last place in poverty indices in the United States and how to move individuals and families out of poverty;

(6) review the status of domestic violence in New Mexico, the effectiveness of TANF contracts or subcontracts designed to serve survivors of domestic violence and the services provided by state funds to prevent domestic violence and treat both survivors and perpetrators;

(7) look at the effect of failure to pay child support on the TANF population and

the effect of actions taken pursuant to state law to punish people owing child support on the improvement in child support collections;

(8) review the actions taken as a result of House Joint Memorial 64 of the 2003 legislative session to address the underutilization of food stamps; and

(9) review and address the discrepancy in state reimbursement rates for urban and rural child care providers.

For the 2004 interim, the committee proposed to continue its work on items (1) through (5) from its 2003 work plan and to:

(1) review the implementation of programs to increase food stability in New Mexico;

(2) continue to review efforts to close the child support enforcement gap and review the effect of changes adopted in 2004;

(3) review and address, as necessary, issues existing in the provision of child care for the TANF and low-income population of New Mexico; and

(4) evaluate the effectiveness of existing state TANF programs to recommend future funding levels.

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

Blue Ribbon Tax Reform Commission

2003

The blue ribbon tax reform commission was created by Laws 2003, Chapter 77 to "develop recommendations for reform of New Mexico's tax laws to establish a balanced tax system that provides maximum economic development benefits and maintains necessary government services at an appropriate level". The commission functioned during the 2003 interim and formed four committees, each with its own work plan, to address all aspects of the New Mexico tax system in preparation for a special session before the end of the year.

The commission's economic development committee proposed to review issues surrounding economic development, economic development incentives, tax pyramiding and tax administration, with specific focus on:

(1) corporate income taxes, including reporting options, the apportionment formula, the rate structure, corporate income taxes in surrounding states, administrative and compliance problems, arguments for and against eliminating the corporate income tax franchise tax, fee levels, recent fee changes, fee imposition and the number of businesses that pay the franchise tax fee and those that avoid paying; and

(2) tax administration.

The commission's family committee proposed to review:

(1) personal income taxes, including piggy-backing on federal taxable income, income tax brackets, the distribution of taxpayers, who pays what, the 2003 personal income tax reduction and income tax rebates;

(2) gross receipts taxes, especially on food purchases;

BRTRC Membership 2003

legislative

Sen. Manny M. Aragon, Albuquerque
Rep. Janice E. Arnold-Jones, Albuquerque
Rep. Irvin Harrison, Gallup
Sen. Carroll H. Leavell, Jal
Rep. Ben Lujan, Santa Fe
Sen. Cisco McSorley, Albuquerque
Sen. Leonard Lee Rawson, Las Cruces
Sen. John Arthur Smith, Deming
Rep. Thomas C. Taylor, Farmington
Rep. Donald L. Whitaker, Eunice

public

Jerry Sandel, Chair
Norm Becker
Garrey Carruthers
Bill Fulginiti
Gail Haynie
Debbie Hays
Bill King
Matt Martinez
Brian McDonald
Ron Morgan
Fred Nathan
Murray Ryan
Bruce Sanchez

staff

Janice McCrary
Janet Peacock
Amy Chavez
Kathleen Dexter

consultant

Sharlene Shoemaker

- (3) expansion of the food stamp program;
- (4) taxation of medical services;
- (5) the estate tax;
- (6) local government income taxes;
- (7) the impact of taxes on affordable housing;
- (8) taxes on alcohol and tobacco products; and
- (9) tax administration issues.

The commission's equity committee was charged with assessing the New Mexico tax system for fairness, and it proposed to answer the questions "What is the proper tax base?" and "Does the tax treat similarly situated taxpayers similarly in all major respects?" for each of the following taxes:

- (1) gross receipts tax;
- (2) compensating tax;
- (3) local option gross receipts taxes;
- (4) governmental gross receipts tax;
- (5) leased vehicle gross receipts tax and surcharge;
- (6) interstate telecommunications gross receipts tax;
- (7) athletic contest privilege tax;
- (8) streamlined sales tax;
- (9) income tax; and
- (10) other taxes and fees.

The commission's selective excise tax committee proposed to review specific excise taxes and their imposition, including the:

- (1) gasoline, special fuels, weight distance and trip taxes;
- (2) cigarette, liquor excise and gaming taxes;
- (3) insurance premium taxes; and
- (4) motor vehicle excise taxes.

Public School Capital Outlay Task Force

2003, 2004

The public school capital outlay task force was initially created by Laws 2001, Chapter 338, with statutory authority for the task force repealed effective January 1, 2004. In addition

<i>PSCOTF Membership 2003</i>	<i>PSCOTF Membership 2004</i>
<i>legislative</i>	<i>legislative</i>
Sen. Ben D. Altamirano, Silver City	Sen. Ben D. Altamirano, Silver City
Rep. Max Coll, Santa Fe	Rep. Larry A. Larrañaga, Albuquerque
Rep. Larry A. Larrañaga, Albuquerque	Sen. Carroll H. Leavell, Jal
Sen. Carroll H. Leavell, Jal	Rep. Rick Miera, Albuquerque
Rep. Rick Miera, Albuquerque	Sen. Cynthia Nava, Las Cruces
Sen. Cynthia Nava, Las Cruces	Rep. Henry Kiki Saavedra, Albuquerque
<i>public</i>	<i>public</i>
Gary Bland	Gary Bland
Michael J. Davis	Robert Desiderio
Robert Desiderio	Odis Echols
Odis Echols	Veronica Garcia
Pancho Guardiola	Pancho Guardiola
Leonard Haskie	Leonard Haskie
James Jimenez	Robert G. Heyman
Kilino Marquez	James Jimenez
Rey S. Medina	Kilino Marquez
Tony Monfiletto	Rey S. Medina
Alan Morgan	Tony Monfiletto
Bud Mulcock	Bud Mulcock
Neil Nuttall	Neil Nuttall
Norman Suazo	Norman Suazo
Ken White	
<i>advisory</i>	<i>advisory</i>
Rep. Ben Lujan, Santa Fe	Rep. Ben Lujan, Santa Fe
<i>staff</i>	<i>staff</i>
Janet Peacock	Janet Peacock
Paula Tackett	Paula Tackett
Liz Holmes	Liz Holmes
	Doug Williams

to legislators, the task force consists of 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. The task force was directed to report the results of its analyses and its findings and recommendations to the governor and the legislature no later than December 1 of each year.

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 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 (PSCOC) 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.

For the 2003 interim, the task force proposed to:

(1) continue to monitor and assist the PSCOC as it creates the public school facilities authority (PSFA), continues to implement the deficiencies correction program and moves to the statewide, standards-based program;

(2) continue to review the funding for maintenance of school facilities and the effectiveness of current school maintenance programs and evaluate whether additional legislation is needed to provide sanctions for inadequate maintenance of facilities;

(3) determine a method for dealing with the "recalcitrant district" issue, where a school district is either unwilling or politically unable to provide its local match requirement under the formula;

(4) evaluate the existing permanent revenue streams and other potential revenues as adequate long-term funding sources for public school capital outlay projects and determine how to provide additional short-term funding to complete the correction of outstanding health and safety deficiencies;

(5) work with the legislative education study committee to study the facility needs of charter schools; and

(6) continue to monitor litigation involving the public school capital outlay program.

The task force was re-created by Laws 2004, Chapter 125, with statutory authority extended to July 1, 2005. The task force was directed to report the results of its analyses, findings and recommendations to the governor and the legislature prior to the beginning of the first session of the forty-seventh legislature.

For the 2004 interim, the task force proposed to:

- (1) assist the PSCOC and PSFA as they perform functions pursuant to the Public School Capital Outlay Act, particularly as they implement the statewide standards-based process for making grant awards;
- (2) conduct a review of the New Mexico condition index and the methodology used for ranking projects;
- (3) reexamine existing permanent revenue streams for public school capital outlay projects to determine long-term adequacy; and
- (4) review the recommendations of the LESC task force on charter schools as they pertain to the facility needs of charter schools.

Senate Rules Committee

2003, 2004

<i>SRC Membership 2003</i>	<i>SRC Membership 2004</i>
Sen. Linda M. Lopez, Chair, Albuquerque	Sen. Linda M. Lopez, Chair, Albuquerque
Sen. Phil A. Griego, Vice Chair, San Jose	Sen. Phil A. Griego, Vice Chair, San Jose
Sen. Rod Adair, Roswell	Sen. Rod Adair, Roswell
Sen. Dianna J. Duran, Tularosa	Sen. Dianna J. Duran, Tularosa
Sen. Stuart Ingle, Portales	Sen. John T.L. Grubestic, Santa Fe
Sen. Raymond Kysar, Farmington	Sen. Stuart Ingle, Portales
Sen. Roman M. Maes, III, Santa Fe	Sen. Raymond Kysar, Farmington
Sen. Cynthia Nava, Las Cruces	Sen. Cynthia Nava, Las Cruces
Sen. Richard M. Romero, Albuquerque	Sen. Richard M. Romero, 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.

State Permanent Fund Task Force

2004

SPF Membership 2004

legislative

Sen. Joseph J. Carraro, Chair, Albuquerque
Rep. Luciano "Lucky" Varela, Vice Chair,
Santa Fe
Sen. Joseph A. Fidel, Grants
Rep. Larry A. Larrañaga, Albuquerque
Rep. Henry Kiki Saavedra, Albuquerque

public

Gary Bland
Frank Foy
Deborah Gallegos
Bob Gish
Bob Jacksha
James Jimenez

staff

Doug Williams
Larry Matlock

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 2004 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, including 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.

Subcommittee on Reorganization

2003

Laws 2003, Chapter 403 allowed the governor by executive order to elevate the state agency on aging, office of cultural affairs, New Mexico office of Indian affairs and New

Mexico veterans' service commission to cabinet-department status. The bill also required that the legislature pass enabling legislation in the 2004 session for the executive changes or those changes would be void. In response to the bill, the governor issued Executive Order 2003-022, which carried out the executive provisions of the law.

The legislative council created the subcommittee on reorganization on July 14, 2003, directing it to consider the new departmental structures and recommend statutory changes. The council also charged the subcommittee with studying proposals on reorganizing the public regulation commission.

To carry out its function, the subcommittee proposed to hold three two-day meetings to:

- (1) hear from the affected departments, their constituent boards and other interested persons on the organizational structures they recommend for adoption by the legislature;
- (2) study the executive branch organizational structure, including cabinet structures;
- (3) consider differences in organizational structures proposed by the affected departments and bills prepared or introduced in 2003;
- (4) prepare bill drafts for introduction in 2004 covering the four new cabinet departments, as deemed necessary and appropriate;
- (5) make other recommendations regarding the four cabinet departments to the legislature as needed; and
- (6) consider proposals for reorganizing the public regulation commission and make recommendations regarding that topic.

*SOR Membership
2003*

Rep. J. Paul Taylor, Chair, Mesilla
Sen. Bernadette M. Sanchez, Vice Chair,
Albuquerque
Rep. Thomas A. Anderson, Albuquerque
Rep. Donald E. Bratton, Hobbs
Sen. Dianna J. Duran, Tularosa
Sen. Raymond Kysar, Farmington
Rep. James Roger Madalena, Pueblo of Jemez
Sen. Richard C. Martinez, Espanola
Rep. Nick L. Salazar, Pueblo of San Juan
Sen. Leonard Tsosie, Crownpoint

staff
Jonelle Maison

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

2003, 2004

<i>CUSL Membership 2003</i>	<i>CUSL Membership 2004</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</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 LCS, Paula Tackett, and the dean of the university of New Mexico school of law are ex-officio members.

Educational Commission of the States

2003, 2004

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 2003</i>
<p><i>legislative</i> Sen. Cynthia Nava, Las Cruces Rep. Sheryl Williams Stapleton, Albuquerque</p>
<i>ECS Membership 2004</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, 2004

<u>Name</u>	<u>Position</u>
Zelda Abeita	Library Assistant
Jon A. Boller	Staff Attorney II

Raul E. Burciaga	Assistant Director/Drafting Services
Amy Chavez	Staff Attorney I
Mark Cross	Proofreader
Kathleen Dexter	Proofreader
Jeret L. Fleetwood	<i>Locator</i> Coordinator and Committee Staff
Cleo Griffith	Bill Drafter III
Jeannette C. Gurule	Financial Assistant I
Elizabeth Holmes	Research Assistant I
Mary Hurtado	Financial Assistant
Pamela L. Jensen	Proofing Supervisor
Maha Khoury	Staff Attorney I
Tracey R. Kimball	Senior Legislative Librarian
Philip J. Lynch	Bill Drafter II
Jonelle G. Maison	Bill Drafter IV
Sheila J. Manzagol	Financial Assistant I
Cenissa A. Martinez	Records Officer
Danny J. Martinez	Computer Specialist I
Fernando Martinez	Duplicating Technician I
Diane M. Martinez-Herrera	Word Processor I
Larry Matlock	Research Assistant I
Janice McCrary	Researcher II
Carrie McGovern	Proofreader
Gordon Meeks, Jr.	Bill Drafter II
Kathy Pacheco-Dofflemeyer	Assistant Director/Administration
Janet Mae Peacock	Research and Fiscal Policy Analyst
J. Pamela Ray	Staff Attorney III
Rachel Ray	Bill Drafter I
Anita A. Rodriguez	Word Processing Supervisor
Robert J. Rodriguez	Duplicating Supervisor V
Cynthia Romero	Financial Assistant I
Meliza J. Romero	Receptionist
Leslie Schaar	Staff Attorney I
Ramona Schmidt	Staff Attorney I
Kelly Schwinkendorf	Systems Analyst

Anesa Serna-Espinosa	Receptionist
Paula Tackett	Director
Charles H. Van Gorder	Staff Attorney I
Sharon Viarreal	Word Processor I
Doug Williams	Researcher II
John Yaeger	Assistant Director/Legislative Affairs
Darrell Yazza	Information Tech Specialist

Staff Changes — July 1, 2002 through June 30, 2004

Additions

- In 2003* Zelda Abeita was hired as a library assistant on July 7, 2003.
Fernando Martinez was hired as a duplicating technician I on August 18, 2003.
Diana Martinez-Herrera was hired as a word processor I on April 28, 2003.
Janice McCrary was hired as a researcher II on April 21, 2003.
Leslie Schaar was hired as a staff attorney I on April 1, 2003.
Ramona Schmidt was hired as a staff attorney I on October 20, 2003.
- In 2004* Mary Hurtado was hired as a financial assistant on April 28, 2004.
Kelly Schwinkendorf was hired as a systems analyst on June 1, 2004.
Charles H. Van Gorder was hired as a staff attorney I on March 15, 2004.
Sharon Viarreal was hired as a word processor I on May 24, 2004.
Doug Williams was hired as a researcher II on March 1, 2004.

Promotions

- In 2003* Jon Boller was promoted to staff attorney II on July 5, 2003.
Raul Burciaga was promoted to staff attorney II on July 5, 2003.
Cleo Griffith was promoted to bill drafter III on July 5, 2003.
Tracey Kimball was promoted to senior legislative librarian on July 5, 2003.
Danny Martinez was promoted to duplicating technician II on July 5, 2003.
Claudia McKay was promoted to staff attorney II on July 5, 2003.
- In 2004* Burciaga was promoted to assistant director for drafting services on
May 10, 2004.

Resignations and Retirements

- In 2003* Diane Archuleta resigned from her position as word processor I on
October 3, 2003.
John Jasper retired from his position as assistant director for drafting services on

June 30, 2003.

Claudia McKay resigned from her position as staff attorney I on August 1, 2003.

Ross Peters resigned from his position as staff attorney I on July 18, 2003.

Marcial Rodriguez resigned from his position as computer assistant on July 4, 2003.

In 2004 Tomas Aguirre resigned from his position as systems analyst on April 2, 2004.

Alfred Creecy resigned from his position as bill drafter I on May 8, 2004.

Barbara Griego resigned from her position as receptionist on April 16, 2004.

Roxanna Knight resigned from her position as researcher on May 29, 2004.

J. Pam Larrañaga resigned from her position as financial assistant on April 30, 2004.

Cenissa Martinez resigned from her position as records officer on June 30, 2004.

Tony Ortiz resigned from his position as bill drafter IV on April 30, 2004.

Other Changes

The following security officers were transferred from the LCS to legislative building services on July 5, 2003: Roberta Herrera Everett, Michael Kuhlewind, Harold Hernandez, Richard Lovato and Joseph Mike Lujan.

Special Notes

On June 30, 2003, John Jasper retired after working as a staff attorney for the council service for many years and as assistant director for drafting services for his final two years. He received his LLB and JD degrees from the university of New Mexico school of law and had extensive experience in both public service and private practice. He first joined the LCS in 1960 and returned in 1995, and he drafted virtually every type of legislation, including the first enactment of the Uniform Commercial Code, the first enactment of the Children's Code, the Property Tax Code, the first of several revisions of workers' compensation laws, the Solid Waste Act of 1990, the Health Insurance Portability Act and legislation concerning gambling, school vouchers and a single-payer health care system. His work in other state agencies included serving as the director of the New Mexico department of public welfare and as executive director of the department of health and welfare, which later became the New Mexico health and social services department. While he was a contract drafter for the LCS in the 1970s, he worked closely with famed legislative fiscal analyst Inez Gill, and he worked on the drafting team for "Big Mac", the controversial tax cut legislation passed in the early 1980s. As a private practice attorney, he worked for the firms of Benton, Boyce, Otto and Fettinger in Alamogordo and Seth, Montgomery, Federici and Andrews in Santa Fe, and he worked for 20

years as a sole practitioner, during which time one of his clients was the LCS.

In addition to his work as an attorney, Mr. Jasper served in the United States marine corps for three years on active duty and for five years in the reserves. He was an avid hiker, fisherman and outdoorsman who conducted guided hikes in the mountains of northern New Mexico for the Sierra club and contributed articles to the Sierra club publication *Day Hikes in the Santa Fe Area*. He looked forward to his retirement as a chance to devote more time to these activities and to travel, visit with his children and grandchildren and spend more time with his beloved dogs.

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 office's 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 these 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 has 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

Constitutional Amendments Proposed by the Legislature in 2003 and 2004 — 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-Sixth Legislature, First Session, 2003 – 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-Sixth Legislature, Second Session, 2004, and First Special Session, 2003

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

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, public regulation commission, 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

Since 1988, legislative information system (LIS) staff have been developing and supporting applications and systems to serve the legislature's information needs. Support and service for the system and its users are provided through a combination of in-house staff, local vendors and consultants. As part of the ongoing system development, LIS staff, in conjunction with the LIS user group, publish the *Legislative Information System Three-Year Strategic Plan*, which gives detailed information on current LIS projects.

During the 2002-2004 biennium, hardware became a major area of concern due to legacy equipment that had deteriorated over the years. Increased network traffic and faster throughput was handled with the installation of more up-to-date Cisco switches on one level of the capitol. These network upgrades, along with a T1 backbone, created an environment in which critical data could be transferred more reliably and efficiently than in the past. Because servers degrade with time and, as a result, capacity goes down, several servers in the network that reached the end of their planned life expectancy were replaced with faster servers. The LIS currently has approximately 15 servers, most of them housed at the primary network location in the capitol and the others in capitol north. The servers are on a four-year replacement schedule

and, because they come from different vendors, are complex and costly to run.

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 his 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 manned 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 the legislative education study committee, the legislative finance committee, 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, 2003

Appropriations		\$4,272,800
Expenditures:		
Org. 0000		
personal services		2,784,410
contractual services		172,128
other costs		403,860
other financing sources		-0-
Org. 0100		
other costs		274,260
Total Expenditures and Encumbrances		3,712,401
Reversion to General Fund		<u>\$560,399</u>

Year Ending June 30, 2004

Appropriations		\$4,420,783
Expenditures:		
Org. 0000		
personal services		2,740,170
contractual services		126,466
other costs		403,703
other financing sources		207,920
Org. 0100		
other costs		275,100
Total Expenditures and Encumbrances		3,905,313
Reversion to General Fund		<u>\$515,470</u>

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

