



# **THIRTIETH BIENNIAL REPORT**

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**JULY 1, 2010 THROUGH JUNE 30, 2012**

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

**NEW MEXICO LEGISLATIVE COUNCIL SERVICE**

New Mexico Legislative Council Service  
411 State Capitol  
Santa Fe, New Mexico 87501  
(505) 986-4600  
[www.nmlegis.gov](http://www.nmlegis.gov)  
202.188446

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# OVERVIEW



## The 2010-2012 Biennium in Brief

During the course of the 2010-2012 biennium, the legislature convened for two regular sessions and one special session, and legislators served on 50 interim committees, subcommittees, task forces and other working groups.

### *Interims*

As happens once every decade, the legislature's *magnum opus* during the 2011 interim was the reconfiguration of voting districts statewide. The 2010 federal decennial census brought to light significant demographic changes in the state since the previous census was taken in 2000. County-to-county population changes were grossly uneven, with Sandoval County at one end of the spectrum (growing by more than 46 percent) and Hidalgo County at the other (shrinking by more than 17 percent). Only six counties grew at a greater rate than the state's average growth rate of 13.2 percent, and of these, only two — Lea County and San Juan County — are not located along the already populous Rio Grande corridor. The state's general population shift from rural to metropolitan areas was seen most dramatically in the four-county region from Belen to Santa Fe, which accounted for nearly 72 percent of the state's entire population growth in the past decade. Such population shifts left many voting districts in metropolitan areas bloated and many in rural areas anemic. The interim Redistricting Committee, which held 11 public meetings around the state during the summer of 2011, developed two dozen proposals to redraw district boundaries, addressing not only the need to equalize populations among districts but also to protect minority voting rights and preserve communities of interest while ensuring district compactness and contiguity.

With one exception — a plan for Public Education Commission districts — none of the proposals put forward by the Redistricting Committee during the special redistricting session in September 2011, nor the many others developed by individual legislators, sailed smoothly into law. As had been the case 10 years prior, the redistricting session's final products were primarily vetoes and lawsuits, and in the end, the state's voting districts were redrawn by the courts. Detailed information on the 2011 redistricting activities both in the legislature and in the courts may be found on the legislature's web site, [www.nmlegis.gov](http://www.nmlegis.gov).

The Redistricting Committee's efforts might have overshadowed the work done by other interim bodies during the biennium if it were not for ongoing attention given to potential insolvency in the state's retirement systems and possible fraudulent activities involving investment of state funds and retirement funds. The Investments and Pensions Oversight Committee heard extensive testimony on both topics. Following the 2011 interim, the Investments and Pensions Oversight Committee endorsed a bill to restructure the State Investment Council's membership to meet good governance standards, though this bill did not pass. It also endorsed several bills containing solvency measures for the retirement systems and funds, but some of the proposals proved unpopular with public employees, the governor, the legislature or all three, and none of them was enacted into law.

In the months prior to the special redistricting session in 2011, Public Regulation Commissioner Jerome Block, Jr., came under scrutiny for, among other things, possible misuse of campaign funds, government credit cards and prescription drugs. As the public and the media began to question Mr. Block's suitability for holding public office, the legislature responded by appointing the Investigatory Subcommittee of the House Rules and Order of Business Committee to consider the charges and whether they warranted Mr. Block's impeachment. The subcommittee met several times during and after the special redistricting session, but Mr. Block's resignation from office in October 2011 eliminated any need to continue the proceedings. The subcommittee's final report may be found under the "Standing Committees" portion of the legislature's web site.

One interim body was created in response to a severe weather incident that occurred while the legislature was in session during February 2011. The Natural Gas Emergency Investigation Task Force was created in statute and charged with investigating the various causes behind a widespread loss of natural gas and electrical services in the state during a particularly harsh week of winter weather.

A light note for the biennium came in the summer of 2011, when a bronze bust of Governor David Cargo was officially added to the Halls of History in the capitol rotunda. Governor Cargo served two terms as governor, from 1967 through 1970, and was the youngest person to hold that office in the state's history. In contrast, a somber note for the biennium came with the announcement from Speaker of the House Ben Lujan that he would not be running for reelection in 2012 due to advanced lung cancer. Speaker Lujan was first elected to the house in 1974 and served as speaker of the house from 2001 through 2012.

### *Sessions*

A legislative session is always a balancing act, performed above a watchful and critical crowd, but the 2011 regular session — New Mexico's centennial legislature — was especially harrowing.

The session was dominated by the fiscal and economic trouble that has stubbornly burdened the state, the policies advocated by a newly inaugurated governor and the closest political balance in the house of representatives in decades. Legislators faced yet another session of cutting programs and shifting money from various state funds to the general fund, as the nascent economic recovery was not nearly strong enough to overcome the loss of federal economic stimulus funds and strong opposition — especially from the governor — to increasing taxes.

The house of representatives elected Representative Ben Lujan for a sixth time to the position of speaker of the house by a margin of 36 to 33, with one Democrat member voting "present" before changing his voter registration days later to "decline to state" — New Mexico's version of "independent". That was just the first of many close votes in the house, as issues ranging from granting undocumented immigrants driver's licenses to continuing extra funding for public schools from the permanent fund distribution were decided by narrow margins.

The legislature introduced just over 1,200 bills and passed just 284, the fewest for a 60-day

session since 1985. The governor vetoed 98 bills, including a measure to create a health insurance exchange, one of the central features of the federal health care law, and a bill designed to protect New Mexico's payments from tobacco companies stemming from the lawsuit filed by the states against the companies. The governor vetoed 34.5 percent of the bills, the highest percentage since Governor Gary Johnson vetoed 39 percent in 1996.

The legislature approved, and the governor signed, a \$5.4 billion budget for the fiscal year that began July 1, 2011, marking the third consecutive year in which state spending has been reduced from a high of more than \$6 billion. The governor's partial vetoes of the budget were relatively minor in terms of their dollar amounts, but a novel and controversial "digit veto" of a single numeral (later overturned by the New Mexico Supreme Court) showed the potentially significant shift in the delicate balance between the executive and legislature. Although state revenue increased slightly, the loss of federal stimulus funding meant the fiscal year 2012 appropriation was down 2.8 percent from fiscal year 2011, which itself was down 3.8 percent from fiscal year 2010, which in turn was down 4.8 percent from the peak in fiscal year 2009.

In addition to the difficult task of balancing the budget, the legislature found time to address a number of other issues.

Education reform continued to be a prominent focus for many legislators, including introduction of measures to evaluate and grade schools, offer financial incentives to good teachers and principals, prohibit corporal punishment and end social promotion from the third to the fourth grade. And while the senate did not act on the nomination of the secretary of public education, the legislature did pass two of those education measures: assigning letter grades to schools and the prohibition of corporal punishment.

An expansion of Katie's Law, originally passed in 2006, was approved, allowing the state to collect DNA samples from everyone arrested for a felony. The legislature also approved a requirement to take palm prints as well as fingerprints from people who are arrested.

A major initiative of the new governor — to stop issuing driver's licenses to undocumented immigrants — failed after long and lively debates. The house approved a bill to stop the practice, but the senate favored a revised law with more limits and requirements than are in current law. In the end, the two chambers were not able to work out their differences, so the current law remained in place.

Other measures that were not approved during the session included a capital outlay appropriation of \$241 million for various state projects and a measure to end property tax lightning.

The legislature met in special session in September 2011 primarily for the purpose of redistricting the state's congressional, house of representatives, senate, Public Regulation Commission (PRC) and Public Education Commission districts in the wake of the 2010 federal decennial census. The legislature sent the governor four redistricting bills, only one of which was signed into law — a bill redistricting the Public Education Commission. Bills redistricting the house of representatives, senate and PRC were vetoed by the governor, and the legislature failed to pass a bill redistricting the state's congressional districts.

Immediately following the special session, several lawsuits were filed in various district courts around the state challenging the existing house, senate, PRC and congressional districts. The New Mexico Supreme Court consolidated all cases into one and assigned retired State District Judge James Hall to hear it in the First Judicial District.

The special session also presented an opportunity to revisit issues that were unresolved from the 2011 regular session and to consider other pressing concerns that required immediate consideration. A capital outlay bill, whose first incarnation would have appropriated about \$212 million for statewide projects, was trimmed to approximately \$87 million before passing and being signed into law. Procurement preferences for resident businesses and contractors also became law, as did a \$450,000 appropriation for the Supplemental Nutrition Assistance Program, formerly known as food stamps.

Several high-profile measures that were introduced in the special session, however, never made it to the governor for her signature. Five bills containing different proposals to maintain Unemployment Compensation Fund solvency were introduced, but the only one to make it out of committee in the senate did not make it through the house of representatives. The issuance of driver's licenses to foreign nationals was the subject of four house bills, none of which made it to the floor for a vote. A bill requiring retention of public school third grade students who cannot read proficiently by the end of the school year stalled in committee.

The special session also included two weeks of investigations by and meetings of the Investigatory Subcommittee of the House Rules and Order of Business Committee to consider the impeachment of Public Regulation Commissioner Jerome Block, Jr. Ultimately, Mr. Block avoided a decision on impeachment by resigning from public office within days of pleading guilty to felony charges of embezzlement, violating the Election Code and conspiracy to violate the Election Code.

It is unlikely that New Mexico's 2012 legislative session will be remembered as a work of art, but there is no doubt that it will long be remembered.

Speaker of the House Ben Lujan opened the session by telling a hushed house chamber that he was diagnosed more than two years ago with advanced lung cancer and that this session would be his last. The speaker's surprise announcement dominated the session's early days, but the legislature, demonstrating as it had in the past that its strength as an institution is drawn from its whole rather than any individual member, quickly turned its attention to a full agenda defined by slightly increased state revenue and a handful of divisive issues.

The legislature passed and sent to the governor just 77 bills, the fewest for a 30-day session since 1976, when the legislature approved 61 bills. (It is worth noting, however, that the legislature in 1976 passed another 58 bills in a short special session that convened the day after the regular session adjourned.) Remarkably successful budget negotiations, and predictably difficult debates over the social promotion of third graders and the issuance of driver's licenses to people who are in the country illegally, were punctuated by less high-profile deliberations over PRC reforms, tax incentives, public employee pension fund solvency and campaign finance reforms.

Development of the relatively lean state budget was less painful than it had been since the economy "tanked" in the fall of 2008. With projected revenue for fiscal year 2013 at about \$250 million more than fiscal year 2012 appropriations, the legislature for the first time since 2008 approved a budget that slightly increased spending over the previous year. The house approved the budget unanimously (for the first time since 2006) after longer-than-usual negotiations over funding the governor's priorities, and the senate approved it by a vote of 34 to 6. The governor signed the General Appropriation Act of 2012 into law after vetoing less than \$2 million in general fund spending.

Also for the first time in three years, the legislature appropriated capital outlay funding for more than just a few statewide projects: \$275 million, in a combination primarily of severance tax and general obligation bond funding, for various construction and renovation projects and large purchases around the state. After the governor's veto of more than \$22 million in projects — a veto accompanied by sharp criticism of the process by which funded projects are selected — about \$114.8 million was available from the proceeds of severance tax bonds and other state funds for capital projects. Another \$139.3 million from the proceeds of general obligation bonds will be available to pay for improvements at higher education institutions, libraries and senior centers if the issuance of the bonds is approved by voters at the November 2012 general election.

Also highlighting the short session was the failure of several high-profile bills, including measures either to deny or severely restrict the issuance of driver's licenses to persons who are not in the country legally; to require early intervention and remediation and subsequent retention for students who cannot read at grade level by the end of third grade; to develop and implement a new teacher and principal effectiveness evaluation system based on student growth and achievement; to shore up the state's public employee and public school employee retirement funds; and to end or ameliorate the disparity in property taxes paid by owners of similarly valued houses.



THE  
NEW MEXICO LEGISLATIVE COUNCIL



# The New Mexico Legislative Council

## 2011, 2012

<i>LC Membership 2011</i>	<i>LC Membership 2012</i>
<p><i>Voting</i></p> <p>Sen. Timothy Z. Jennings, Co-Chair, Roswell            Rep. Ben Lujan, Co-Chair, Santa Fe            Rep. Thomas A. Anderson, Albuquerque            Rep. Donald E. Bratton, Hobbs            Sen. Carlos R. Cisneros, Questa            Rep. Anna M. Crook, Clovis            Sen. Stuart Ingle, Portales            Rep. W. Ken Martinez, Grants            Sen. Cisco McSorley, Albuquerque            Rep. Rick Miera, Albuquerque            Sen. William H. Payne, Albuquerque            Sen. Michael S. Sanchez, Belen            Sen. William E. Sharer, Farmington            Rep. Sheryl Williams Stapleton, Albuquerque            Rep. Thomas C. Taylor, Farmington</p> <p><i>Special Advisory</i></p> <p>Rep. Eliseo Lee Alcon, Milan            Sen. Pete Campos, Las Vegas            Sen. Mary Jane M. Garcia, Doña Ana            Rep. Roberto "Bobby" J. Gonzales, Taos            Rep. Rhonda S. King, Stanley            Rep. Dennis J. Kintigh, Roswell            Rep. Antonio Lujan, Las Cruces            Rep. James Roger Madalena, Pueblo of Jemez            Sen. George K. Munoz, Gallup            Rep. Andy Nuñez, Hatch            Rep. Debbie A. Rodella, Española            Sen. John Arthur Smith, Deming</p> <p><i>Staff</i></p> <p>Raúl E. Burciaga            Kathy Pacheco-Dofflemeyer            John Yaeger            Doris Faust            Jeret Fleetwood</p>	<p><i>Voting</i></p> <p>Sen. Timothy Z. Jennings, Co-Chair, Roswell            Rep. Ben Lujan, Co-Chair, Santa Fe            Rep. Thomas A. Anderson, Albuquerque            Rep. Donald E. Bratton, Hobbs            Sen. Carlos R. Cisneros, Questa            Rep. Anna M. Crook, Clovis            Sen. Stuart Ingle, Portales            Rep. W. Ken Martinez, Grants            Sen. Cisco McSorley, Albuquerque            Rep. Rick Miera, Albuquerque            Sen. William H. Payne, Albuquerque            Sen. Michael S. Sanchez, Belen            Sen. William E. Sharer, Farmington            Rep. Sheryl Williams Stapleton, Albuquerque            Rep. Thomas C. Taylor, Farmington</p> <p><i>Special Advisory</i></p> <p>Rep. Eliseo Lee Alcon, Milan            Sen. Pete Campos, Las Vegas            Sen. Mary Jane M. Garcia, Doña Ana            Rep. Roberto "Bobby" J. Gonzales, Taos            Rep. Rhonda S. King, Stanley            Rep. Dennis J. Kintigh, Roswell            Rep. Antonio Lujan, Las Cruces            Rep. James Roger Madalena, Pueblo of Jemez            Sen. George K. Munoz, Gallup            Rep. Andy Nuñez, Hatch            Rep. Debbie A. Rodella, Española            Sen. John Arthur Smith, Deming</p> <p><i>Staff</i></p> <p>Raúl E. Burciaga            Kathy Pacheco-Dofflemeyer            John Yaeger            Doris Faust            Jeret Fleetwood</p>

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

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

The law concerning the council reads as follows:

2-3-1. NEW MEXICO LEGISLATIVE COUNCIL CREATED.--There is created a legislative joint committee of the house and senate to be designated "the New Mexico legislative council", composed of sixteen members, eight from the house and eight from the senate. The president pro tempore and the minority floor leader of the senate and the speaker of the house of representatives and the minority floor leader of the house shall automatically be members of the council. Six of the remaining members shall be appointed from the house of representatives by the speaker; provided that, if the minority is entitled to more than one member, the additional minority members shall be appointed by the speaker only from recommendations made by the minority floor leader, although the speaker shall retain the right to reject any such recommendations; and six of the remaining members shall be appointed from the senate by the committees' committee or, if the appointments are made in the interim, by the president pro tempore after consultation with and agreement of a majority of the members of the committees' committee. If the minority is entitled to more than one member, one of the remaining six members shall be appointed by the senate minority floor leader. The appointed members of the council shall be appointed from each house so as to give the two political parties having the most members in each house the same total proportionate representation on the council as prevails in that house; providing that in the computation, major fractions shall be counted as whole numbers, and in no event shall either of the two major parties have less than one member from each house. The members shall be appointed for terms of two years or less expiring on the first day of the regular session held in odd-numbered years. The term of any member shall terminate when such member ceases to be a member of the legislature. Provided, however, that members of the council reelected to the legislature shall continue to serve as members of the council until their successors are appointed. Vacancies on the council may be filled for the unexpired term by appointment from the house or senate respectively by the respective appointing authority which makes the original appointments and subject to the same recommendations; provided such new members must be from the same body of the legislature and the same party from which their predecessors were appointed. The council shall elect such other officers as may be deemed necessary from among its own members. The officers shall be elected for terms coterminous with their membership on the council. The speaker and the president pro tempore shall be co-chairmen of the council. No action shall be taken by the council if a majority of the total membership from either house on the council rejects such action. This 1978 amendment shall not be construed to cut short the term of any member already appointed to the council.

### ***Historical Background***

As originally constituted in 1951, the New Mexico Legislative 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 — three from the senate and four from the house — were appointed by the president of the senate and the speaker of the house. Not more than two members appointed from each chamber 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 chambers are appointed. The terms of all members were set at two years.

In 1978, the membership was increased to 16 members providing 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 chamber rejected the action.

### ***Duties***

The duties of the New Mexico 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 New Mexico 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, NMSA 1953, 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.

In addition, the members of the New Mexico 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***

At its August 29, 2011 meeting, the New Mexico Legislative Council voted to amend Subsection B of Policy 5 regarding per diem and mileage as follows.

B. Subject to the availability of funds, a legislator may be reimbursed for attending interim committee meetings of which the legislator is not a member, provided:

- (1) the legislator obtains approval from the appropriate co-chair of the legislative council and that approval is communicated to the legislative council service prior to the day for which the legislator will claim reimbursement;
- (2) the legislator is not reimbursed for more than four such days of per diem and associated mileage during any one interim as authorized by this subsection, excluding travel days permitted pursuant to law and policy, except that for the 2011 interim, no legislator shall be reimbursed for more than three days unless the appropriate co-chair of the legislative council makes a specific exception to allow the legislator to be reimbursed for a fourth day; and
- (3) the legislator complies with all other per diem and mileage reimbursement policies.

At its June 27, 2012 meeting, the legislative council voted to amend Policy 4 regarding committees and meetings by adding a new subsection as follows.

F. Subject to the availability of funds and the prior approval of either co-chair of the council, persons who are not legislators and who are appointed by the legislative council to the commission for the promotion of uniformity of legislation in the United States may be reimbursed for their service on the commission by the legislative council at the rates for nonsalaried public officers in the Per Diem and Mileage Act.

## **PERMANENT INTERIM COMMITTEES**



# Legislative Education Study Committee

2011, 2012

## *LESC Membership 2011*

### *Voting*

Rep. Rick Miera, Chair, Albuquerque  
Sen. Cynthia Nava, Vice Chair, Las Cruces  
Rep. Nora Espinoza, Roswell  
Rep. Mary Helen Garcia, Las Cruces  
Sen. Mary Jane M. Garcia, Doña Ana  
Rep. Jimmie C. Hall, Albuquerque  
Sen. Gay G. Kernan, Hobbs  
Sen. Lynda M. Lovejoy, Crownpoint  
Rep. Dennis J. Roch, Tucumcari  
Rep. Mimi Stewart, Albuquerque

### *Advisory*

Sen. Vernon D. Asbill, Carlsbad  
Rep. Alonzo Baldonado, Los Lunas  
Rep. Ray Begaye, Shiprock  
Sen. Mark Boitano, Albuquerque  
Rep. Eleanor Chavez, Albuquerque  
Rep. George Dodge, Jr., Santa Rosa  
Sen. Stephen H. Fischmann, Mesilla Park  
Rep. Roberto "Bobby" J. Gonzales, Taos  
Rep. Tim D. Lewis, Rio Rancho  
Sen. Howie C. Morales, Silver City  
Sen. John Pinto, Tohatchi  
Sen. Sander Rue, Albuquerque  
Rep. Sheryl Williams Stapleton, Albuquerque  
Rep. Shirley A. Tyler, Lovington  
Rep. Bob Wooley, Roswell

## *LESC Membership 2012*

### *Voting*

Rep. Rick Miera, Chair, Albuquerque  
Sen. Cynthia Nava, Vice Chair, Las Cruces  
Rep. Nora Espinoza, Roswell  
Rep. Mary Helen Garcia, Las Cruces  
Sen. Mary Jane M. Garcia, Doña Ana  
Rep. Jimmie C. Hall, Albuquerque  
Sen. Gay G. Kernan, Hobbs  
Sen. Lynda M. Lovejoy, Crownpoint  
Rep. Dennis J. Roch, Tucumcari  
Rep. Mimi Stewart, Albuquerque

### *Advisory*

Sen. Vernon D. Asbill, Carlsbad  
Rep. Alonzo Baldonado, Los Lunas  
Rep. Ray Begaye, Shiprock  
Sen. Mark Boitano, Albuquerque  
Rep. Eleanor Chavez, Albuquerque  
Rep. George Dodge, Jr., Santa Rosa  
Sen. Stephen H. Fischmann, Mesilla Park  
Rep. Roberto "Bobby" J. Gonzales, Taos  
Rep. Tim D. Lewis, Rio Rancho  
Sen. Linda M. Lopez, Albuquerque  
Sen. Howie C. Morales, Silver City  
Sen. John Pinto, Tohatchi  
Sen. Sander Rue, Albuquerque  
Rep. Sheryl Williams Stapleton, Albuquerque  
Rep. Shirley A. Tyler, Lovington  
Rep. Bob Wooley, Roswell

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

2011, 2012

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

*LFC Membership  
2011*

*Voting*

Sen. John Arthur Smith, Chair, Deming  
Rep. Luciano "Lucky" Varela, Vice Chair, Santa Fe  
Sen. Sue Wilson Beffort, Sandia Park  
Sen. Pete Campos, Las Vegas  
Sen. Carlos R. Cisneros, Questa  
Rep. William "Bill" J. Gray, Artesia  
Sen. Stuart Ingle, Portales  
Rep. Rhonda S. King, Stanley\*  
Rep. Larry A. Larrañaga, Albuquerque  
Sen. Carroll H. Leavell, Jal  
Sen. Mary Kay Papen, Las Cruces  
Rep. Henry Kiki Saavedra, Albuquerque  
Rep. Nick L. Salazar, Ohkay Owingeh\*  
Rep. Edward C. Sandoval, Albuquerque  
Sen. John M. Sapien, Corrales  
Rep. Don L. Tripp, Socorro  
Rep. James P. White, Albuquerque

*Designees*

Sen. Rod Adair, Roswell  
Rep. Ray Begaye, Shiprock  
Rep. Donald E. Bratton, Hobbs  
Sen. Phil A. Griego, San Jose  
Sen. Clinton D. Harden, Jr., Clovis  
Rep. Conrad D. James, Albuquerque  
Sen. Timothy Z. Jennings, Roswell  
Sen. Timothy M. Keller, Albuquerque  
Sen. Linda M. Lopez, Albuquerque  
Rep. Antonio Lujan, Las Cruces  
Rep. Patricia A. Lundstrom, Gallup  
Sen. Cisco McSorley, Albuquerque  
Sen. Howie C. Morales, Silver City  
Sen. Steven P. Neville, Aztec  
Rep. Al Park, Albuquerque  
Sen. William H. Payne, Albuquerque  
Rep. Danice Picraux, Albuquerque  
Sen. Sander Rue, Albuquerque  
Sen. Bernadette M. Sanchez, Albuquerque  
Sen. William E. Sharer, Farmington  
Rep. Thomas C. Taylor, Farmington  
Sen. David Ulibarri, Grants  
Rep. Richard D. Vigil, Ribera  
Sen. Peter Wirth, Santa Fe

\*Rep. King and Rep. Salazar alternated meetings as voting members.

*LFC Membership  
2012*

*Voting*

Sen. John Arthur Smith, Chair, Deming  
Rep. Luciano "Lucky" Varela, Vice Chair, Santa Fe  
Sen. Sue Wilson Beffort, Sandia Park  
Sen. Pete Campos, Las Vegas  
Sen. Carlos R. Cisneros, Questa  
Rep. William "Bill" J. Gray, Artesia  
Sen. Stuart Ingle, Portales  
Rep. Rhonda S. King, Stanley\*  
Rep. Larry A. Larrañaga, Albuquerque  
Sen. Carroll H. Leavell, Jal  
Sen. Mary Kay Papen, Las Cruces  
Rep. Henry Kiki Saavedra, Albuquerque  
Rep. Nick L. Salazar, Ohkay Owingeh\*  
Rep. Edward C. Sandoval, Albuquerque  
Sen. John M. Sapien, Corrales  
Rep. Don L. Tripp, Socorro  
Rep. James P. White, Albuquerque

*Designees*

Rep. Ray Begaye, Shiprock  
Rep. Donald E. Bratton, Hobbs  
Sen. Phil A. Griego, San Jose  
Rep. Conrad D. James, Albuquerque  
Sen. Timothy Z. Jennings, Roswell  
Sen. Timothy M. Keller, Albuquerque  
Sen. Gay G. Kernan, Hobbs  
Sen. Linda M. Lopez, Albuquerque  
Rep. Antonio Lujan, Las Cruces  
Rep. Patricia A. Lundstrom, Gallup  
Sen. Cisco McSorley, Albuquerque  
Sen. Howie C. Morales, Silver City  
Sen. Steven P. Neville, Aztec  
Rep. Al Park, Albuquerque  
Sen. William H. Payne, Albuquerque  
Rep. Danice Picraux, Albuquerque  
Sen. Sander Rue, Albuquerque  
Sen. John C. Ryan, Albuquerque  
Sen. Bernadette M. Sanchez, Albuquerque  
Sen. William E. Sharer, Farmington  
Rep. Thomas C. Taylor, Farmington  
Sen. David Ulibarri, Grants  
Rep. Richard D. Vigil, Ribera  
Sen. Peter Wirth, Santa Fe

\*Rep. King and Rep. Salazar alternated meetings as voting members.

state government, higher education and public schools. The committee also prepares 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 NEW MEXICO LEGISLATIVE  
COUNCIL-CREATED INTERIM COMMITTEES**



# Courts, Corrections and Justice Committee

2011, 2012

## *CCJ Membership 2011*

### *Voting*

Rep. Al Park, Co-Chair, Albuquerque  
Sen. Peter Wirth, Co-Chair, Santa Fe  
Sen. Rod Adair, Roswell  
Rep. Joseph Cervantes, Las Cruces  
Rep. Gail Chasey, Albuquerque  
Rep. Zachary J. Cook, Ruidoso  
Rep. David L. Doyle, Albuquerque  
Sen. Mary Jane M. Garcia, Doña Ana  
Rep. Nate Gentry, Albuquerque  
Sen. Clinton D. Harden, Jr., Clovis  
Sen. Linda M. Lopez, Albuquerque  
Rep. Antonio "Moe" Maestas, Albuquerque  
Sen. Richard C. Martinez, Española  
Rep. William "Bill" R. Rehm, Albuquerque  
Sen. John C. Ryan, Albuquerque  
Rep. Mimi Stewart, Albuquerque

### *Advisory*

Rep. Eliseo Lee Alcon, Milan  
Rep. Thomas A. Anderson, Albuquerque  
Rep. Cathrynn N. Brown, Carlsbad  
Rep. Brian F. Egolf, Jr., Santa Fe  
Rep. Dennis J. Kintigh, Roswell  
Sen. Carroll H. Leavell, Jal  
Rep. W. Ken Martinez, Grants  
Sen. Cisco McSorley, Albuquerque  
Rep. Bill B. O'Neill, Albuquerque  
Sen. William H. Payne, Albuquerque  
Sen. John Pinto, Tohatchi  
Sen. Sander Rue, Albuquerque  
Sen. Michael S. Sanchez, Belen  
Rep. Sheryl Williams Stapleton, Albuquerque  
Rep. David Ulibarri, Grants  
Rep. Richard D. Vigil, Ribera

### *Staff*

Maha Khoury  
Alise Rudio  
Leslie Porter

## *CCJ Membership 2012*

### *Voting*

Rep. Al Park, Co-Chair, Albuquerque  
Sen. Peter Wirth, Co-Chair, Santa Fe  
Sen. Rod Adair, Roswell  
Rep. Joseph Cervantes, Las Cruces  
Rep. Gail Chasey, Albuquerque  
Rep. Zachary J. Cook, Ruidoso  
Rep. David L. Doyle, Albuquerque  
Sen. Mary Jane M. Garcia, Doña Ana  
Rep. Nate Gentry, Albuquerque  
Sen. Clinton D. Harden, Jr., Clovis  
Sen. Linda M. Lopez, Albuquerque  
Rep. Antonio "Moe" Maestas, Albuquerque  
Sen. Richard C. Martinez, Española  
Rep. William "Bill" R. Rehm, Albuquerque  
Sen. John C. Ryan, Albuquerque  
Rep. Mimi Stewart, Albuquerque

### *Advisory*

Rep. Eliseo Lee Alcon, Milan  
Rep. Thomas A. Anderson, Albuquerque  
Rep. Cathrynn N. Brown, Carlsbad  
Sen. Lisa K. Curtis, Albuquerque  
Rep. Brian F. Egolf, Jr., Santa Fe  
Rep. Dennis J. Kintigh, Roswell  
Sen. Carroll H. Leavell, Jal  
Rep. W. Ken Martinez, Grants  
Sen. Cisco McSorley, Albuquerque  
Rep. Bill B. O'Neill, Albuquerque  
Sen. William H. Payne, Albuquerque  
Sen. John Pinto, Tohatchi  
Sen. Sander Rue, Albuquerque  
Sen. Michael S. Sanchez, Belen  
Rep. Sheryl Williams Stapleton, Albuquerque  
Sen. David Ulibarri, Grants  
Rep. Richard D. Vigil, Ribera

### *Staff*

Maha Khoury  
Douglas Carver  
Leslie Porter  
Cassandra Jones

The Courts, Corrections and Justice Committee was created by the New Mexico Legislative Council for the current biennium on May 9, 2011 and again on May 9, 2012.

During the 2011 interim, the committee proposed to:

(1) oversee and monitor issues relating to corrections, correctional facilities, private prisons, prison operations, solitary confinement, prison reform, reentry and rehabilitation;

- (2) review the operations of the judiciary and its projects, committees, specialty courts, budget and recommended legislation;
- (3) examine issues relating to judicial standards;
- (4) hear a presentation from the New Mexico Reengineering Commission of the New Mexico Supreme Court;
- (5) examine issues relating to criminal justice and public safety, including criminal laws and procedures, public defenders, district attorneys and law enforcement issues;
- (6) monitor juvenile justice issues and the implementation of the Cambiar model by the Children, Youth and Families Department (CYFD);
- (7) study state options to address immigration issues;
- (8) review issues relating to good government, such as campaign disclosures, ethics, voting rights and voter registration;
- (9) examine real estate issues, including real estate contracts and foreclosures;
- (10) review legislative proposals by the Commission on Uniform State Laws;
- (11) review legislative proposals of the governor and the attorney general related to the work of the committee; and
- (12) address related issues as appropriate.

During the 2012 interim, the committee proposed to:

- (1) oversee and monitor issues relating to corrections, correctional facilities, prison operations, private prisons, prison population, solitary confinement, prison reform, reentry and rehabilitation and the release of offenders serving life sentences;
- (2) review the operations of the judiciary and its projects, committees, specialty courts, budget and recommended legislation; and examine issues relating to the Judicial Standards Commission, caseload of judges, duty to furnish district courthouses, truancy courts, magistrate security, magistrate qualifications and timing of judicial appointments;
- (3) examine issues relating to criminal justice and public safety, including criminal laws, procedures, public defenders, district attorneys and law enforcement issues;
- (4) examine juvenile justice issues and the implementation of the Cambiar model;
- (5) study water adjudication issues in a joint meeting with the Water and Natural Resources Committee;
- (6) discuss the current state of sexual assault in New Mexico and issues relating to sex offenders;
- (7) examine missing persons issues and identification of human remains;
- (8) study the creation of a redistricting commission or other redistricting reforms;
- (9) review proposals on elections, including public financing, independent expenditure committees and disclosure;
- (10) examine whether statutory changes are needed with respect to horse racing;

- (11) receive an update on the state's DNA identification system;
- (12) review proposed legislation on child custody issues facing military families;
- (13) review legislative proposals by the Commission on Uniform State Laws;
- (14) review legislative proposals of the governor and the attorney general related to the work of the committee; and
- (15) address related issues as appropriate.

## **Economic and Rural Development Committee**

*2011, 2012*

The Economic and Rural Development Committee was created for the current biennium by the New Mexico Legislative Council on May 9, 2011 and again on May 9, 2012.

During the 2011 interim, the committee proposed to:

- (1) receive a report on existing tax increment development districts (TIDDs), including an update on the status of Mesa del Sol and Winrock and how legislative appropriations and capital outlay funds are being spent;
- (2) receive a presentation from the Economic Development Department (EDD) on its current initiatives, including its vision for the next three-and-one-half years and any proposed legislation or issues that the EDD sees as its top priorities;
- (3) receive a report by the EDD and the LFC on tax incentives given to the film industry and their economic effects, including concrete numbers to show the economic gain or loss to the state;
- (4) receive a report by the EDD and the LFC on tax incentives given to the energy industry and their economic effects, including concrete numbers to show the economic gain or loss to the state;
- (5) receive a report by the EDD and the LFC on tax incentives given to the Job Training Incentive Program and their economic effects, including concrete numbers to show the economic gain or loss to the state;
- (6) receive a report from the Tourism Department and the Tourism Association of New Mexico on New Mexico tourism initiatives;
- (7) receive a report on homeowners association regulations and laws and their effectiveness and study the statutory and regulatory powers of homeowners associations and, conversely, the rights of members;
- (8) consider the economic and rural development impact of the federal stimulus package and other publicly funded projects;
- (9) receive a report from the Regulation and Licensing Department (RLD) regarding its

*ERDC Membership  
2011*

*Voting*

Sen. Bernadette M. Sanchez, Chair, Albuquerque  
Rep. Debbie A. Rodella, Vice Chair, Española  
Sen. Mark Boitano, Albuquerque  
Rep. Ernest H. Chavez, Albuquerque  
Rep. Mary Helen Garcia, Las Cruces  
Sen. Mary Jane M. Garcia, Doña Ana  
Rep. Nate Gentry, Albuquerque  
Rep. Dianne Miller Hamilton, Silver City  
Sen. Clinton D. Harden, Jr., Clovis  
Rep. Yvette Herrell, Alamogordo  
Rep. Patricia A. Lundstrom, Gallup  
Sen. Richard C. Martinez, Española  
Sen. Howie C. Morales, Silver City  
Sen. David Ulibarri, Grants

*Advisory*

Sen. Rod Adair, Roswell  
Sen. Sue Wilson Beffort, Sandia Park  
Sen. William F. Burt, Alamogordo  
Rep. Zachary J. Cook, Ruidoso  
Rep. George Dodge, Jr., Santa Rosa  
Rep. Sandra D. Jeff, Crownpoint  
Sen. Timothy M. Keller, Albuquerque  
Sen. Carroll H. Leavell, Jal  
Rep. James Roger Madalena, Pueblo of Jemez  
Sen. George K. Munoz, Gallup  
Rep. Andy Nuñez, Hatch  
Sen. John Pinto, Tohatchi  
Rep. William "Bill" R. Rehm, Albuquerque  
Rep. Nick L. Salazar, Ohkay Owingeh  
Sen. John M. Sapien, Corrales  
Rep. Thomas C. Taylor, Farmington  
Rep. Richard D. Vigil, Ribera

*Staff*

Peter Kovnat  
Pam Stokes  
Abenicio Baldonado

*ERDC Membership  
2012*

*Voting*

Rep. Debbie A. Rodella, Chair, Española  
Sen. Bernadette M. Sanchez, Vice Chair,  
Albuquerque  
Sen. Mark Boitano, Albuquerque  
Rep. Ernest H. Chavez, Albuquerque  
Rep. Mary Helen Garcia, Las Cruces  
Sen. Mary Jane M. Garcia, Doña Ana  
Rep. Nate Gentry, Albuquerque  
Rep. Dianne Miller Hamilton, Silver City  
Sen. Clinton D. Harden, Jr., Clovis  
Rep. Yvette Herrell, Alamogordo  
Rep. Patricia A. Lundstrom, Gallup  
Sen. Richard C. Martinez, Española  
Sen. Howie C. Morales, Silver City  
Sen. David Ulibarri, Grants

*Advisory*

Sen. Rod Adair, Roswell  
Sen. Sue Wilson Beffort, Sandia Park  
Sen. William F. Burt, Alamogordo  
Rep. Zachary J. Cook, Ruidoso  
Rep. George Dodge, Jr., Santa Rosa  
Rep. Sandra D. Jeff, Crownpoint  
Sen. Timothy M. Keller, Albuquerque  
Sen. Carroll H. Leavell, Jal  
Rep. James Roger Madalena, Pueblo of Jemez  
Sen. George K. Munoz, Gallup  
Rep. Andy Nuñez, Hatch  
Sen. John Pinto, Tohatchi  
Rep. William "Bill" R. Rehm, Albuquerque  
Rep. Nick L. Salazar, Ohkay Owingeh  
Sen. John M. Sapien, Corrales  
Rep. Thomas C. Taylor, Farmington  
Rep. Richard D. Vigil, Ribera

*Staff*

Peter Kovnat  
Pam Stokes  
Sean Sullivan  
Alex Tapia

vision and goals for the next three-and-one-half years; any proposed legislation or issues that it sees as its top priorities; how to best support and promote businesses in the state; and how to improve licensing of businesses in the state;

(10) receive reports from various industries and angel investors to assess what must be done to bring jobs to New Mexico, including reports from the nuclear energy, nuclear waste disposal, oil, gas, mining, agriculture, conservation, recycling, renewable energy and health care industries;

(11) evaluate the economic impact of the wine industry and microbreweries and receive a report from the RLD and industry professionals on beer and wine licenses versus liquor licenses and determine whether policy changes are necessary;

- (12) receive a report on the latest census data that show an increasing shift of population from rural areas to urban areas;
- (13) receive an update on Spaceport America, the New Mexico Space Grant Consortium and the state historic space trail;
- (14) receive a report by the Higher Education Department (HED) and the Workforce Solutions Department (WSD) on what careers are in demand now and in the near future and how the state can respond;
- (15) receive a report by Los Alamos National Laboratory (LANL) and Sandia National Laboratories regarding their joint tax credit and how it affects economic and rural development;
- (16) receive a report on renewable energy job opportunities by Sapphire Energy;
- (17) receive a report on the New Mexico Partnership regarding its work and its funding;
- (18) consider combining the EDD with the Cultural Affairs Department;
- (19) receive a report by the EDD on its performance measures;
- (20) receive a report on how the state can develop as a work-at-home destination; and
- (21) receive an update on the effectiveness of individual development accounts.

During the 2012 interim, the committee proposed to:

- (1) receive a report on existing TIDDs and how legislative appropriations and capital outlay funds are being spent and tour Mesa del Sol and Winrock;
- (2) receive a report on the EDD's current initiatives, its objectives for the fiscal year and expectations for the foreseeable future and any proposed legislation or issues that the EDD sees as its top priorities;
- (3) receive an evaluation from the EDD and the LFC of all tax incentives in the state, specifically regarding jobs creation and growth;
- (4) receive a report from the Tourism Department on its current initiatives, its vision for the future and any proposed legislation or issues that the department sees as its top priorities;
- (5) receive a report on homeowners association regulations and laws and their effectiveness and study the statutory and regulatory powers of homeowners associations as well as the rights of members;
- (6) receive a report from the RLD regarding reciprocity; the RLD's vision and goals; any proposed legislation or issues the department sees as its top priorities; how to best support and promote businesses in the state; and how to improve licensing of businesses in the state;
- (7) consider the economic impact of the wine industry and microbreweries; receive a report from the RLD and industry professionals on beer and wine licenses versus liquor licenses; and determine whether policy changes are necessary;
- (8) examine the authority of the Construction Industries Division of the RLD to oversee local inspectors;
- (9) receive reports from various industries and angel investors to assess what must be

done to bring jobs to New Mexico and, in particular, rural areas of the state, including reports from the film, nuclear energy, nuclear waste disposal, oil, gas, mining, agriculture, conservation, recycling, renewable energy and health care industries;

(10) receive an update on Spaceport America and the New Mexico Space Grant Consortium;

(11) address the concern that the lack of a well-trained work force is often cited as one of the barriers to business recruitment and receive a report by the HED and the WSD on unemployment issues, what careers are in demand now and in the near future and how the state can respond;

(12) receive a report from the New Mexico Partnership about its work;

(13) receive an update by Prosperity Works on the effectiveness of prize-linked savings accounts and children's savings accounts;

(14) assess the importance of creating a consistent rulemaking process and its impact on businesses and consumers, e.g., the new model Administrative Procedures Act, Senate Bill 30 (2011) and House Bill 34 (2012);

(15) explore agricultural issues, including the pecan industry, its impact on rural New Mexico and how New Mexico State University is involved;

(16) review the Utah Transfer of Public Lands Act;

(17) receive an update on uranium mining, including development and cleanup;

(18) receive a presentation regarding the New Mexico MainStreet Program and its arts and cultural districts initiatives, including a tour to see local projects that local MainStreet organizations have accomplished;

(19) tour the Gallup business improvement district and discuss a tax credit that it is seeking;

(20) receive a presentation by the Cumbres and Toltec Scenic Railroad Commission and discuss tourism as rural economic development;

(21) receive a presentation by the University of New Mexico (UNM) Design and Planning Assistance Center on the positive impacts on economic and design development projects in communities around the state;

(22) receive a presentation from the dean of the UNM School of Architecture and Planning regarding the economic impact of the architecture and construction industries;

(23) receive a presentation from Northern New Mexico College on its impact on the economy in northern New Mexico;

(24) receive a presentation from New Mexico State University on its economic impact to the state; and

(25) receive a presentation from the Burlington Northern Santa Fe Railway.

# Indian Affairs Committee

2011, 2012

<i>IAC Membership 2011</i>	<i>IAC Membership 2012</i>
<i>Voting</i> Rep. James Roger Madalena, Co-Chair, Pueblo of Jemez Sen. John Pinto, Co-Chair, Tohatchi Sen. Rod Adair, Roswell Rep. Ray Begaye, Shiprock Rep. Sandra D. Jeff, Crownpoint Sen. Lynda M. Lovejoy, Crownpoint Rep. Patricia A. Lundstrom, Gallup Sen. Richard C. Martinez, Española Sen. George K. Munoz, Gallup Rep. Jane E. Powdrell-Culbert, Corrales Sen. Nancy Rodriguez, Santa Fe Sen. John C. Ryan, Albuquerque Rep. James E. Smith, Sandia Park	<i>Voting</i> Rep. James Roger Madalena, Co-Chair, Pueblo of Jemez Sen. John Pinto, Co-Chair, Tohatchi Sen. Rod Adair, Roswell Rep. Ray Begaye, Shiprock Rep. Sandra D. Jeff, Crownpoint Sen. Lynda M. Lovejoy, Crownpoint Rep. Patricia A. Lundstrom, Gallup Sen. Richard C. Martinez, Española Sen. George K. Munoz, Gallup Rep. Jane E. Powdrell-Culbert, Corrales Sen. Nancy Rodriguez, Santa Fe Sen. John C. Ryan, Albuquerque Rep. James E. Smith, Sandia Park
<i>Advisory</i> Rep. Eliseo Lee Alcon, Milan Rep. Ernest H. Chavez, Albuquerque Sen. Eric G. Griego, Albuquerque Sen. Stuart Ingle, Portales Sen. Timothy Z. Jennings, Roswell Rep. Ben Lujan, Santa Fe Rep. Antonio "Moe" Maestas, Albuquerque Rep. Debbie A. Rodella, Española Rep. Nick L. Salazar, Ohkay Owingeh Sen. William E. Sharer, Farmington	<i>Advisory</i> Rep. Eliseo Lee Alcon, Milan Rep. Ernest H. Chavez, Albuquerque Sen. Eric G. Griego, Albuquerque Sen. Stuart Ingle, Portales Sen. Timothy Z. Jennings, Roswell Rep. Ben Lujan, Santa Fe Rep. Antonio "Moe" Maestas, Albuquerque Rep. Debbie A. Rodella, Española Rep. Nick L. Salazar, Ohkay Owingeh Sen. William E. Sharer, Farmington
<i>Staff</i> Damian Lara Peter Kovnat Cassandra Jones	<i>Staff</i> Damian Lara Peter Kovnat Melissa Candelaria Theresa Rogers

The Indian Affairs Committee was created by the New Mexico Legislative Council for the current biennium on May 9, 2011 and again on May 9, 2012.

During the 2011 interim, the committee proposed to explore and discuss issues regarding:

- (1) state-tribal relations, including:
  - (a) the recent developments and implications of Mount Taylor being designated a traditional and cultural property;
  - (b) the coordinated multi-agency five-year plan to address the uranium legacy and cleanup of abandoned uranium mining and milling sites led by the federal Environmental Protection Agency;
  - (c) the recent development of the Nuclear Regulatory Commission granting Hydro Resources Inc. a license to mine near Church Rock and Crownpoint;

(d) the settlement of state income tax refund claims from the Native American Veterans' Income Tax Settlement Fund;

(e) the feasibility of locating a veterans' memorial honoring New Mexico's Native American veterans in Santa Fe pursuant to House Memorial 25 (2011);

(f) the feasibility and requirements for the legislature to transfer ownership and control of the lands owned or controlled by the state in the Jemez State Monument heritage area to the Pueblo of Jemez pursuant to House Joint Memorial 7 (2011);

(g) a study of the process to establish recognition of Indian nations, tribes and pueblos in New Mexico; and

(h) the demographic results for Native Americans in the 2010 census;

(2) health, including:

(a) health care for Native Americans and in Native American communities;

(b) statewide Native American health care reform planning pursuant to House Joint Memorial 40 (2011); and

(c) the implementation of a statewide clearinghouse for Native American suicide prevention and culturally based suicide prevention initiatives for Native Americans as mandated by Senate Bill 417 (2011);

(3) courts and corrections, including:

(a) the increase in hate crimes against Native Americans in recent years;

(b) the implications of *Garcia v. Gutierrez*, 2009-NMSC-044, in state and tribal jurisdiction on domestic matters;

(c) implementation of increased penalties pursuant to the Indian Arts and Crafts Sales Act;

(d) the disproportionate incarceration of Native Americans in relation to the population; and

(e) establishment of a public defender's office in Gallup;

(4) economic development in Indian country, including:

(a) capital outlay, including tracking the expenditure of allocated funds, alternative funding sources and coordination with the Navajo Nation;

(b) funding projects from the Tribal Infrastructure Project Fund and projections of allocated amounts pursuant to Section 7-27-10.1 NMSA 1978; and

(c) funding Indian water rights settlements, including the Navajo, Aamodt, Taos Pueblo and Abeyta water rights settlements, and use of severance tax bonding capacity; and

(5) education, including:

(a) implementation of the Indian Education Act and improvement of Native American education, including performance and effectiveness pursuant to Senate Memorial 52 (2011);

(b) a study of Indian education impact aid money pursuant to Senate Joint

Memorial 35 (2011);

(c) support for tribal language survival pursuant to Senate Joint Memorial 24 (2011); and

(d) the feasibility of providing lottery scholarships to otherwise eligible students who attend tribal colleges pursuant to House Memorial 72 (2011).

During the 2012 interim, the committee proposed to explore and discuss:

(1) state-tribal relations, and to:

(a) study the feasibility of state programs to increase marketing efforts to promote Native American enterprises pursuant to Senate Memorial 61 (2012);

(b) review the process for entering into and renewing the Indian Gaming Compact;

(c) study the process to establish state recognition of Indian nations, tribes and pueblos in New Mexico;

(d) review the progress of the coordinated multi-agency five-year plan to address the uranium legacy and cleanup of abandoned uranium mining and milling sites led by the federal Environmental Protection Agency;

(e) discuss state resources available to Native American farmers and ranchers affected by severe drought conditions and Indian resource development institutes focused on agriculture, engineering and business education;

(f) assess state resources for recovery assistance to pueblos affected by the severe wildfires of 2011;

(g) reevaluate the settlement of state income tax refund claims from the Native American Veterans' Income Tax Settlement Fund;

(h) review voter redistricting in communities of interest;

(i) review state-tribal jurisdiction on domestic matters, including enforcement of protective orders; and

(j) evaluate state agency reports on activities pursuant to Section 11-18-4 NMSA 1978;

(2) health, and to:

(a) assess health care for Native Americans and in Native American communities;

(b) evaluate responses to suicides in Indian country, including:

1) implementation of a statewide clearinghouse for Native American suicide prevention and culturally based suicide prevention initiatives for Native Americans as mandated by Senate Bill 417 (2011); and

2) investigations of deaths due to exposure or deaths on railroad tracks;

(c) review mental health programs and services for Native Americans; and

- (d) explore issues of domestic violence against Native American women and children;
- (3) development in Indian country, and to:
  - (a) discuss capital outlay concerns, including tracking the expenditure of allocated funds, alternative funding sources and coordination with the Navajo Nation, including chapter certifications under the Navajo Nation's Local Governance Act;
  - (b) review funding of projects from the Tribal Infrastructure Project Fund, including the projections of allocated amounts pursuant to Section 7-27-10.1 NMSA 1978;
  - (c) review funding of the Indian water rights settlements, including the Navajo, Aamodt, Taos Pueblo and Abeyta water rights settlements, and the use of severance tax bonding capacity;
  - (d) study the feasibility of installing center median guardrails on rural United States Highway 550 for public safety pursuant to Senate Memorial 36 (2012); and
  - (e) explore tribal utility projects on Indian lands, including gas and electric projects; and
- (4) education, and to:
  - (a) evaluate the implementation of the Indian Education Act, the American Indian Post-Secondary Education Act and general education of Native Americans, including improvements to performance;
  - (b) review Native American study programs and resources at higher education institutions; and
  - (c) study the feasibility of providing lottery scholarships to otherwise eligible students who attend tribal colleges.

## **Investments and Pensions Oversight Committee**

*2011, 2012*

The Investments and Pensions Oversight Committee was created for the current biennium on May 9, 2011 and again on May 9, 2012.

During the 2011 interim, the committee proposed to:

- (1) receive reports from the Educational Retirement Board (ERB) and the Public Employees Retirement Association (PERA) on their current projections regarding the solvency of their pension funds and receive testimony from the ERB, the PERA and their actuaries, employee representatives, pension experts and others regarding viable proposals to ensure the pension trust funds' long-term solvency;
- (2) receive testimony on the potential costs and benefits of merging the pension plan

*IPOC Membership  
2011*

*Voting*

Sen. George K. Munoz, Chair, Gallup  
Rep. Henry Kiki Saavedra, Vice Chair, Albuquerque  
Rep. David L. Doyle, Albuquerque  
Rep. William "Bill" J. Gray, Artesia  
Sen. Timothy M. Keller, Albuquerque  
Rep. Larry A. Larrañaga, Albuquerque  
Sen. Carroll H. Leavell, Jal  
Sen. Steven P. Neville, Aztec  
Sen. Mary Kay Papen, Las Cruces  
Sen. John M. Sapien, Corrales  
Rep. Jim R. Trujillo, Santa Fe  
Rep. Luciano "Lucky" Varela, Santa Fe

*Advisory*

Rep. Donald E. Bratton, Hobbs  
Sen. Carlos R. Cisneros, Questa  
Sen. Tim Eichenberg, Albuquerque  
Rep. Miguel P. Garcia, Albuquerque  
Rep. Roberto "Bobby" J. Gonzales, Taos  
Sen. Stuart Ingle, Portales  
Rep. Rhonda S. King, Stanley  
Rep. Patricia A. Lundstrom, Gallup  
Sen. William H. Payne, Albuquerque  
Rep. Jane E. Powdrell-Culbert, Corrales  
Rep. William "Bill" R. Rehm, Albuquerque  
Sen. John C. Ryan, Albuquerque  
Sen. Michael S. Sanchez, Belen  
Rep. Sheryl Williams Stapleton, Albuquerque  
Rep. Mimi Stewart, Albuquerque  
Rep. Shirley A. Tyler, Lovington  
Rep. Richard D. Vigil, Ribera

*Staff*

Tom Pollard  
Doris Faust  
Claudia Armijo  
Zelda Abeita

*IPOC Membership  
2012*

*Voting*

Sen. George K. Munoz, Chair, Gallup  
Rep. Henry Kiki Saavedra, Vice Chair, Albuquerque  
Rep. David L. Doyle, Albuquerque  
Rep. William "Bill" J. Gray, Artesia  
Sen. Timothy M. Keller, Albuquerque  
Rep. Larry A. Larrañaga, Albuquerque  
Sen. Carroll H. Leavell, Jal  
Sen. Steven P. Neville, Aztec  
Sen. Mary Kay Papen, Las Cruces  
Sen. John M. Sapien, Corrales  
Rep. Jim R. Trujillo, Santa Fe  
Rep. Luciano "Lucky" Varela, Santa Fe

*Advisory*

Rep. Donald E. Bratton, Hobbs  
Sen. Carlos R. Cisneros, Questa  
Sen. Tim Eichenberg, Albuquerque  
Rep. Miguel P. Garcia, Albuquerque  
Rep. Roberto "Bobby" J. Gonzales, Taos  
Sen. Stuart Ingle, Portales  
Rep. Rhonda S. King, Stanley  
Rep. Patricia A. Lundstrom, Gallup  
Sen. William H. Payne, Albuquerque  
Rep. Jane E. Powdrell-Culbert, Corrales  
Rep. William "Bill" R. Rehm, Albuquerque  
Sen. John C. Ryan, Albuquerque  
Sen. Michael S. Sanchez, Belen  
Rep. Sheryl Williams Stapleton, Albuquerque  
Rep. Mimi Stewart, Albuquerque  
Rep. Shirley A. Tyler, Lovington  
Rep. Richard D. Vigil, Ribera

*Staff*

Tom Pollard  
Doris Faust  
Claudia Armijo

administration and investment functions of the PERA and the ERB in order to better provide comparable and sustainable pension benefits to public employees and teachers, improve trust fund investment returns and reduce administrative costs through "economies of scale" and the ability to hire and retain the most qualified staff and/or consultants at less cost;

(3) receive reports from the investment funds, the Office of the Attorney General, private plaintiffs and others regarding the progress of current litigation and of potential claims by the state and the funds regarding "pay-to-play" allegations, investment fraud, etc.;

(4) examine the performance of the investment portfolios of the State Investment Council (SIC), the PERA and the ERB and funds in the state treasury in absolute terms and compared to policy benchmarks and comparable funds. This would include the returns on the entire portfolio as well

as the return on individual segments, including stocks, bonds, real estate and private equity. The committee will focus on the returns of the economically targeted investments of the SIC, particularly the Small Business Investment Corporation and the film loan program; and

(5) review the manner in which investment policy and associated earning benchmarks are set for the investment funds by the governing bodies and investigate how each agency determines the proportional mix of types of investments, including mutual stock and bond funds, individual stocks and bonds, real estate, private equity, etc. The committee will focus on how the investment policies for the retirement funds have changed in response to changes in projections regarding program solvency and unfunded liabilities.

During the 2012 interim, the committee proposed to:

(1) receive reports from the ERB, the PERA and the Retiree Health Care Authority (RHCA) on their current projections regarding the solvency of their retirement trust funds and receive testimony from the ERB, the PERA and their actuaries, employee representatives, retirement trust experts and others regarding viable proposals to ensure the retirement trust funds' long-term solvency;

(2) receive testimony on the potential costs and benefits of merging the pension plan administration and investment functions of the PERA and the ERB in order to better provide comparable and sustainable pension benefits to public employees and teachers, improve trust fund investment returns and reduce administrative costs through "economies of scale" and the ability to hire and retain the most qualified staff and/or consultants at less cost;

(3) receive reports from the investment entities, the Office of the Attorney General, private plaintiffs and others regarding the progress of current litigation and of potential claims by the state and the funds regarding "pay-to-play" allegations, investment fraud, etc.;

(4) examine the performance of the investment portfolios of the SIC, the PERA and the ERB and funds in the state treasury in absolute terms and compared to policy benchmarks and comparable funds. This would include the returns on the entire portfolio as well as the return on individual segments, including stocks, bonds, real estate and private equity;

(5) receive testimony on the investment policies, practices and returns of the economically targeted investment programs of the SIC, particularly the Private Equity Investment Advisory Committee, the Small Business Investment Corporation and the film loan program;

(6) review the manner in which investment policy and associated earning benchmarks are set for the investment funds by the governing bodies and investigate how each agency determines the proportional mix of types of investments, including mutual stock and bond funds, individual stocks and bonds, real estate, private equity, etc. The committee will focus on how investment policies for the retirement funds have changed in response to changes in projections regarding program solvency and unfunded liabilities; and

(7) form a subcommittee appointed by the president pro tempore of the senate and the speaker of the house of representatives in conjunction with the committee chairs to receive testimony

from the PERA, employee representatives, the New Mexico Municipal League and others regarding alternative actions to ensure the continued solvency of the retirement plans for all municipal and state public safety members. The subcommittee would report any recommendations for proposed legislation to the full committee no later than October 23, 2012.

## Land Grant Committee

*2011, 2012*

<i>LGC Membership 2011</i>	<i>LGC Membership 2012</i>
<p><i>Voting</i></p> <p>Rep. Miguel P. Garcia, Chair, Albuquerque            Sen. Richard C. Martinez, Vice Chair, Española            Sen. Rod Adair, Roswell            Rep. Eliseo Lee Alcon, Milan            Rep. Alonzo Baldonado, Los Lunas            Rep. Paul C. Bandy, Aztec            Rep. Eleanor Chavez, Albuquerque            Rep. Jimmie C. Hall, Albuquerque            Sen. Gerald Ortiz y Pino, Albuquerque            Rep. Debbie A. Rodella, Española            Sen. Sander Rue, Albuquerque            Sen. Bernadette M. Sanchez, Albuquerque</p> <p><i>Advisory</i></p> <p>Sen. Carlos R. Cisneros, Questa            Rep. Joni Marie Gutierrez, Mesilla            Rep. Jim W. Hall, Los Alamos            Rep. Ben Lujan, Santa Fe            Rep. Patricia A. Lundstrom, Gallup            Sen. David Ulibarri, Grants            Rep. Richard D. Vigil, Ribera</p> <p><i>Staff</i></p> <p>Peter Kovnat            Douglas Carver            Abencio Baldonado</p>	<p><i>Voting</i></p> <p>Sen. Richard C. Martinez, Chair, Española            Rep. Miguel P. Garcia, Vice Chair, Albuquerque            Sen. Rod Adair, Roswell            Rep. Eliseo Lee Alcon, Milan            Rep. Alonzo Baldonado, Los Lunas            Rep. Paul C. Bandy, Aztec            Rep. Eleanor Chavez, Albuquerque            Rep. Jimmie C. Hall, Albuquerque            Sen. Gerald Ortiz y Pino, Albuquerque            Rep. Debbie A. Rodella, Española            Sen. Sander Rue, Albuquerque            Sen. Bernadette M. Sanchez, Albuquerque</p> <p><i>Advisory</i></p> <p>Sen. Carlos R. Cisneros, Questa            Rep. Joni Marie Gutierrez, Mesilla            Rep. Jim W. Hall, Los Alamos            Rep. Ben Lujan, Santa Fe            Rep. Patricia A. Lundstrom, Gallup            Sen. David Ulibarri, Grants            Rep. Richard D. Vigil, Ribera</p> <p><i>Staff</i></p> <p>Peter Kovnat            Douglas Carver            Melissa Candelaria            Alex Tapia</p>

The Land Grant Committee was created for the current biennium on May 9, 2011 and again on May 9, 2012.

For the 2011 interim, the committee proposed to focus on:

(1) legislation not passed in 2011, including:

(a) House Bill 82 (which would have amended Chapter 49, Article 1 NMSA 1978 to include the Tecolote Land Grant-Merced as a political subdivision of the state and would have repealed Tecolote's current governing statutes);

(b) Senate Bill 154 (which would have transferred the land grant registry from

the Office of the Secretary of State to the Land Grant Council and would have provided for storage of historical records in the State Records Center and Archives); and

(c) Senate Bill 176 (which would have authorized the Land Grant Council to use private and federal funds to assist community land grants that are not eligible for state funds);

(2) the camposanto and return of common lands in the San Joaquin del Rio Chama Land Grant;

(3) requesting that the New Mexico federal delegation give political subdivision status to non-patent land grants, including San Antonio del Rio Colorado (Questa grant);

(4) the relationship between state parks and land grants, including San Miguel del Bado, Manzano and Tierra Amarilla; revenue sharing; and phaseout of ownership;

(5) private property claims tied to land grant patents, including:

(a) case histories; and

(b) consequences;

(6) land grant benefits from the film industry;

(7) federal and state processes for getting tax credits for money contributions and land donations to land grants;

(8) arbitration processes in moderating land grant disputes, including:

(a) tribunals; or

(b) arbitration boards;

(9) the risk management process for land grants, including due diligence;

(10) the interest of sub-grants/partitioned grants in achieving political subdivision status;

(11) an appropriation bill for a symposium addressing issues common to Native American/Spanish land grants;

(12) updates by the Land Grant Council on:

(a) a decrease of funding;

(b) outreach to land grant communities;

(c) discussions with the New Mexico congressional delegation on possible federal legislation;

(d) the UNM land grant studies program; and

(e) testimony to the American Bar Association Commission on Hispanic Legal Rights and Responsibilities;

(13) an update on United States Forest Service encroachment and boundary resolutions at Abiquiu and Truchas; and

(14) a report on the Tierra Amarilla Land Grant mineral rights, the land grant board and Wind River Energy Corporation's Milagro Project.

During the 2012 interim, the committee proposed to focus on:

- (1) a review of legislation endorsed by the committee but not passed in the 2012 legislative session, including House Bill 45, Senate Bill 40, Senate Bill 93, Senate Bill 94, Senate Bill 121 and House Joint Resolution 7;
- (2) natural resource extraction from land grants, including:
  - (a) illegal extraction and prosecution and protection issues at the Anton Chico Land Grant;
  - (b) personal use versus income generation for the Abiquiu Land Grant;
  - (c) economic potential of large- and small-scale resource extraction at the Cebolleta Land Grant;
  - (d) environmental impacts; and
  - (e) collaboration with the United States Forest Service and the Bureau of Land Management;
- (3) taxes and land grants, including:
  - (a) a presentation by the Taxation and Revenue Department (TRD) on taxation issues affecting land grant common lands;
  - (b) the problem of double taxation on certain land grant properties;
  - (c) complications arising from land grant lands within multiple counties; and
  - (d) taxes on revenues generated by land grants, including:
    - 1) the sale of mineral rights; and 2) leases for cellular towers, billboards, wind farms or other uses;
- (4) state parks and land grants, including:
  - (a) access to state park land for community and cultural events, hiring of land grant heirs to work in state parks and traditional uses by the Manzano Land Grant heir of former land grant land now within a state park; and
  - (b) reversion of land not being utilized by the State Parks Division of the Energy, Minerals and Natural Resources Department (EMNRD) to the San Miguel del Vado Land Grant;
- (5) federal legislation affecting land grants, including the Farm Bill;
- (6) a report on the continued progress of the UNM Land Grant Studies Program mapping project;
- (7) the camposanto and return of common lands in the San Joaquin del Rio Chama Land Grant;
- (8) a request that the New Mexico congressional delegation introduce a bill granting a patent to the San Antonio del Rio Colorado Land Grant (Questa grant);
- (9) UNM and the land grants, including:
  - (a) the progress and needs of the Land Grant Studies Program;
  - (b) exploration of synergies between the Land Grant Studies Program and the

UNM School of Law; and

- (c) training of lawyers and judges on land grant issues;
  - (10) an update on the possibility of the Marquez Wildlife Management Area being transferred to the Cebolleta Land Grant;
  - (11) an examination of issues surrounding keeping young people living on and working for the land grants;
  - (12) changes required to the Engineering and Surveying Practice Act;
  - (13) updates by the Land Grant Council on the work and needs of the council,
- including:

- (a) funding needs;
- (b) outreach to land grant communities; and
- (c) progress on outstanding issues;
- (14) an update on the Tierra Amarilla Land Grant board and the dispute over mineral rights sold to the Wind River Energy Corporation;
- (15) an update on the litigation concerning the quiet title actions involving the Cristobal de la Serna Land Grant and Arroyo Hondo Land Grant;
- (16) legislation concerning strengthening state law on quiet title actions and the filing and recording of false documents of title; and
- (17) an update to the committee from the Land Grant Consejo.

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

*2011, 2012*

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

For the 2011 interim, the committee proposed to concentrate on three major areas: the Human Services Department (HSD) proposal to redesign the state's Medicaid program; behavioral health care delivery in the state; and the state's continued response to the federal Patient Protection and Affordable Care Act (PPACA).

In addition to these major issue areas, the committee proposed to examine and hear testimony on medical malpractice and recent proposed changes to the state's tort and malpractice laws; dental health care, including new laws and recent proposals to create and expand scopes of practice for allied professionals in dental practice; the state of child protective services and the incidence of child abuse; the adequacy of funding for emergency medical services in the state; and teen pregnancy and programs that address teen pregnancy.

*LHHS Membership  
2011*

*Voting*

Sen. Dede Feldman, Chair, Albuquerque  
Rep. Danice Picraux, Vice Chair, Albuquerque  
Rep. Nora Espinoza, Roswell  
Sen. Gay G. Kernan, Hobbs  
Rep. Dennis J. Kintigh, Roswell  
Sen. Linda M. Lopez, Albuquerque  
Rep. Antonio Lujan, Las Cruces  
Sen. Gerald Ortiz y Pino, Albuquerque

*Advisory*

Sen. Rod Adair, Roswell  
Sen. Sue Wilson Beffort, Sandia Park  
Rep. Ray Begaye, Shiprock  
Rep. Eleanor Chavez, Albuquerque  
Sen. Stephen H. Fischmann, Mesilla Park  
Rep. Miguel P. Garcia, Albuquerque  
Rep. James Roger Madalena, Pueblo of Jemez  
Sen. Cisco McSorley, Albuquerque  
Rep. Bill B. O'Neill, Albuquerque  
Sen. Mary Kay Papen, Las Cruces  
Sen. Nancy Rodriguez, Santa Fe  
Sen. Sander Rue, Albuquerque  
Sen. John C. Ryan, Albuquerque  
Sen. Bernadette M. Sanchez, Albuquerque  
Rep. James E. Smith, Sandia Park  
Rep. Mimi Stewart, Albuquerque

*Staff*

Michael Hely  
Lisa Sullivan  
Karen Wells  
Rebecca Griego  
Abencio Baldonado  
Kathleen Dexter

*LHHS Membership  
2012*

*Voting*

Sen. Dede Feldman, Chair, Albuquerque  
Rep. Danice Picraux, Vice Chair, Albuquerque  
Rep. Nora Espinoza, Roswell  
Sen. Gay G. Kernan, Hobbs  
Rep. Dennis J. Kintigh, Roswell  
Sen. Linda M. Lopez, Albuquerque  
Rep. Antonio Lujan, Las Cruces  
Sen. Gerald Ortiz y Pino, Albuquerque

*Advisory*

Sen. Rod Adair, Roswell  
Sen. Sue Wilson Beffort, Sandia Park  
Rep. Ray Begaye, Shiprock  
Rep. Eleanor Chavez, Albuquerque  
Sen. Stephen H. Fischmann, Mesilla Park  
Rep. Miguel P. Garcia, Albuquerque  
Rep. James Roger Madalena, Pueblo of Jemez  
Sen. Cisco McSorley, Albuquerque  
Rep. Bill B. O'Neill, Albuquerque  
Sen. Mary Kay Papen, Las Cruces  
Sen. Nancy Rodriguez, Santa Fe  
Sen. Sander Rue, Albuquerque  
Sen. John C. Ryan, Albuquerque  
Sen. Bernadette M. Sanchez, Albuquerque  
Rep. James E. Smith, Sandia Park  
Rep. Mimi Stewart, Albuquerque

*Staff*

Michael Hely  
Shawn Mathis  
Rebecca Griego  
Theresa Rogers

The committee proposed to continue its oversight of health and human services agencies by receiving testimony from the Aging and Long-Term Services Department (ALTSD), the CYFD, the Department of Health (DOH), the HSD and the WSD regarding the direction of these departments under Governor Martinez's administration.

Organizational Meeting

The committee began the interim with an organizational meeting in which it received testimony from the HSD regarding the department's plans and contract for Medicaid redesign. The committee also discussed its work plan proposal.

Medicaid and Other Public Programs

The HSD signed a contract with Alicia Smith & Associates, a private contractor, to assist the HSD in a redesign of Medicaid. The full details of the HSD's redesign plan have not been finalized, but the HSD has stated that it may reduce the current number of federal waivers and managed care

contractors currently operating and pursue greater roles for "personal responsibility" for recipients and a greater role for small businesses. The Legislative Health and Human Services Committee proposed questions on such things as changes in benefits, eligibility, reimbursement and administration. The committee also wanted to know whether the HSD would be ready in 2014 to implement the PPACA's requirement that all residents with incomes at 138 percent of the federal poverty level (FPL) or lower be made eligible for Medicaid and whether the redesign would include both behavioral and physical health coverage or only physical health coverage.

The committee proposed to inquire about the HSD's plans to cover childless adults with incomes between 134 percent of the FPL and 200 percent of the FPL and about the continued viability of programs such as premium assistance for children and for pregnant women.

The committee also proposed to hear testimony regarding the status of the HSD's ISD2 system and other information technology upgrades for Medicaid redesign and health reform implementation.

#### Behavioral Health

The New Mexico Legislative Council appointed a Behavioral Health Subcommittee of the Legislative Health and Human Services Committee at its June 29 meeting, to meet twice during the interim. The subcommittee's work plan appears in the *Subcommittees and Task Forces* section.

#### Health and Human Services in Native American Communities

Relating to Native American health, the committee proposed to hear testimony on:

- (1) health disparities and legislation to address them, including 2011 legislation to address the highly disproportionate rate of youth suicide in tribal communities;
- (2) how tribal entities are working to improve health in their communities, including a site visit to Pueblo of Taos;
- (3) how telehealth and other innovations in service delivery are having an impact on health in tribal communities as tribal, state and federal governments and private actors provide services; and
- (4) the special status that Native Americans have under the federal Indian Health Care Improvement Act and the PPACA, including the right to establish insurance exchanges outside of any state or federal exchange.

#### The State Response to the PPACA

Many of the matters that the committee proposed to review relate to the many responsibilities that the PPACA and related state laws impose upon the Insurance Division of the PRC. The committee proposed to:

- (1) receive testimony from the superintendent of insurance and staff regarding rules that the division is supposed to promulgate pursuant to many health insurance mandates in the PPACA that preempt many of the state's insurance laws;
- (2) discuss the Insurance Division's steps to implement the new state law that redesigns the health insurance rate review process and the division's efforts to implement office of ombudsman

and consumer assistance programs pursuant to grants it received from the federal Department of Health and Human Services;

(3) consider what the state's options are in light of the governor's veto of health insurance exchange legislation passed in the First Session of the Fiftieth Legislature, including whether a state exchange, a federally run exchange or an innovation waiver pursuant to Section 1332 of the PPACA is most feasible;

(4) consider the impact of health coverage expansions through Medicaid and private insurance in the state;

(5) continue examining, in light of an expected increase in demand for health services, the state's needs for additional health care workers and data collection, including work force data to be collected pursuant to the passage of Senate Bill 14 (Laws 2011, Chapter 152);

(6) hear testimony on the steps that public health coverage programs are taking to implement PPACA provisions on health care delivery and reimbursement, including expansion of the medical home model; accountable care organizations; community care teams; the use of promotoras, or community health workers; and new long-term care delivery options;

(7) examine new federal regulations and amendments that the federal government issues pursuant to the PPACA; and

(8) review the status of federal grant applications or projects implemented pursuant to the PPACA.

#### Prescription Drugs

The committee proposed to focus on prescription drugs, including new legislation to provide for parity in anticancer medication and prescription drug donations under certain conditions. The committee also proposed to hear testimony pursuant to a memorial that requests the creation of a working group to develop standards for electronic prior authorization request transactions for drugs and devices.

For the 2012 interim, the committee proposed to continue its oversight of health and human services agencies and programs at state institutions of higher learning and to hear testimony on the following topics.

#### Family Welfare

The welfare of children, parents and families is closely interrelated, and the committee proposed to hear testimony on:

(1) child welfare, including proposed changes to the Children's Code; the incidence of child abuse and neglect in the state; and the return on investment for prenatal and early childhood home visiting and child care programs;

(2) domestic violence, including programs for prevention and to provide training for effective intervention;

(3) teen pregnancy rates and programs offering effective support for at-risk teens;

(4) the sharply rising rates of sexually transmitted diseases, especially among youths;  
and

(5) women's ability to earn a living wage and find adequate assistance for full participation in family support — including the effects of wage disparities, the availability of a "living wage", the cost and availability of child care and other factors.

### Medicaid

The committee proposed to review the state's Medicaid program, including the Centennial Care plan, for which the HSD submitted a waiver application to the federal Centers for Medicare and Medicaid Services on April 25, 2012. The changes that the HSD proposed to institute include:

(1) pursuant to the PPACA mandate, covering all individuals, regardless of age, disability, resources or parental status, whose incomes fall below 138 percent of the FPL;

(2) collapsing all Medicaid programs currently governed by the state plan and several waivers under Sections 1115, 1915 and 1918 of the federal Social Security Act under one global 1115 waiver;

(3) reintegrating, or "carving in", behavioral health services with physical health services;

(4) removing three-month retroactive eligibility for applicants;

(5) providing comprehensive care coordination to recipients;

(6) streamlining care for Medicare/Medicaid "dual eligibles";

(7) reducing the number of Medicaid managed care vendors to only two or three, all of which will be charged with providing behavioral, physical and long-term services across the span of recipients' lives or program participation;

(8) increasing recipient health literacy and "responsibility" through the use of incentives and disincentives;

(9) piloting payment reform, moving away from fee-for-service Medicaid and instituting quality incentives;

(10) instituting "benefits boundaries" for "moderate-to-high long-term services recipients" according to standards not yet defined;

(11) making delivery system innovations such as requiring hospitals to invest in delivery system reform and improvement programs and restructuring sole community provider funding;

(12) abandoning the state's participation in the Money Follows the Person community placement program;

(13) creating a comprehensive community long-term care benefit that includes both personal care option services and the home- and community-based waiver services pursuant to which:

(a) categorically eligible individuals would have no waiting list;

(b) the medically eligible (138 percent of the FPL to 300 percent of the FPL) would be subject to a waiting list; and

- (c) slots would be divided into moderate-need and high-need slots;
- (14) addressing two major enrollment issues:
  - (a) integrated enrollment with any health insurance exchange; and
  - (b) outreach and enrollment in chronically underenrolled (but eligible)

communities;

(15) instituting health care delivery innovations. The committee proposed to hear testimony regarding the patient-centered medical home and chronic disease management and care coordination to achieve cost savings, including the North Carolina Community Care Program;

(16) contending with Medicaid fraud. The committee proposed to examine new federal regulations and initiatives to combat Medicaid fraud, including the use of information technology and data mining. The HSD has implemented most of the measures required by rule. The committee also proposed to request information from the HSD about the status of its implementation of federally required fraud provisions; and

(17) addressing Native American Medicaid. Members of the pueblo governments and the Navajo Nation expressed concern about Centennial Care's auto-enrollment of Native Americans into managed care Medicaid. In addition, the Navajo Nation is in discussions — not yet at a formal stage, according to Navajo officials — with the HSD regarding a possible Navajo Medicaid managed care organization.

#### The State Response to the PPACA

The United States Supreme Court's decision on the challenges to the PPACA was issued on June 28, 2012. The Supreme Court upheld most of the PPACA. The committee proposed to review the state's obligations and opportunities under the PPACA as determined by the Court's decision.

The committee proposed to receive testimony from the New Mexico Office of Health Care Reform and entities with which it contracts, such as the Leavitt Group, to learn of its plans to implement a state health insurance exchange and meet exchange requirements under federal law to share enrollment capabilities with the state's Medicaid program; to implement a navigator program to assist residents in enrolling in qualified health plans; and to offer cost-sharing subsidies, tax credits and insurance mandate exemptions. The committee also proposed to receive ongoing testimony from the New Mexico Office of Health Care Reform regarding federal grants that public and private entities receive pursuant to the PPACA.

The committee proposed to hear testimony:

- (1) from the superintendent of insurance and the superintendent's staff regarding the Insurance Division's recommendations on changes to the New Mexico Insurance Code and on the division's implementation of federal rules requiring that "essential benefits" under the PPACA be offered to beneficiaries under any non-grandfathered comprehensive plan sold in the state; and
- (2) from the Insurance Division on the implementation of new rate review rules, the status of the division's ombudsman office and consumer assistance programs and the division's efforts to

maintain accreditation by the National Association of Insurance Commissioners; and

(3) on the development of a nonprofit cooperative health care coverage plan that local experts and employers have been working to establish through a corporation formed pursuant to Section 501(c)(29) of the United States Internal Revenue Code to provide coverage to individuals and employers.

In addition to the PPACA's mandate that states expand public coverage through Medicaid, the PPACA proposes that states offer a basic health program for low-income individuals ineligible for Medicaid and offer attendant-care services through the Community First Choice (CFC) Option. If the state opted for the CFC Option, it would likely replace the state's current provision of services through the Personal Care Option offered to Medicaid recipients at the standard federal match in favor of the CFC Option.

#### Delivery System Innovations

The committee proposed to hear testimony on the steps that public health coverage programs are taking to implement PPACA provisions on health care delivery and reimbursement. These include expansion of the medical home model; accountable care organizations; community care teams; the use of promotoras, or community health workers; and new long-term care delivery options.

#### Hospitals and Health Facilities

The committee proposed to review a number of issues relating to hospitals and health facilities, including:

- (1) billing and collection. The committee would receive testimony regarding the impact that new American Hospital Association guidelines might have in the state and will review guidelines and practices relating to financial arrangements for uninsured and underinsured patients;
- (2) credentialing. In 2011, there was a high-profile case in the state involving grave medical malpractice allegations that some contend arose partly due to lax physician peer credentialing. In response to House Memorial 24 (2012), the committee would hear testimony by a panel that has been charged with reviewing hospital peer credentialing practices and would make recommendations; and
- (3) the status of efforts to reduce the incidence of health care-associated infections and challenges to patient safety, including a report from the New Mexico Healthcare-associated Infections Advisory Council, led by the DOH; testimony regarding infections arising from ambulatory surgical facilities; and testimony regarding a new patient bill of rights.

#### Incarceration Health Care

The Corrections Department delivers physical health care and prescription drugs to individuals in its custody by contracting with a managed care entity, and it delivers behavioral health services through the Interagency Behavioral Health Purchasing Collaborative (IBHPC). The committee proposed to examine:

- (1) the funds that the state expends on corrections health care; high-risk and high-cost conditions; and services such as those for pregnancy and childbirth, substance abuse and infectious

diseases;

(2) a cost-benefit analysis regarding geriatric release programs; and

(3) whether to combine corrections health purchasing with that of other agencies; how to maximize federal and other funding through programs such as Medicaid and Medicare; and how to use technology to increase efficiency.

#### Health Care Work Force

The committee proposed to continue its work in assessing the need and capacity for health care professionals statewide, including a review of:

(1) the capacity of state educational institutions to increase the supply of providers;

(2) registered nurse staffing guidelines pursuant to House Memorial 51 (2012) and American Hospital Association recommendations;

(3) licensure of nurses to perform ultrasound;

(4) health care professional retention, including an examination of tax incentives and covenants not to compete and their effect upon the work force; and

(5) the prospects for and utility of a public health school in the state, pursuant to House Memorial 43 (2012).

#### Dental Health

The committee proposed to discuss the possibility of using dental therapists and creating programs to train dental therapists in the state to address the shortage of dental services in many areas of the state.

#### Guardianships

The committee proposed to hear testimony pursuant to House Memorial 61 (2012), which requests the New Mexico Supreme Court and Administrative Office of the Courts to study and make recommendations for better monitoring of guardianship, conservator and elder abuse cases.

#### Alzheimer's Disease

The committee proposed to receive a report pursuant to House Memorial 20 (2012), which requests that the ALTSD convene a multi-agency, multidisciplinary task force to study the causes and effects of Alzheimer's disease and report its findings to the committee.

#### Assisted Suicide

A group of doctors have filed lawsuits to challenge state law on assisted suicide, seeking an interpretation that exempts physicians under certain circumstances involving terminally ill patients. The committee proposed to examine other states' laws and receive testimony from all sides of this controversial issue.

#### Chronic Obstructive Pulmonary Disease

The committee proposed to hear testimony from the DOH regarding its recommendations on chronic obstructive pulmonary disease prevention and management pursuant to Senate Memorial 57 (2012).

### Substance Abuse, Misuse and Dependence

The epidemic of substance abuse, particularly prescription drug abuse, misuse and dependence, in the state continues to be a major focus of the committee, which proposed to hear testimony on the state's efforts to monitor and enforce appropriate prescribing of prescription drugs, especially opioids; review efforts to prevent dependence and misuse; and review the services available in the state for prevention and treatment of substance abuse. The committee also proposed to review the plans developed by the respective state licensing boards for prescribers and dispensers to address the state's substance abuse crisis.

### Disabilities Concerns Subcommittee

The work plan for the Disabilities Concerns Subcommittee of the Legislative Health and Human Services Committee appears in the *Subcommittees and Task Forces* section.

### Health Information Technology (IT)

The committee proposed to examine how health IT, including electronic health records, telehealth and telemedicine and the use of IT enrollment, technical assistance, data mining and fraud prevention strategies, can help the state in purchasing and effectively providing quality health care services.

## **Military and Veterans' Affairs Committee**

*2011, 2012*

The Military and Veterans' Affairs Committee was first created by statute for the 2009 interim session and then permanently reauthorized by statute during the 2010 regular session.

During the 2011 interim, the committee proposed to explore and discuss the following topics:

- (1) educational opportunities for veterans and their families, including college scholarships for veterans, and performance evaluations for K-12 programs on military bases;
- (2) health care delivery systems for military personnel, veterans and those in transition, including access to providers in rural areas, expansion of emergency room treatment to primary care treatment and continued treatment for posttraumatic stress disorder (PTSD) and traumatic brain injury;
- (3) long-term care for aging veterans, including aid and attendants, special pension benefits, long-term care expenses and the expansion of the veterans home in Truth or Consequences;
- (4) integration of homeless veterans back into stable homes, including special accommodations for female veterans;
- (5) establishment of a holistic wellness center;
- (6) establishment of a clinic for female veterans;
- (7) the feasibility of using the Fort Bayard campus for a veterans PTSD treatment facility, pursuant to House Joint Memorial 5 (2011);
- (8) procedures and guidelines for service members in child custody proceedings and for veterans in the judicial system;

*MVAC Membership  
2011*

*Voting*

Rep. Thomas A. Garcia, Co-Chair, Ocate  
Sen. David Ulibarri, Co-Chair, Grants  
Rep. Eliseo Lee Alcon, Milan  
Rep. Dianne Miller Hamilton, Silver City  
Sen. Richard C. Martinez, Española  
Sen. John Pinto, Tohatchi  
Rep. Bob Wooley, Roswell

*Advisory*

Rep. Thomas A. Anderson, Albuquerque  
Sen. William F. Burt, Alamogordo  
Sen. Carlos R. Cisneros, Questa  
Rep. George Dodge, Jr., Santa Rosa  
Sen. Mary Jane M. Garcia, Doña Ana  
Sen. Eric G. Griego, Albuquerque  
Sen. Clinton D. Harden, Jr., Clovis  
Sen. Timothy M. Keller, Albuquerque  
Rep. Rodolpho "Rudy" S. Martinez, Bayard  
Sen. William H. Payne, Albuquerque  
Rep. Edward C. Sandoval, Albuquerque

*Staff*

Pam Stokes  
Lisa Sullivan  
Douglas Carver  
Rebecca Griego

*MVAC Membership  
2012*

*Voting*

Rep. Thomas A. Garcia, Co-Chair, Ocate  
Sen. David Ulibarri, Co-Chair, Grants  
Rep. Eliseo Lee Alcon, Milan  
Rep. Dianne Miller Hamilton, Silver City  
Sen. Richard C. Martinez, Española  
Sen. John Pinto, Tohatchi  
Rep. Bob Wooley, Roswell

*Advisory*

Rep. Thomas A. Anderson, Albuquerque  
Sen. William F. Burt, Alamogordo  
Sen. Carlos R. Cisneros, Questa  
Rep. George Dodge, Jr., Santa Rosa  
Sen. Mary Jane M. Garcia, Doña Ana  
Sen. Eric G. Griego, Albuquerque  
Sen. Clinton D. Harden, Jr., Clovis  
Sen. Timothy M. Keller, Albuquerque  
Rep. Rodolpho "Rudy" S. Martinez, Bayard  
Sen. William H. Payne, Albuquerque  
Rep. Edward C. Sandoval, Albuquerque

*Staff*

Pam Stokes  
Douglas Carver  
Rebecca Griego

- (9) pretrial diversion programs for veterans and service members suffering from PTSD and traumatic brain injury;
- (10) family support centers and other support for military families and communities;
- (11) ensuring adequate resources for military women for programs such as sexual assault prevention and response;
- (12) the effects of base operations at the state level, including low-altitude flights out of Cannon Air Force Base;
- (13) state benefits for military personnel, such as the active duty military discount for a temporary small game or fishing license, pursuant to House Bill 180 (2011);
- (14) status of cemetery space for veterans throughout the state;
- (15) veterans' business and entrepreneur programs;
- (16) the benefit and feasibility of establishing a business incubator program to foster the creation of veteran-owned businesses pursuant to House Memorial 59 (2011);
- (17) the interface of New Mexico National Guard personnel and the federal government, including hazard pay, eligibility and requirements for medical coverage, and employer support of the guard and reserve programs; and
- (18) the deployment and mission of the New Mexico National Guard at the state and

federal levels.

During the 2012 interim, the committee proposed to explore and discuss the topics in each major issue area affecting veterans and service members as follows:

- (1) higher education opportunities and programs offered by state educational institutions and public community colleges;
- (2) family support centers and other community support for military families and veterans;
- (3) the integration of veterans and returning military personnel into civilian life;
- (4) health care delivery systems for military personnel and veterans, including access to care in rural areas and via telemedicine options;
- (5) suicide prevention and support for military personnel, veterans and their families;
- (6) support for veterans and military personnel with PTSD, including alternative treatment options, community programs, state and federal partnerships and status of the law enforcement training program for proper interaction with persons with mental impairments;
- (7) the status of long-term care options in the state for aging veterans;
- (8) the status of cemetery space for veterans throughout the state;
- (9) housing issues facing military personnel and veterans, including programs for affordable housing, foreclosure assistance and homeless veterans;
- (10) quality-of-life issues for military personnel, including child custody issues, honoring licensing and professional credentialing requirements from other states and educational credit for military education, training and experience;
- (11) the implementation of the veterans' preference on state contracts, pursuant to House Bill 97 (2012);
- (12) state benefits for retired military personnel, including exempting military retirement or retainer pay from state income tax;
- (13) the status and impact of the Veterans Treatment Court, requested pursuant to Senate Memorial 74 (2009);
- (14) the deployment and mission of the New Mexico National Guard at the state and federal levels;
- (15) comprehensive updates from military installations in the state, including squadron transitions, growth expectations and issues facing military personnel on base; and
- (16) an update on the jet fuel spill at Kirtland Air Force Base, including its impact on water quality and remediation efforts.

# Mortgage Finance Authority Act Oversight Committee

2011, 2012

<i>MFA Membership 2011</i>	<i>MFA Membership 2012</i>
<i>Voting</i> Rep. Joni Marie Gutierrez, Chair, Mesilla Sen. Nancy Rodriguez, Vice Chair, Santa Fe Rep. Alonzo Baldonado, Los Lunas Sen. Mark Boitano, Albuquerque Rep. Ernest H. Chavez, Albuquerque Rep. Nate Gentry, Albuquerque Sen. Cisco McSorley, Albuquerque Sen. Gerald Ortiz y Pino, Albuquerque	<i>Voting</i> Sen. Nancy Rodriguez, Chair, Santa Fe Rep. Joni Marie Gutierrez, Vice Chair, Mesilla Rep. Alonzo Baldonado, Los Lunas Sen. Mark Boitano, Albuquerque Rep. Ernest H. Chavez, Albuquerque Rep. Nate Gentry, Albuquerque Sen. Cisco McSorley, Albuquerque Sen. Gerald Ortiz y Pino, Albuquerque
<i>Advisory</i> Sen. Rod Adair, Roswell Rep. Thomas A. Anderson, Albuquerque Rep. Roberto "Bobby" J. Gonzales, Taos Rep. Sandra D. Jeff, Crownpoint Rep. Rick Little, Chaparral Sen. Lynda M. Lovejoy, Crownpoint Rep. James Roger Madalena, Pueblo of Jemez Sen. Richard C. Martinez, Española Rep. Dennis J. Roch, Tucumcari Sen. Sander Rue, Albuquerque Sen. David Ulibarri, Grants	<i>Advisory</i> Sen. Rod Adair, Roswell Rep. Thomas A. Anderson, Albuquerque Rep. Roberto "Bobby" J. Gonzales, Taos Rep. Sandra D. Jeff, Crownpoint Rep. Rick Little, Chaparral Sen. Lynda M. Lovejoy, Crownpoint Rep. James Roger Madalena, Pueblo of Jemez Sen. Richard C. Martinez, Española Rep. Dennis J. Roch, Tucumcari Sen. Sander Rue, Albuquerque Sen. David Ulibarri, Grants
<i>Staff</i> Kim Bannerman Claudia Armijo	<i>Staff</i> Claudia Armijo Sharon Ball

The Mortgage Finance Authority (MFA) Act Oversight Committee was created pursuant to the provisions of Section 58-18-5 NMSA 1978.

In addition to carrying out its statutory responsibilities, the committee proposed to focus on the following areas of legislative concern during the 2011 interim:

- (1) a presentation by the regional housing authority executive directors;
- (2) a review of existing and proposed rules promulgated by the MFA;
- (3) an update on the neighborhood stabilization program;
- (4) the 2011 state of housing report;
- (5) an overview of MFA funding sources and programs;
- (6) federal budget and housing finance reform — impacts for the MFA and affordable housing;
- (7) an overview of veteran and tribal housing;
- (8) an update on federal American Recovery and Reinvestment Act of 2009 (ARRA) funding and post-ARRA projections;
- (9) a weatherization program update;
- (10) a review of the MFA budget and 2012-2014 strategic plan;

- (11) Affordable Housing Act rule changes;
- (12) a tour of MFA projects; and
- (13) proposed legislation for the 2012 session.

The committee proposed to focus on the following areas of legislative concern during the 2012 interim:

- (1) regional housing policy and budget trends;
- (2) changes to existing and proposed rules promulgated by the MFA;
- (3) a neighborhood stabilization program update;
- (4) the 2012 state of housing report overview;
- (5) an overview of MFA funding sources and programs;
- (6) federal budget and housing finance reform — impacts for the MFA and affordable housing;
- (7) a tour of downtown Albuquerque, including 700 Second Street and Silver Gardens;
- (8) an update on federal ARRA funding and post-ARRA projections;
- (9) federal housing policy and budget trends;
- (10) a review of the MFA budget and 2012-2013 strategic plan;
- (11) Affordable Housing Act rule changes;
- (12) a report on the New Mexico Housing Trust Fund and a funding source overview;
- (13) an update on foreclosures in New Mexico; and
- (14) proposed legislation for the 2013 session.

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

*2011, 2012*

The New Mexico Finance Authority (NMFA) Oversight Committee was created with the enactment of the New Mexico Finance Authority Act to monitor and oversee the operations of the finance authority. In addition, the legislature assigned oversight of the Border Authority, the Spaceport Authority and the New Mexico Renewable Energy Transmission Authority (NMRETA) to the committee.

During the 2011 legislative interim, the committee proposed to:

- (1) monitor and oversee the operations of the NMFA, including a review of the NMFA's operational budget, investments, procurement, policies, goals, allocation of resources, funds and loan program and review the NMFA effort to integrate loan operations;
- (2) receive progress reports on capital projects funded through the NMFA; receive testimony from state and local officials on capital needs; compare NMFA cost of funds relative to other financing sources available to New Mexico borrowing entities; and review NMFA proposals to increase Public Project Revolving Fund capacity;

*NMFA Membership  
2011*

*Voting*

Rep. Patricia A. Lundstrom, Chair, Gallup  
Sen. Mary Kay Papen, Vice Chair, Las Cruces  
Rep. Alonzo Baldonado, Los Lunas  
Sen. Sue Wilson Beffort, Sandia Park  
Sen. Tim Eichenberg, Albuquerque  
Rep. Candy Spence Ezzell, Roswell  
Sen. Stephen H. Fischmann, Mesilla Park  
Rep. Roberto "Bobby" J. Gonzales, Taos  
Sen. Clinton D. Harden, Jr., Clovis  
Rep. Yvette Herrell, Alamogordo  
Rep. Dona G. Irwin, Deming  
Sen. Howie C. Morales, Silver City  
Rep. Jane E. Powdrell-Culbert, Corrales  
Rep. Debbie A. Rodella, Española  
Sen. Nancy Rodriguez, Santa Fe  
Rep. Henry Kiki Saavedra, Albuquerque  
Rep. James R.J. Strickler, Farmington  
Sen. David Ulibarri, Grants  
Rep. Richard D. Vigil, Ribera  
Rep. James P. White, Albuquerque

*Advisory*

Sen. William F. Burt, Alamogordo  
Rep. Ernest H. Chavez, Albuquerque  
Rep. Anna M. Crook, Clovis  
Rep. David L. Doyle, Albuquerque  
Rep. Mary Helen Garcia, Las Cruces  
Sen. Mary Jane M. Garcia, Doña Ana  
Rep. Thomas A. Garcia, Ocate  
Sen. Eric G. Griego, Albuquerque  
Rep. Rick Little, Chaparral  
Sen. Lynda M. Lovejoy, Crownpoint  
Rep. Ben Lujan, Santa Fe  
Sen. Richard C. Martinez, Española  
Rep. W. Ken Martinez, Grants  
Sen. George K. Munoz, Gallup  
Sen. Steven P. Neville, Aztec  
Rep. Andy Nuñez, Hatch  
Sen. William H. Payne, Albuquerque  
Rep. Edward C. Sandoval, Albuquerque  
Rep. Sheryl Williams Stapleton, Albuquerque  
Rep. Thomas C. Taylor, Farmington

*Staff*

Doris Faust  
Tom Pollard  
Lisa Sullivan  
Claudia Armijo

*NMFA Membership  
2012*

*Voting*

Sen. Mary Kay Papen, Chair, Las Cruces  
Rep. Patricia A. Lundstrom, Vice Chair, Gallup  
Rep. Alonzo Baldonado, Los Lunas  
Sen. Sue Wilson Beffort, Sandia Park  
Sen. Tim Eichenberg, Albuquerque  
Rep. Candy Spence Ezzell, Roswell  
Sen. Stephen H. Fischmann, Mesilla Park  
Rep. Roberto "Bobby" J. Gonzales, Taos  
Sen. Clinton D. Harden, Jr., Clovis  
Rep. Yvette Herrell, Alamogordo  
Rep. Dona G. Irwin, Deming  
Sen. Howie C. Morales, Silver City  
Rep. Jane E. Powdrell-Culbert, Corrales  
Rep. Debbie A. Rodella, Española  
Sen. Nancy Rodriguez, Santa Fe  
Rep. Henry Kiki Saavedra, Albuquerque  
Rep. James R.J. Strickler, Farmington  
Sen. David Ulibarri, Grants  
Rep. Richard D. Vigil, Ribera  
Rep. James P. White, Albuquerque

*Advisory*

Sen. William F. Burt, Alamogordo  
Rep. Ernest H. Chavez, Albuquerque  
Rep. Anna M. Crook, Clovis  
Rep. David L. Doyle, Albuquerque  
Rep. Mary Helen Garcia, Las Cruces  
Sen. Mary Jane M. Garcia, Doña Ana  
Rep. Thomas A. Garcia, Ocate  
Sen. Eric G. Griego, Albuquerque  
Rep. Rick Little, Chaparral  
Sen. Lynda M. Lovejoy, Crownpoint  
Rep. Ben Lujan, Santa Fe  
Sen. Richard C. Martinez, Española  
Rep. W. Ken Martinez, Grants  
Sen. George K. Munoz, Gallup  
Sen. Steven P. Neville, Aztec  
Rep. Andy Nuñez, Hatch  
Sen. William H. Payne, Albuquerque  
Rep. Edward C. Sandoval, Albuquerque  
Rep. Sheryl Williams Stapleton, Albuquerque  
Rep. Thomas C. Taylor, Farmington

*Staff*

Lisa Sullivan  
Doris Faust  
Tom Pollard  
Elizabeth Shaw

(3) review the NMFA's implementation of the Statewide Economic Development Finance Act; examine the Economic Development Revolving Fund; take testimony and evaluate economic development projects proposed for funding or funded through the federal New Markets Tax Credit Program and tax increment financing; and review NMFA programs to maximize federal grant

funding;

(4) take testimony and make recommendations on loans or grants from the Water Project Fund for intrastate water projects that benefit New Mexico;

(5) review the Local Transportation Infrastructure Fund; review current transportation infrastructure needs, development and funding; review transportation infrastructure bonding; and develop ideas for sustainable transportation funding, including a review of the weight distance tax;

(6) review the status and projected use of the Colonias Infrastructure Act funds and Tribal Infrastructure Act funds;

(7) monitor and oversee the operations of the Border Authority and review and analyze the Border Authority's short-term and long-term goals, including an assessment of infrastructure needs in the border region and a review of the effectiveness of the Border Authority and its projects;

(8) monitor and oversee the operations of the Spaceport Authority and review and analyze the authority's budget; its short-term and long-term goals; the status of spaceport construction; and the authority's procurement, contract, programs and initiatives involving the spaceport;

(9) monitor and oversee the operations of the NMRETA, including a review of its funding, structure, goals, objectives, proposed work plan, policy statements, rulemaking and budget; and

(10) report to the legislature and recommend necessary changes in law or policy.

During the 2012 legislative interim, the committee proposed to:

(1) monitor and oversee the operations of the NMFA, including a review of the NMFA's operational budget, investments, procurement, policies, allocation of resources, funds and loan programs;

(2) receive progress reports on capital and public projects funded through the NMFA;

(3) review the status of funds that the NMFA has the statutory authority to administer;

(4) review the status of bonds that the NMFA has the statutory authority to issue;

(5) take testimony and make recommendations on the NMFA's administration of loans and grants;

(6) take testimony and make recommendations on the NMFA's efforts to reach out to small, rural municipalities with information, loans or grants;

(7) review economic development programs available through the NMFA;

(8) review projects proposed for funding through the Colonias Infrastructure Project Fund and review and approve the policies and procedures of the Colonias Infrastructure Board;

(9) monitor and oversee the operations and budget of the Border Authority and review and analyze its projects, goals and needs;

(10) monitor and oversee the operations and budget of the Spaceport Authority and review its projects, goals and needs;

(11) monitor and oversee the operations and budget of the NMRETA and its contracts, funding, goals and needs; and

(12) report to the legislature and recommend necessary changes in law or policy.

The committee also proposed the creation of a joint subcommittee with the Revenue Stabilization and Tax Policy Committee to hear testimony on transportation infrastructure needs and identify sources of revenue that can be used to support transportation needs in New Mexico.

## Radioactive and Hazardous Materials Committee

2011, 2012

The Radioactive and Hazardous Materials Committee was created in 1979 pursuant to the provisions of the Radioactive and Hazardous Materials Act.

<i>RHMC Membership 2011</i>	<i>RHMC Membership 2012</i>
<i>Voting</i> Rep. Antonio Lujan, Chair, Las Cruces Sen. Richard C. Martinez, Vice Chair, Española Rep. Thomas A. Anderson, Albuquerque Sen. Vernon D. Asbill, Carlsbad Rep. Cathrynn N. Brown, Carlsbad Rep. Brian F. Egolf, Jr., Santa Fe Sen. Stephen H. Fischmann, Mesilla Park Sen. Carroll H. Leavell, Jal Sen. John Pinto, Tohatchi Rep. Jim R. Trujillo, Santa Fe Rep. Shirley A. Tyler, Lovington Sen. David Ulibarri, Grants	<i>Voting</i> Rep. Antonio Lujan, Chair, Las Cruces Sen. Richard C. Martinez, Vice Chair, Española Rep. Thomas A. Anderson, Albuquerque Sen. Vernon D. Asbill, Carlsbad Rep. Cathrynn N. Brown, Carlsbad Rep. Brian F. Egolf, Jr., Santa Fe Sen. Stephen H. Fischmann, Mesilla Park Sen. Carroll H. Leavell, Jal Sen. John Pinto, Tohatchi Rep. Jim R. Trujillo, Santa Fe Rep. Shirley A. Tyler, Lovington Sen. David Ulibarri, Grants
<i>Advisory</i> Sen. Rod Adair, Roswell Rep. Eliseo Lee Alcon, Milan Rep. Donald E. Bratton, Hobbs Sen. William F. Burt, Alamogordo Sen. Eric G. Griego, Albuquerque Rep. Jim W. Hall, Los Alamos Sen. Gay G. Kernan, Hobbs Sen. Lynda M. Lovejoy, Crownpoint Sen. William H. Payne, Albuquerque Sen. Nancy Rodriguez, Santa Fe Rep. Nick L. Salazar, Ohkay Owingeh Sen. Bernadette M. Sanchez, Albuquerque	<i>Advisory</i> Sen. Rod Adair, Roswell Rep. Eliseo Lee Alcon, Milan Rep. Donald E. Bratton, Hobbs Sen. William F. Burt, Alamogordo Sen. Eric G. Griego, Albuquerque Rep. Jim W. Hall, Los Alamos Sen. Gay G. Kernan, Hobbs Sen. Lynda M. Lovejoy, Crownpoint Sen. William H. Payne, Albuquerque Sen. Nancy Rodriguez, Santa Fe Rep. Nick L. Salazar, Ohkay Owingeh Sen. Bernadette M. Sanchez, Albuquerque
<i>Staff</i> Gordon Meeks Renée Gregorio Cassandra Jones	<i>Staff</i> Gordon Meeks Renée Gregorio

During the 2011 interim, the committee proposed to review:

- (1) federal nuclear energy initiatives;

- (2) Waste Isolation Pilot Plant (WIPP) operations and management;
- (3) U.S. Department of Energy "energy park" initiatives for LANL, WIPP and Sandia National Laboratories;
- (4) Department of Environment (NMED) programs and operations;
- (5) LANL progress of uranium legacy site cleanup and shipment of waste to WIPP;

*RC Membership  
2011*

*Voting*

Rep. Mary Helen Garcia, Co-Chair, Las Cruces  
 Sen. Linda M. Lopez, Co-Chair, Albuquerque  
 Rep. Anna M. Crook, Clovis  
 Sen. Phil A. Griego, San Jose  
 Sen. Stuart Ingle, Portales  
 Rep. Conrad D. James, Albuquerque  
 Sen. Timothy Z. Jennings, Roswell  
 Rep. Larry A. Larrañaga, Albuquerque  
 Sen. Lynda M. Lovejoy, Crownpoint  
 Rep. James Roger Madalena, Pueblo of Jemez  
 Rep. W. Ken Martinez, Grants  
 Sen. Gerald Ortiz y Pino, Albuquerque  
 Rep. Debbie A. Rodella, Española  
 Rep. Edward C. Sandoval, Albuquerque  
 Sen. William E. Sharer, Farmington  
 Sen. John Arthur Smith, Deming  
 Rep. Thomas C. Taylor, Farmington

*Advisory*

Rep. Paul C. Bandy, Aztec  
 Rep. Ray Begaye, Shiprock  
 Rep. Donald E. Bratton, Hobbs  
 Sen. William F. Burt, Alamogordo  
 Rep. Gail Chasey, Albuquerque  
 Sen. Carlos R. Cisneros, Questa  
 Rep. Nora Espinoza, Roswell  
 Sen. Mary Jane M. Garcia, Doña Ana  
 Rep. Thomas A. Garcia, Ocate  
 Rep. Nate Gentry, Albuquerque  
 Sen. Timothy M. Keller, Albuquerque  
 Rep. Ben Lujan, Santa Fe  
 Rep. Rodolpho "Rudy" S. Martinez, Bayard  
 Sen. Howie C. Morales, Silver City  
 Sen. George K. Munoz, Gallup  
 Sen. Steven P. Neville, Aztec  
 Rep. Bill B. O'Neill, Albuquerque  
 Sen. Sander Rue, Albuquerque  
 Rep. Sheryl Williams Stapleton, Albuquerque  
 Rep. James E. Smith, Sandia Park  
 Rep. Mimi Stewart, Albuquerque  
 Rep. Shirley A. Tyler, Lovington  
 Sen. Peter Wirth, Santa Fe

*Staff*

Jon Boller  
 Alise Rudio  
 John Yaeger  
 Leslie Porter

- (6) renewable energy initiatives that may relate to radioactive and hazardous material issues; and
- (7) hydraulic fracturing for enhanced natural gas production.

During the 2012 interim, the committee proposed to review:

- (1) federal nuclear energy initiatives;
- (2) WIPP operations and management;
- (3) U.S. Department of Energy "energy park" initiatives for LANL, WIPP and Sandia National Laboratories;
- (4) NMED programs and operations;
- (5) LANL progress on uranium legacy site cleanup and shipment of waste to WIPP;
- (6) renewable energy initiatives that may relate to radioactive and hazardous materials issues;
- (7) hydraulic fracturing for enhanced natural gas production;
- (8) the consequences of waste streams to landfills, including accidental breaking of compact fluorescent lights in residences and electronic wastes that have heavy metal components; and
- (9) a tour of the URENCO facility in Eunice.

## **Redistricting Committee**

*2011*

The Redistricting Committee proposed to recommend new boundaries for the congressional districts within New Mexico, state house of representatives and

senate districts, PRC districts and Public Education Commission districts. The committee would make its recommendations based on the 2010 federal decennial census, the redistricting guidelines adopted by the New Mexico Legislative Council on January 17, 2011 and testimony received from individuals and groups interested in this issue.

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

*2011, 2012*

The Revenue Stabilization and Tax Policy Committee is created in statute by Section 2-16-3 NMSA 1978.

During the 2011 interim, the committee proposed to:

- (1) examine state taxes and discuss each tax based on sound tax policy principles and the contribution to state revenue made by each tax;
- (2) review the revenue status of the state, examine current revenue streams and discuss the need for further revenue increases or redirection of services;
- (3) continue to review the effectiveness and value to the state of tax incentives; review exemptions, deductions and credits to determine the ability to report and track; review methods to improve the tracking of value, including implementation of Section 9-15-56 NMSA 1978; and review the financial impact of TIDDs on state revenue;
- (4) review the effect of the tax amnesty program and identify taxes where amnesty was most heavily used by taxpayers and follow the implementation of the gaming tax credit and the business retention gross receipts tax;
- (5) review the status of the State Road Fund;
- (6) examine the revenue generation programs in the TRD and other departments in the state that generate revenue to determine if such funds are fully used for the purposes raised;
- (7) identify methods of obtaining data and information on a more timely basis;
- (8) review trends in state investment earnings, including trends in the balances of the Severance Tax Permanent Fund and the land grant permanent funds and review the revenue received by the state from gaming within the state;
- (9) review oversight of and access to data from local gross receipts tax collections and distributions;
- (10) receive a report on revenue derived from the State Land Office;
- (11) review the executive branch's tax package for any upcoming session; and
- (12) examine the presence, volume and type of film productions in New Mexico that may be due to changes in the film production tax credit or other incentives available in New Mexico.

Ongoing matters to be addressed by the committee included:

*RSTP Membership  
2011*

*Voting*

Sen. Tim Eichenberg, Chair, Albuquerque  
Rep. Edward C. Sandoval, Vice Chair, Albuquerque  
Sen. Mark Boitano, Albuquerque  
Rep. Donald E. Bratton, Hobbs  
Sen. Carlos R. Cisneros, Questa  
Rep. Anna M. Crook, Clovis  
Sen. Clinton D. Harden, Jr., Clovis  
Sen. Timothy Z. Jennings, Roswell  
Sen. Timothy M. Keller, Albuquerque  
Sen. Gay G. Kernan, Hobbs  
Rep. Ben Lujan, Santa Fe  
Rep. Rodolpho "Rudy" S. Martinez, Bayard  
Sen. Howie C. Morales, Silver City  
Rep. Henry Kiki Saavedra, Albuquerque  
Sen. John Arthur Smith, Deming  
Rep. Thomas C. Taylor, Farmington  
Rep. Jim R. Trujillo, Santa Fe  
Rep. Bob Wooley, Roswell

*Designees*

Sen. Rod Adair, Roswell  
Rep. Ray Begaye, Shiprock  
Sen. William F. Burt, Alamogordo  
Rep. Zachary J. Cook, Ruidoso  
Rep. Brian F. Egolf, Jr., Santa Fe  
Rep. Miguel P. Garcia, Albuquerque  
Rep. Thomas A. Garcia, Ocate  
Rep. Roberto "Bobby" J. Gonzales, Taos  
Sen. Eric G. Griego, Albuquerque  
Sen. Phil A. Griego, San Jose  
Rep. Sandra D. Jeff, Crownpoint  
Rep. Antonio Lujan, Las Cruces  
Rep. Antonio "Moe" Maestas, Albuquerque  
Sen. George K. Munoz, Gallup  
Sen. Steven P. Neville, Aztec  
Rep. Debbie A. Rodella, Española  
Sen. Nancy Rodriguez, Santa Fe  
Sen. Bernadette M. Sanchez, Albuquerque  
Sen. John M. Sapien, Corrales  
Sen. William E. Sharer, Farmington  
Rep. James R.J. Strickler, Farmington  
Rep. Don L. Tripp, Socorro  
Rep. Luciano "Lucky" Varela, Santa Fe  
Sen. Peter Wirth, Santa Fe

*Staff*

Pam Ray  
Damian Lara  
Pam Stokes  
Ric Gaudet

*RSTP Membership  
2012*

*Voting*

Rep. Edward C. Sandoval, Chair, Albuquerque  
Sen. Tim Eichenberg, Vice Chair, Albuquerque  
Sen. Mark Boitano, Albuquerque  
Rep. Donald E. Bratton, Hobbs  
Sen. Carlos R. Cisneros, Questa  
Rep. Anna M. Crook, Clovis  
Sen. Clinton D. Harden, Jr., Clovis  
Sen. Timothy Z. Jennings, Roswell  
Sen. Timothy M. Keller, Albuquerque  
Sen. Gay G. Kernan, Hobbs  
Rep. Ben Lujan, Santa Fe  
Rep. Rodolpho "Rudy" S. Martinez, Bayard  
Sen. Howie C. Morales, Silver City  
Rep. Henry Kiki Saavedra, Albuquerque  
Sen. John Arthur Smith, Deming  
Rep. Thomas C. Taylor, Farmington  
Rep. Jim R. Trujillo, Santa Fe  
Rep. Bob Wooley, Roswell

*Designees*

Sen. Rod Adair, Roswell  
Rep. Ray Begaye, Shiprock  
Sen. William F. Burt, Alamogordo  
Rep. Zachary J. Cook, Ruidoso  
Rep. Brian F. Egolf, Jr., Santa Fe  
Rep. Miguel P. Garcia, Albuquerque  
Rep. Thomas A. Garcia, Ocate  
Rep. Roberto "Bobby" J. Gonzales, Taos  
Sen. Eric G. Griego, Albuquerque  
Sen. Phil A. Griego, San Jose  
Rep. Sandra D. Jeff, Crownpoint  
Rep. Antonio Lujan, Las Cruces  
Rep. Antonio "Moe" Maestas, Albuquerque  
Sen. George K. Munoz, Gallup  
Sen. Steven P. Neville, Aztec  
Rep. Debbie A. Rodella, Española  
Sen. Nancy Rodriguez, Santa Fe  
Sen. Bernadette M. Sanchez, Albuquerque  
Sen. John M. Sapien, Corrales  
Sen. William E. Sharer, Farmington  
Rep. James R.J. Strickler, Farmington  
Rep. Don L. Tripp, Socorro  
Rep. Luciano "Lucky" Varela, Santa Fe  
Sen. Peter Wirth, Santa Fe

*Staff*

Pam Ray  
Damian Lara  
Pam Stokes  
Ric Gaudet

(1) the relative costs and benefits of holding local governments harmless when the legislature reduces gross receipts taxes;

(2) the use of industrial revenue bonds in the state, including revenue lost and the value

of the benefits gained by local communities; and

(3) the progress of state taxation of internet transactions and the status of the streamlined sales tax efforts.

During the 2012 interim, the committee proposed to:

(1) examine the tax code and all other taxes not compiled in the tax code and discuss each tax based on sound tax policy principles and the contribution to state revenue made by each tax;

(2) review the revenue status of the state, examine current revenue sources and discuss changes to revenue sources to ensure adequacy of revenue, including tax preparation fraud and the effectiveness of TRD oversight and enforcement of tax collection;

(3) review the effectiveness and value to the state of tax incentives, suggest changes to achieve state goals, including the benefits of transferability of income tax credits, and observe progress on projects benefiting from tax incentives;

(4) examine the effect of expanded deductions for manufacturing consumables and construction on the stability of revenues of local governments and review the impact of hold harmless provisions to ameliorate the negative impact to local revenues of gross receipts deductions;

(5) review trends in state investment earnings, including trends in the balances of the Severance Tax Permanent Fund and the land grant permanent funds; review the Utah proposal on federal royalty distribution; and review the revenue received by the state from gaming within the state and the progress of tribal-state gaming negotiations;

(6) review the capital outlay process, the balances remaining in outstanding projects and the estimates of funds previously appropriated and available for future projects, and discuss proposed changes to improve the process; and

(7) determine legislative actions necessary to implement changes identified by committee members that will improve the tax system in New Mexico.

The committee proposed creation of a joint subcommittee with the NMFA Oversight Committee and the Economic and Rural Development Committee to identify sources of revenue that can be used to support transportation needs in New Mexico.

## **Science, Technology and Telecommunications Committee**

*2011, 2012*

The Science, Technology and Telecommunications Committee was created by the New Mexico Legislative Council for the current biennium on May 9, 2011 and again on May 9, 2012.

During the 2011 interim, the committee proposed to review:

(1) IT systems operations and management;

(2) electric energy generation, transmission and distribution, including smart grid

*STTC Membership  
2011*

*Voting*

Rep. Roberto "Bobby" J. Gonzales, Chair, Taos  
Sen. Stephen H. Fischmann, Vice Chair, Mesilla Park  
Rep. Cathrynn N. Brown, Carlsbad  
Sen. William F. Burt, Alamogordo  
Sen. Dede Feldman, Albuquerque  
Sen. Phil A. Griego, San Jose  
Rep. Jim W. Hall, Los Alamos  
Rep. Conrad D. James, Albuquerque  
Sen. Linda M. Lopez, Albuquerque  
Sen. Steven P. Neville, Aztec  
Rep. Debbie A. Rodella, Española  
Rep. Nick L. Salazar, Ohkay Owingeh  
Rep. James E. Smith, Sandia Park  
Rep. Luciano "Lucky" Varela, Santa Fe

*Advisory*

Rep. Ray Begaye, Shiprock  
Sen. Carlos R. Cisneros, Questa  
Rep. Ben Lujan, Santa Fe  
Sen. Richard C. Martinez, Española  
Sen. William H. Payne, Albuquerque  
Rep. Danice Picraux, Albuquerque  
Rep. Jane E. Powdrell-Culbert, Corrales  
Sen. John M. Sapien, Corrales  
Rep. Don L. Tripp, Socorro  
Rep. Richard D. Vigil, Ribera

*Staff*

Gordon Meeks  
Ralph Vincent  
Jeret Fleetwood

*STTC Membership  
2012*

*Voting*

Sen. Timothy M. Keller, Chair, Albuquerque  
Rep. Roberto "Bobby" J. Gonzales, Vice Chair, Taos  
Rep. Cathrynn N. Brown, Carlsbad  
Sen. William F. Burt, Alamogordo  
Sen. Dede Feldman, Albuquerque  
Sen. Phil A. Griego, San Jose  
Rep. Jim W. Hall, Los Alamos  
Rep. Conrad D. James, Albuquerque  
Sen. Linda M. Lopez, Albuquerque  
Sen. Steven P. Neville, Aztec  
Rep. Debbie A. Rodella, Española  
Rep. Nick L. Salazar, Ohkay Owingeh  
Rep. James E. Smith, Sandia Park  
Rep. Luciano "Lucky" Varela, Santa Fe

*Advisory*

Rep. Ray Begaye, Shiprock  
Sen. Carlos R. Cisneros, Questa  
Rep. Ben Lujan, Santa Fe  
Sen. Richard C. Martinez, Española  
Sen. William H. Payne, Albuquerque  
Rep. Danice Picraux, Albuquerque  
Rep. Jane E. Powdrell-Culbert, Corrales  
Sen. John M. Sapien, Corrales  
Rep. Don L. Tripp, Socorro  
Rep. Richard D. Vigil, Ribera

*Staff*

Gordon Meeks  
Ralph Vincent  
Elizabeth Shaw  
Jeret Fleetwood

technology;

- (3) renewable energy portfolio standards;
- (4) statewide broadband access and cost;
- (5) the NMRETA;
- (6) the status of the spaceport;
- (7) technology research, budget status and staffing levels at Sandia National

Laboratories and LANL;

- (8) emerging technology enterprises;
- (9) telecommunications competition in New Mexico and how competitors are or are not

regulated by the PRC;

- (10) activities at the PRC that may address telecommunications competition and

regulation in New Mexico;

- (11) a supercomputer update;
- (12) state educational institutions' roles in science and technology education and

relations with national laboratories;

(13) e-learning and distance learning; and

(14) the status of public broadcasting resources in southern New Mexico.

During the 2012 interim, the committee proposed to develop agendas that foster making New Mexico a national leader in technology by asking presenters what the legislature can do to encourage growth through technology and what obstacles are impeding such growth. The committee's intent was to shift the focus away from promotional presentations on the presenters' organizations and toward legislation that would be constructive to the goal of advancing technological innovation and development in New Mexico, centering technology themes around water, health, biology and work force and technology transfer.

The committee proposed to address the following topics:

(1) Department of Information Technology programs;

(2) current technology-related tax and financial incentives;

(3) centers of excellence;

(4) advanced water treatment systems;

(5) the role of energy innovation, including solar energy, geothermal energy and electric power grid innovations;

(6) telecommunications issues, including deregulation;

(7) innovations in the oil, natural gas, nuclear and extractive industries;

(8) health care technology, medical technology and biotechnology opportunities;

(9) agriculture technology advances;

(10) opportunities for and obstacles to technology transfer from research to commercialization;

(11) development of a high-technology work force;

(12) a sunshine portal status report from the Department of Information Technology;

(13) public/private partnerships for technology transfer;

(14) technology financing, i.e., venture capital, concept funding and lending;

(15) remediation technology for the Kirtland Air Force Base jet fuel leak cleanup; and

(16) oversight of Los Alamos work force concerns.

## **Tobacco Settlement Revenue Oversight Committee**

*2011, 2012*

The Tobacco Settlement Revenue Oversight Committee is created in Section 2-19-1 NMSA 1978.

During the 2011 interim, the committee proposed to:

<i>TSROC Membership 2011</i>	<i>TSROC Membership 2012</i>
<i>Voting</i> Rep. Gail Chasey, Co-Chair, Albuquerque Sen. Mary Jane M. Garcia, Co-Chair, Doña Ana Sen. Dede Feldman, Albuquerque Rep. Jim W. Hall, Los Alamos Rep. Danice Picraux, Albuquerque Sen. John C. Ryan, Albuquerque	<i>Voting</i> Rep. Gail Chasey, Co-Chair, Albuquerque Sen. Mary Jane M. Garcia, Co-Chair, Doña Ana Sen. Dede Feldman, Albuquerque Rep. Jim W. Hall, Los Alamos Rep. Danice Picraux, Albuquerque Sen. John C. Ryan, Albuquerque
<i>Advisory</i> Sen. Sue Wilson Beffort, Sandia Park Rep. Ray Begaye, Shiprock Sen. Linda M. Lopez, Albuquerque Sen. Mary Kay Papen, Las Cruces	<i>Advisory</i> Sen. Sue Wilson Beffort, Sandia Park Rep. Ray Begaye, Shiprock Sen. Linda M. Lopez, Albuquerque Sen. Mary Kay Papen, Las Cruces
<i>Staff</i> Alise Rudio Roxanne Knight Zelda Abeita	<i>Staff</i> Roxanne Knight Shawn Mathis Sean Sullivan Renée Gregorio Theresa Rogers

- (1) monitor the status of the revenue and reserves for the Tobacco Settlement Permanent Fund and the use of the Tobacco Settlement Program Fund through committee oversight and evaluation of those programs recommended by the committee and funded by the legislature; review the enforcement requirements under the Master Settlement Agreement; and compare recommended funding levels by the federal Centers for Disease Control and Prevention with those funded in New Mexico;
- (2) hear testimony regarding tobacco settlement-related issues and legislation and prepare recommendations of program funding levels for fiscal year 2012, based on the committee's program evaluation process; and
- (3) make recommendations as necessary for changes in legislation relating to and regarding use of the tobacco settlement revenue.

During the 2012 interim, the committee proposed to:

- (1) monitor the status of the revenue for current and future fiscal years and reserves for the Tobacco Settlement Permanent Fund and the use of the Tobacco Settlement Program Fund through committee oversight and evaluation of those programs recommended by the committee and funded by the legislature; review the enforcement requirements under the Master Settlement Agreement; and compare recommended funding levels by the federal Centers for Disease Control and Prevention with those funded in New Mexico;
- (2) receive testimony regarding tobacco settlement-related issues, litigation and legislation and prepare recommendations of program funding levels for fiscal year 2014, based on the committee's program evaluation process;
- (3) make recommendations as necessary for changes in legislation relating to and

regarding use of the tobacco settlement revenue; and

(4) make recommendations available to the New Mexico Legislative Council and the LFC on or before December 15, 2012.

## **Water and Natural Resources Committee**

*2011, 2012*

The Water and Natural Resources Committee was created by the New Mexico Legislative Council for the current biennium on May 9, 2011 and again on May 9, 2012.

During the 2011 interim, the committee proposed to focus on:

- (1) water management, adjudication, research, litigation and projects, including testimony on:
  - (a) reports required by statute from the state engineer and the Interstate Stream Commission;
  - (b) Indian water rights settlements, including an update on the status of the settlements and continued need for state cost-share funding through the Indian Water Rights Settlement Fund;
  - (c) the status of the revised biological opinion for the middle Rio Grande;
  - (d) the Gila River planning process status (Arizona Water Settlements Act);
  - (e) dam safety and liability issues;
  - (f) acequia issues;
  - (g) the state water plan;
  - (h) adjudications;
  - (i) the Joe M Stell Ombudsman Program;
  - (j) major litigation and appeals, including the active water resource management regulations challenge ("Tristate") and the domestic well statute challenge ("Bounds");
  - (k) the lower Rio Grande, including the 2008 Rio Grande Project Operating Agreement;
  - (l) federal water projects and state cost-share funding;
  - (m) the study of the Rio Grande levees within Valencia, Bernalillo and Sandoval counties;
  - (n) Water Trust Board projects and funding; and
  - (o) the status of the Plains of San Agustin water rights transfer application;
- (2) agriculture, land use and game and fish issues, including:
  - (a) integrating land use and water planning (Utton Transboundary Resources Center);
  - (b) United States Department of Agriculture conservation programs in New

*WNRC Membership  
2011*

*Voting*

Sen. Phil A. Griego, Chair, San Jose  
Rep. Joseph Cervantes, Vice Chair, Las Cruces  
Rep. Paul C. Bandy, Aztec  
Rep. Ray Begaye, Shiprock  
Rep. Brian F. Egoft, Jr., Santa Fe  
Sen. Mary Jane M. Garcia, Doña Ana  
Rep. Thomas A. Garcia, Ocate  
Rep. William "Bill" J. Gray, Artesia  
Sen. Clinton D. Harden, Jr., Clovis  
Rep. Dona G. Irwin, Deming  
Rep. Larry A. Larrañaga, Albuquerque  
Sen. George K. Munoz, Gallup  
Sen. Steven P. Neville, Aztec  
Rep. Andy Nuñez, Hatch  
Sen. Gerald Ortiz y Pino, Albuquerque  
Sen. Mary Kay Papen, Las Cruces  
Sen. Sander Rue, Albuquerque  
Rep. Mimi Stewart, Albuquerque  
Rep. James R.J. Strickler, Farmington  
Rep. Don L. Tripp, Socorro

*Advisory*

Sen. Rod Adair, Roswell  
Sen. Vernon D. Asbill, Carlsbad  
Sen. Carlos R. Cisneros, Questa  
Rep. Anna M. Crook, Clovis  
Rep. Nora Espinoza, Roswell  
Rep. Candy Spence Ezzell, Roswell  
Sen. Dede Feldman, Albuquerque  
Sen. Timothy Z. Jennings, Roswell  
Rep. Ben Lujan, Santa Fe  
Rep. James Roger Madalena, Pueblo of Jemez  
Rep. Rodolpho "Rudy" S. Martinez, Bayard  
Sen. Cisco McSorley, Albuquerque  
Rep. Bill B. O'Neill, Albuquerque  
Sen. Nancy Rodriguez, Santa Fe  
Sen. John C. Ryan, Albuquerque  
Rep. Henry Kiki Saavedra, Albuquerque  
Sen. Peter Wirth, Santa Fe

*Staff*

Kim Bannerman  
Jon Boller  
Gordon Meeks  
Jeret Fleetwood

*WNRC Membership  
2012*

*Voting*

Rep. Joseph Cervantes, Chair, Las Cruces  
Sen. Phil A. Griego, Vice Chair, San Jose  
Rep. Paul C. Bandy, Aztec  
Rep. Ray Begaye, Shiprock  
Rep. Brian F. Egoft, Jr., Santa Fe  
Sen. Mary Jane M. Garcia, Doña Ana  
Rep. Thomas A. Garcia, Ocate  
Rep. William "Bill" J. Gray, Artesia  
Sen. Clinton D. Harden, Jr., Clovis  
Rep. Dona G. Irwin, Deming  
Rep. Larry A. Larrañaga, Albuquerque  
Sen. George K. Munoz, Gallup  
Sen. Steven P. Neville, Aztec  
Rep. Andy Nuñez, Hatch  
Sen. Gerald Ortiz y Pino, Albuquerque  
Sen. Mary Kay Papen, Las Cruces  
Sen. Sander Rue, Albuquerque  
Rep. Mimi Stewart, Albuquerque  
Rep. James R.J. Strickler, Farmington  
Rep. Don L. Tripp, Socorro

*Advisory*

Sen. Rod Adair, Roswell  
Sen. Vernon D. Asbill, Carlsbad  
Sen. Carlos R. Cisneros, Questa  
Rep. Anna M. Crook, Clovis  
Rep. Nora Espinoza, Roswell  
Rep. Candy Spence Ezzell, Roswell  
Sen. Dede Feldman, Albuquerque  
Sen. Timothy Z. Jennings, Roswell  
Rep. Ben Lujan, Santa Fe  
Rep. James Roger Madalena, Pueblo of Jemez  
Rep. Rodolpho "Rudy" S. Martinez, Bayard  
Sen. Cisco McSorley, Albuquerque  
Rep. Bill B. O'Neill, Albuquerque  
Sen. Nancy Rodriguez, Santa Fe  
Sen. John C. Ryan, Albuquerque  
Rep. Henry Kiki Saavedra, Albuquerque  
Sen. Peter Wirth, Santa Fe

*Staff*

Jon Boller  
Gordon Meeks  
Jeret Fleetwood

Mexico;

- (c) wildlife depredation issues;
- (d) state parks from the State Parks Division of the EMNRD;
- (e) off-highway motor vehicle registration and regulation;
- (f) game and fish issues in the state from the Department of Game and Fish;

(g) New Mexico State University Agricultural Experiment Station and Cooperative Extension Service and a report on agricultural issues in New Mexico from the New Mexico Department of Agriculture;

(h) unwanted horses in New Mexico and efforts to control horse populations;

(i) invasive and endangered species issues in New Mexico; and

(j) commercial hemp production; and

(3) other environmental and natural resource issues, including:

(a) reports from the EMNRD and the NMED;

(b) a presentation addressing the United States' energy future as tied to national security; and

(c) alternative energy issues in the state, including a report from the NMRETA.

During the 2012 interim, the committee proposed to focus on:

(1) water management, adjudication, research, litigation and projects, including testimony on:

(a) reports required by statute from the state engineer and the Interstate Stream Commission;

(b) Indian water rights settlements, including an update on the status of the settlements and continued need for state cost-share funding through the Indian Water Rights Settlement Fund;

(c) the status of the revised biological assessment for the middle Rio Grande and the middle Rio Grande collaborative;

(d) Arizona Water Settlements Act implementation (Gila settlement);

(e) dam safety and Watershed District Act issues;

(f) geothermal legislation implementation;

(g) the state water plan and New Mexico First water policy recommendations;

(h) adjudications status;

(i) the Joe M Stell Ombudsman Program;

(j) major litigation and appeals;

(k) the lower Rio Grande — 2008 Rio Grande Project Operating Agreement litigation;

(l) water and aquifer contamination issues in Albuquerque;

(m) the Healthy Rivers New Mexico program;

(n) domestic wells and development;

(o) the environmental water transaction program with irrigation districts;

(p) the San Agustin Basin water rights application; and

(q) New Mexico-Texas groundwater issues in Jal and the Ogallala aquifer;

(2) agriculture, forest, land use and game and fish issues, including:

- (a) forest management, fires and related issues;
  - (b) the New Mexico State University Agricultural Experiment Station and Cooperative Extension Service;
  - (c) fencing and railroads, including cattlegrowers' concerns;
  - (d) drought response issues;
  - (e) industrial hemp production;
  - (f) the New Mexico-grown produce nutrition program; and
  - (g) wildlife safety zones, pursuant to House Joint Resolution 10 (2011); and
- (3) other environmental and natural resource issues.

## **SUBCOMMITTEES AND TASK FORCES**



# Behavioral Health Services Subcommittee

2011, 2012

<i>BHSS Membership 2011</i>	<i>BHSS Membership 2012</i>
<i>Voting</i> Sen. Mary Kay Papen, Chair, Las Cruces Rep. Ray Begaye, Vice Chair, Shiprock Rep. Dennis J. Kintigh, Roswell Sen. Bernadette M. Sanchez, Albuquerque	<i>Voting</i> Rep. Ray Begaye, Chair, Shiprock Sen. Mary Kay Papen, Vice Chair, Las Cruces Rep. Dennis J. Kintigh, Roswell Sen. Nancy Rodriguez, Santa Fe
<i>Advisory</i> Sen. Sue Wilson Beffort, Sandia Park Sen. Dede Feldman, Albuquerque Rep. Antonio Lujan, Las Cruces Rep. James Roger Madalena, Pueblo of Jemez	<i>Advisory</i> Sen. Sue Wilson Beffort, Sandia Park Rep. Bill B. O'Neill, Albuquerque Sen. Gerald Ortiz y Pino, Albuquerque Rep. Mimi Stewart, Albuquerque
<i>Staff</i> Michael Hely Lisa Sullivan Rebecca Griego Abenicio Baldonado	<i>Staff</i> Shawn Mathis Kathleen Dexter Theresa Rogers

The Behavioral Health Services Subcommittee was created for the current biennium on June 29, 2011 and again on June 27, 2012.

For the 2011 interim, the subcommittee proposed to hear testimony about ongoing concerns of behavioral health care service consumers and their families; the provider community regarding the IBHPC and members of the behavioral health advocacy community; and the state's single statewide managed care contractor, OptumHealth of New Mexico. The subcommittee also proposed to receive testimony about the ongoing efforts to address serious provider payment issues and other performance concerns overseen by Alicia Smith and Associates, the "monitor" appointed pursuant to the IBHPC's contract with OptumHealth.

The subcommittee proposed to hear testimony from the IBHPC leadership regarding its issuance of a request for proposals for a new statewide behavioral health services entity.

In the First Session of the Fiftieth Legislature, House Bill 432 instructed the IBHPC to consider implementing a pilot project whereby behavioral health providers would collaborate with a risk-bearing entity with which the IBHPC would contract directly. During the pilot project, in areas of the state where it is implemented, the provider-run entity would provide services and bear risk in lieu of OptumHealth. The subcommittee proposed to hear testimony on the IBHPC's intentions and progress regarding the implementation of this pilot project.

The subcommittee also proposed to examine the serious challenges the state faces in the areas of substance abuse and youth suicide.

During the 2012 interim, the subcommittee proposed to hear testimony regarding:

(1) ongoing concerns from behavioral health care service consumers, their families and the provider community and changes to publicly financed behavioral health services provided through the proposed Medicaid "carve-in" or the IBHPC;

(2) core service agencies, a central feature of the IBHPC's plan to provide comprehensive, intensive supports to high-needs recipients; and

(3) the status of behavioral health services for foster children.

The subcommittee proposed to review:

(1) the statewide autism task force's report pursuant to House Memorial 44 (2012);

(2) programs to increase work force development for individuals living with autism spectrum disorders;

(3) discipline of autistic students in schools; and

(4) legislation to mandate autism coverage for individuals covered by public employee and retiree plans.

The subcommittee proposed to hold one hearing at the Los Lunas Substance Abuse Treatment and Training Center and tour that facility.

## Disabilities Concerns Subcommittee

2011, 2012

<i>DCS Membership 2011</i>	<i>DCS Membership 2012</i>
<i>Voting</i> Rep. Antonio Lujan, Chair, Las Cruces Sen. Nancy Rodriguez, Vice Chair, Santa Fe Sen. Rod Adair, Roswell Rep. Nora Espinoza, Roswell Sen. Mary Kay Papen, Las Cruces Rep. Danice Picraux, Albuquerque	<i>Voting</i> Sen. Rod Adair, Roswell Rep. Nora Espinoza, Roswell Rep. Antonio Lujan, Las Cruces Sen. Mary Kay Papen, Las Cruces Rep. Danice Picraux, Albuquerque Sen. Nancy Rodriguez, Santa Fe
<i>Staff</i> Michael Hely Lisa Sullivan Karen Wells Rebecca Griego Kathleen Dexter	<i>Staff</i> Michael Hely Rebecca Griego Kathleen Dexter

Laws 2010, Chapter 24 created a permanent six-member interim Disabilities Concerns Subcommittee of the Legislative Health and Human Services Committee.

During the 2011 interim, the subcommittee proposed to continue its examination of the status of the Developmental Disabilities (DD) Waiver Program. At a special meeting on June 24, 2011, the Disabilities Concerns Subcommittee proposed to hear testimony regarding the federal Department of

Health and the Human Services' submission of a new DD waiver to the federal Centers for Medicare and Medicaid Services. Members of the disabilities community raised concerns about what they claim is a lack of public input into the new waiver application. The subcommittee's examination would focus on the DD program's extensive waiting list; the system for service allocations; the quality of services delivered to individuals living with developmental disabilities; and job training and creation, including business start-ups run by individuals who are developmentally disabled.

The subcommittee proposed to review the status of long-term services provided under the Medicaid Personal Care Option entitlement program and those provided pursuant to federal Medicaid home- and community-based services waivers, including the Coordinated Long-Term Services (CoLTS) program, in light of a growing aging and disabled population and the HSD's Medicaid redesign efforts. The subcommittee also proposed to look at the potential for increasing the number of individuals served and the quality of services under federal Community First Choice Program grants pursuant to the PPACA.

The subcommittee proposed to receive testimony from the Governor's Commission on Disability on the services provided through that office and the status of funding for its programs.

During the 2012 interim, the subcommittee proposed to continue its examination of the status of programs and services for individuals living with disabilities, with a focus on the DD Waiver Program and changes to that program implemented in the previous year, especially as those changes relate to the assessment of need and the assignment of services.

The subcommittee proposed to:

- (1) continue its review of the status of long-term services in the state and employment supports for individuals living with disabilities;
- (2) receive testimony from the Governor's Commission on Disability on the services provided through that office and funding sources for its programs; and
- (3) hear testimony from the HSD and advocates regarding the HSD's decision not to pursue the Money Follows the Person Program to move individuals currently in institutional care to community settings.

The Mi Via Program, which allows recipients to self-direct care received under home- and community-based waivers, generated many complaints by recipients and their advocates. The subcommittee proposed to hear testimony on that program as well as testimony on self-direction of home- and community-based services under Centennial Care.

The subcommittee also proposed to review the role of family and community supports in providing care to individuals enrolled in Medicaid attendant-care or home- and community-based waiver services.

*NGTF Membership  
2011*

*Legislative*

Sen. William F. Burt, Alamogordo  
Rep. Roberto "Bobby" J. Gonzales, Taos  
Sen. Richard C. Martinez, Española  
Rep. James R.J. Strickler, Farmington

*Other*

Sec. Tom Clifford  
Sec. Michael Duvall  
Superintendent John Franchini  
Attorney General Gary King  
Adjutant General Kenny C. Montoya

*Staff - LCS*

John Yaeger

*Staff - DFA*

Gregory Shaffer

## **Natural Gas Emergency Investigation Task Force**

*2011*

The Natural Gas Emergency Investigation Task Force was created by Laws 2011, Chapter 2 in response to a weather incident that took place during the 2011 regular session.

Pursuant to its statutory charge, the task force proposed to:

- (1) investigate how and why New Mexico consumers lost natural gas service in early February 2011;
- (2) investigate the economic and social impacts of the loss;
- (3) investigate the adequacy of the state's and local governments' response to the emergency;
- (4) determine how to safeguard deliverability and operational efficiency in the natural gas pipeline system to prevent undue hardship on New Mexico natural gas consumers;
- (5) invite representatives of federal agencies that regulate interstate pipelines and transportation of natural gas to assist in the task force's duties;
- (6) invite a representative of the Federal Emergency Management Agency to assist in the task force's duties;
- (7) invite other experts to assist the task force as necessary;
- (8) recommend state or federal legislation necessary to address the task force's concerns;
- (9) address other matters related to the natural gas emergency that the chair of the task force would deem necessary;
- (10) determine the most practicable way that gas customers can be notified of an impending outage or service interruption; and
- (11) determine the best methods to prioritize shutdown decisions during emergencies.

## **Public School Capital Outlay Oversight Task Force**

*2011, 2012*

Created by Laws 2005, Chapter 274, Sections 10 and 11, the Public School Capital Outlay Oversight Task Force serves as the permanent entity overseeing the implementation of the work of the Public School Capital Outlay Council and the Public School Facilities Authority.

During the 2011 interim, the task force proposed to focus on:

*PSCOOTF Membership  
2011*

*Legislative*

Rep. Rick Miera, Co-Chair, Albuquerque  
Sen. Cynthia Nava, Co-Chair, Las Cruces  
Sen. Vernon D. Asbill, Carlsbad  
Rep. Donald E. Bratton, Hobbs  
Sen. Timothy Z. Jennings, Roswell  
Rep. Larry A. Larrañaga, Albuquerque  
Sen. Lynda M. Lovejoy, Crownpoint  
Rep. Ben Lujan, Santa Fe  
Rep. W. Ken Martinez, Grants  
Sen. George K. Munoz, Gallup  
Sen. Sander Rue, Albuquerque  
Rep. Henry Kiki Saavedra, Albuquerque  
Sen. John Arthur Smith, Deming

*Other*

Paul Aguilar  
Tom Clifford  
Carl Foster  
Cecilia Grimes  
Lisa Grover  
Leonard Haskie  
Robbie Heyman  
Kilino Marquez  
Lilliemae G. Ortiz  
Mike Phipps  
Judy Rabon

*Staff*

Sharon Ball  
Raúl E. Burciaga  
Leslie Porter  
Tom Pollard

*PSCOOTF Membership  
2012*

*Legislative*

Rep. Rick Miera, Co-Chair, Albuquerque  
Sen. Cynthia Nava, Co-Chair, Las Cruces  
Sen. Vernon D. Asbill, Carlsbad  
Rep. Donald E. Bratton, Hobbs  
Sen. Timothy Z. Jennings, Roswell  
Rep. Larry A. Larrañaga, Albuquerque  
Sen. Lynda M. Lovejoy, Crownpoint  
Rep. Ben Lujan, Santa Fe  
Rep. James Roger Madalena, Pueblo of Jemez  
Rep. W. Ken Martinez, Grants  
Sen. Sander Rue, Albuquerque  
Rep. Henry Kiki Saavedra, Albuquerque  
Sen. John Arthur Smith, Deming

*Other*

Paul Aguilar  
Tom Clifford  
Carl Foster  
Cecilia Grimes  
Lisa Grover  
Leonard Haskie  
Robbie Heyman  
Kilino Marquez  
Lilliemae G. Ortiz  
Mike Phipps  
Judy Rabon

*Staff*

Sharon Ball  
Raúl E. Burciaga  
Tom Pollard  
Leslie Porter  
Cassandra Jones

- (1) monitoring the progress and effectiveness of programs administered pursuant to the Public School Capital Outlay Act and the Public School Capital Improvements Act;
- (2) examining existing permanent revenue streams to ensure that they remain adequate long-term funding sources for public school capital outlay projects;
- (3) monitoring the overall progress of continuing to bring all public school facilities to the statewide adequacy standards developed pursuant to provisions in the Public School Capital Outlay Act, including an examination of the original intent of the establishment of the standards-based process and its evolution as it has been implemented;
- (4) monitoring the inclusion of the New Mexico School for the Deaf and the New Mexico School for the Blind and Visually Impaired in the standards-based process, including the unique constitutional nature of these schools and their historical nature; and
- (5) overseeing the work of the Public School Capital Outlay Council and the Public School Facilities Authority as they perform functions pursuant to the Public School Capital Outlay Act,

particularly as they continue to implement the statewide standards-based process for making grant awards.

During the 2012 interim, the task force proposed to examine:

- (1) charter school facilities, including automatic increases in the cost-of-living adjustment in lease assistance from the state; utilization of public school buildings and other public buildings to accommodate charter schools; charter schools and the use of lease-purchase agreements and defining facility needs and cost requirements prior to final approval of a charter; and sources of local share funding for state-chartered charter school standards-based projects;
- (2) fairness and appropriateness of lease agreements to address extreme variations in terms and conditions of individual leases;
- (3) facility requirements for "virtual schools";
- (4) modification and possible demolition of educational facilities with various historic designations and the relationship to adequacy standards;
- (5) best practices, development of recommendations regarding the qualifications-based procurement process and construction manager at risk statutes;
- (6) the efficacy of the public school capital outlay funding formula;
- (7) school district maintenance effectiveness and its role in school building rankings of the Facilities Condition Index and the New Mexico Condition Index; and
- (8) provisions of the Public School Capital Outlay Act and the Public School Capital Improvements Act, as necessary.

## Senate Rules Committee

2011, 2012

<i>SRC Membership 2011</i>	<i>SRC Membership 2012</i>
Sen. Linda M. Lopez, Chair, Albuquerque	Sen. Linda M. Lopez, Chair, Albuquerque
Sen. George K. Munoz, Vice Chair, Gallup	Sen. George K. Munoz, Vice Chair, Gallup
Sen. Dede Feldman, Albuquerque	Sen. Dede Feldman, Albuquerque
Sen. Stuart Ingle, Portales	Sen. Stuart Ingle, Portales
Sen. Timothy Z. Jennings, Roswell	Sen. Timothy Z. Jennings, Roswell
Sen. Gay G. Kernan, Hobbs	Sen. Gay G. Kernan, Hobbs
Sen. Michael S. Sanchez, Belen	Sen. Michael S. Sanchez, Belen
Sen. Peter Wirth, Santa Fe	Sen. Peter Wirth, Santa Fe
<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.

## **Other Committees**

Certain interim legislative committees meet only when a topic or situation arises within their purview, including the Committee on Compacts and the Interim Legislative Ethics Committee. Neither of these committees met during the current biennium.



## **APPOINTMENTS TO OTHER BODIES**



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.

## Capitol Buildings Planning Commission

*2011, 2012*

<i>CBPC Membership 2011</i>	<i>CBPC Membership 2012</i>
<p><i>Legislative</i> Sen. Stuart Ingle, Roswell Sen. Timothy Z. Jennings, Roswell Rep. Ben Lujan, Santa Fe Rep. Thomas C. Taylor, Farmington</p> <p><i>Other</i> Sec. Edwynn L. Burckle Sec. Tom Clifford Chief Justice Charles W. Daniels Sec. Alvin C. Dominguez Sec. Veronica N. Gonzales State Treasurer James B. Lewis Commissioner Ray Powell</p> <p><i>Designees</i> Elaine Olah Patrick Simpson Clarence Smith</p> <p><i>Staff — LCS</i> Roxanne Knight Tom Pollard Douglas Carver Raúl E. Burciaga Cassandra Jones</p> <p><i>Staff — PCD</i> Larry Miller LeMoyne Blackshear Chuck Gara</p>	<p><i>Legislative</i> Rep. Ben Lujan, Santa Fe Sen. Stuart Ingle, Roswell Sen. Timothy Z. Jennings, Roswell Rep. Thomas C. Taylor, Farmington</p> <p><i>Other</i> Sec. Edwynn L. Burckle Sec. Tom Clifford Sec. Alvin C. Dominguez Sec. Veronica N. Gonzales State Treasurer James B. Lewis Chief Justice Petra Jimenez Maes Commissioner Ray Powell</p> <p><i>Designees</i></p> <p><i>Staff — LCS</i> Roxanne Knight Lisa Sullivan Tom Pollard Raúl E. Burciaga Ric Gaudet Cassandra Jones</p> <p><i>Staff — PCD</i> LeMoyne Blackshear Chuck Gara</p>

The Capitol Buildings Planning Commission is an intergovernmental agency that was created in 1997 to conduct long-range facilities master plans for all state agencies in Santa Fe. Over the years, its master planning jurisdiction has been expanded to include the major metropolitan areas of New Mexico and an inventory of all state facilities for the development of a statewide master plan, pursuant to Section 15-10-1 NMSA 1978. Since its inception, the commission has developed metropolitan area master plans and endorsed legislation to study and finance the construction of state government

facilities, and it recently developed guidance materials for the review process of lease-purchase financing agreements. The commission works with the General Services Department and other state agencies in developing recommendations for addressing deferred maintenance on state facilities and disposal strategies for aging facilities no longer able to serve their mission. Using life-cycle costing, the commission works with the General Services Department in developing recommendations on whether the state should lease, lease-purchase or purchase needed additional facilities.

The commission consists of:

- (1) four members of the legislature, two from each house, appointed by the New Mexico Legislative Council;
- (2) the secretary of general services;
- (3) the state treasurer;
- (4) the secretary of transportation;
- (5) the secretary of cultural affairs;
- (6) the secretary of finance and administration;
- (7) the chair of the supreme court building commission; and
- (8) the commissioner of public lands.

The commission publishes a detailed annual report of its work that may be found on the legislature's web site at [www.nmlegis.gov](http://www.nmlegis.gov).

## Commission on Uniform State Laws

*2011, 2012*

<i>NMCUSL Membership 2011</i>	<i>NMCUSL Membership 2012</i>
<p><i>Legislative</i></p> <p>Rep. Joseph Cervantes, Las Cruces            Rep. Zachary J. Cook, Ruidoso            Sen. Cisco McSorley, Albuquerque            Sen. William H. Payne, Albuquerque</p> <p><i>Public</i></p> <p>Jack Burton, Albuquerque            Thomas P. Foy, Bayard            Philip Larragoite, Albuquerque            Raymond G. Sanchez, Albuquerque</p>	<p><i>Legislative</i></p> <p>Rep. Zachary J. Cook, Ruidoso            Rep. Antonio "Moe" Maestas, Albuquerque            Sen. Cisco McSorley, Albuquerque            Sen. William H. Payne, Albuquerque</p> <p><i>Public</i></p> <p>Jack Burton, Albuquerque            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 and the dean of the University of New Mexico School of Law are ex-officio members.

## Education Commission of the States

*2011, 2012*

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 commission, now known as the Education Commission of the States, 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".

*ECS Membership  
2011*

*Legislative*

Sen. Cynthia Nava, Las Cruces

Rep. Sheryl Williams Stapleton, Albuquerque

*ECS Membership  
2012*

*Legislative*

Sen. Cynthia Nava, Las Cruces

Rep. Sheryl Williams Stapleton, Albuquerque



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; research and preparation of information memoranda; preparation of other memoranda, including policy analyses and arguments for and against specified legislation; bill indexing; production of publications on legislative actions; daily bill location and cumulative action; reference and spot research; library services, including maintenance of the legislative research library; bookkeeping and accounting for the legislature, including the permanent house and senate chief clerks' offices and the leadership staff; staffing, research and drafting for interim committees; certain joint housekeeping functions for the house and senate; preparation of major research studies; printing services; and information technology and support.

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.

The LCS is effectively the drafting agency for the state. In addition to work drafted at the request of individual legislators, the LCS assists the permanent legislative committees and the executive and 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 New Mexico 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, particularly in bill drafting and in the compiling of data and memoranda.

The LCS is headed by a director who is hired by and responsible to the New Mexico Legislative Council. The staff of the LCS comprises such 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, and they refrain from participating in partisan politics.

The law 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 service operators during each session. The LCS may also contract with experts to provide drafting services during the session.

### ***Staff — as of June 30, 2012***

<u>Name</u>	<u>Position</u>
Zelda Abeita	Receptionist
Jeffrey Anaya	Print Service Manager
Claudia Armijo	Staff Attorney I
Sharon Ball	Researcher III
Jon A. Boller	Staff Attorney III
Raúl E. Burciaga	Director
Laurie Canepa	Librarian
Douglas Carver	Staff Attorney I
Blanca DeLira	Financial Assistant I
Kathleen Dexter	Researcher II
Doris Faust	Assistant Director/Drafting
Jeret L. Fleetwood	Locator Coordinator and Committee Staff
Krystin Fresquez	Word Processor II

Felipe Gabaldon	Print Service Operator I
Diann Garcia	Receptionist
Robert Garcia	Financial Assistant I
Frederic Gaudet	Researcher I
Renée Gregorio	Researcher II
Rebecca Griego	Records Officer
Mark Guillen	LIS Manager
Michael Hely	Staff Attorney II
Paige Houlton	Financial Assistant I
Pamela L. Jensen	Editor
Cassandra Jones	Research Assistant I
Peter Kovnat	Staff Attorney I
Maha Khoury	Staff Attorney II
Tracey R. Kimball	Senior Legislative Librarian
Roxanna Knight	Researcher III
Robert W. Lange	Proofreader I
Damian Lara	Staff Attorney II
Cristina M. Martinez	Word Processor I
Fernando Martinez	Print Service Operator II
Shawn Mathis	Staff Attorney I
Carrie McGovern	Proofreader II
Gordon Meeks, Jr.	Bill Drafter II
Seth Morris	Computer Specialist I
Kathy Pacheco-Dofflemeyer	Assistant Director/Administration
Tom Pollard	Research and Fiscal Policy Analyst
Leslie Porter	Research Assistant II
J. Pamela Ray	Staff Attorney III
Francis Rivera	IT Specialist/Network Administrator
Anita A. Rodriguez	Word Processing Supervisor
Anesa Serna-Espinosa	Financial Assistant II
Elizabeth Shaw	Research Assistant I
Tamar Stieber	Proofreader I
Pam Stokes	Staff Attorney I
Lisa Sullivan	Staff Attorney I
Patric Worth	IT Specialist/Network Administrator
John Yaeger	Assistant Director/Legislative Affairs

***Staff Changes — July 1, 2010 through June 30, 2012***

***Additions***

- In 2010* Alise Rudio was hired as a staff attorney I on July 12, 2010.  
Pam Stokes was hired as a staff attorney I on July 12, 2010.
- In 2011* Claudia Armijo returned to the LCS as a staff attorney I on September 17, 2011.  
Laurie Canepa was hired as a librarian on September 5, 2011.  
Douglas Carver was hired as a staff attorney I on June 6, 2011.  
Felipe Gabaldon was hired as a print service operator I on August 22, 2011.  
Shawn Mathis was hired as a staff attorney I on December 12, 2011.  
Lisa Sullivan was hired as a staff attorney I on June 6, 2011.
- In 2012* Paige Houlton was hired as a financial assistant I on June 12, 2012.  
Cassandra Jones was hired as a research assistant I on June 4, 2012.  
Seth Morris was hired as a computer specialist I on April 30, 2012.  
Elizabeth Shaw was hired as a research assistant I on April 9, 2012.

***Promotions and Lateral Transfers***

- In 2010* Doris Faust was promoted to assistant director for drafting services on October 2, 2010.
- In 2011* Zelda Abeita transferred from library assistant to receptionist on September 3, 2011.  
Jeff Anaya was promoted to print service manager on April 2, 2011.  
Krystin Fresquez was promoted to word processor II on April 2, 2011.  
Michael Hely was promoted to staff attorney II on April 2, 2011.  
Pamela Jensen was promoted to editor on April 2, 2011.  
Damian Lara was promoted to staff attorney II on April 2, 2011.  
Fernando Martinez was promoted to print service operator II on April 2, 2011.  
Carrie McGovern was promoted to proofreader II on April 2, 2011.  
Leslie Porter was promoted to research assistant II on April 2, 2011.  
Anesa Serna-Espinosa was promoted to financial assistant II on April 2, 2011.

***Resignations and Retirements***

- In 2010* Jonelle Maison retired from her position as a senior bill drafter on December 31, 2010.  
Sandra Mitchell resigned her position as a staff attorney I on November 2, 2010.
- In 2011* Kim Bannerman resigned from her position as a staff attorney I and transferred to the Interstate Stream Commission on September 3, 2011.  
Robert Rodriguez retired from his position as office administrator in the Print Shop on June 30, 2011.  
Alise Rudio resigned from her position as a staff attorney I and transferred to the Office of the State Engineer on October 28, 2011.  
Brad Schroeder resigned from his position as a system analyst on October 15, 2011.  
Andrea Shapiro resigned from her position as a proofreader I on November 11, 2011.  
Karen Wells retired from her position as a researcher I on June 30, 2011.

### *Special Notes*

Jonelle Maison — bill drafter *extraordinaire*, author of massive and complicated bills and stalwart defender of the state's constitution — retired from the LCS in December 2010. After starting her career with the legislature as a temporary proofreader, Jonelle learned the intricacies of New Mexico law in the Roundhouse trenches and eventually became a senior bill drafter. Her lack of a law school imprimatur never got in her way as she trained, critiqued, mentored, outlasted and out-drafted dozens of staff attorneys who passed through the LCS during her tenure. Jonelle's specialty became the dreaded big bills, whether they were reorganizing state government, performing major surgery on the Public School Code or merging the Public Utility Commission with the Corporation Commission. She also became known for her willingness to go to the mat over constitutional issues, especially those concerning the state's anti-donation clause. Jonelle's fierce dedication to the legislature and to the career that she claims she just "fell into" will be missed at the LCS, as will her laughter, gusto and all-around flair.

Robert Rodriguez, long-time honcho in the Print Shop, retired in 2011 after more than a quarter century with the LCS. Over the years, Robert's can-do attitude, calm demeanor and judicious application of his own Robert's Rules of Order behind the scenes earned him the respect of all who knew and worked with him in the Roundhouse. At the time of his retirement, he was one of very few LCS employees who could remember the council service in the days of typewriters and mimeograph machines and who worked under the late Clay Buchanan. Robert's LCS colleagues knew him as a problem-solving, straight-shooting man of his word, with the exception of his fish tales, and his retirement means that his fishing trips will finally take their rightful place at the top of his scheduling priorities.

### *Activities*

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

With the length of sessions set by the state constitution, the continuing use of the techniques developed over the years permits drafters to fulfill legislative requests expeditiously. The *Legislative 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 process developed and followed in detail for each request. When a bill 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 that includes, in addition to the above information, the name of the drafter assigned to the project. When a drafter has completed a given assignment, the file is sent to the Proofreading Department for an initial proofing and review of format, style and correct citations in bills. From there, the file is sent to the Word Processing Department, where the contents are entered into the LCS word processing system and printed in the

form and style specified in the drafting manual.

After the bill is in its final form and has been thoroughly second-proofed with all corrections made, it is transmitted to a bill clerk for duplicating, and the required number of copies are assembled and sent to the delivery drawer. Upon delivery, 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, internally and confidentially, 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, the LCS capital outlay staff drafts project descriptions for introduction on the floor of the house and senate; following the midpoint bill introduction deadline, the capital outlay staff drafts the capital outlay, reauthorization and, in certain years, general obligation bond bills based on final funding decisions. When deemed necessary by the legislature, the capital outlay staff also drafts bills to void appropriations from prior years and to change funding sources for ongoing projects. 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 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 for separate files to be opened. The LCS staff produces non-campaign-related 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 handling more than 7,500 information requests during the current biennium that required enough staff time to warrant a separate file, the LCS also received more than 13,000 additional information requests by telephone, email and in-person contact. The legislature's web site, which now handles a great number of information requests that were once handled by staff, received well over five million hits during the same period. 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. The library staff responds to requests from legislators and legislative staff members, governmental agencies and a wide array of members of the public in and outside of New Mexico.

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

The library staff prepares several LCS publications; collects and distributes studies and reports on issues affecting New Mexico; and serves 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 and available from the LCS include the following.

*Beyond the Roundhouse: A Summary of Interim Legislative Committee Work*  
*Biennial Report of the Legislative Council and Legislative Council Service 2008-2010*

*Constitutional Amendments Proposed by the Legislature in 2011 and 2012 — Brief  
Analysis and Arguments For and Against*

*Directory of Permanent Legislative Staff*

*Document Style Book, Legislative*

*Economic Summary, New Mexico*

— a quarterly review of economic trends and conditions in New Mexico and  
the nation

*Ethics Guide, Legislative*

*Highlights*

▶ *of the Fiftieth Legislature, First Session, 2011*

▶ *of the Fiftieth Legislature, First Special Session, 2011*

▶ *of the Fiftieth Legislature, Second Session, 2012*

— 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

Information Bulletins:

▶ *Beyond Science: Lab Analysts as Witnesses in DWI Trials*

▶ *Constitutionality of Campaign Finance Laws*

▶ *The Federal Real ID Act of 2005: Implications for New Mexico Driver's Licenses*

▶ *Unauthorized Immigration*

*Inventory of Statutory Executive Boards and Commissions*

*Legislative Council Service — Who We Are, What We Do*

*Legislative Information System Three-Year Strategic Plan*

*Legisletter*

— a biweekly calendar of interim committee meetings, locations and agenda items

*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, 1911-2010*

*Proofing Manual, Legislative*

Reports of special studies conducted under the direction of the legislature

*Style Manual, Legislative*

The LCS also prepares the following print and electronic reference publications during or shortly following each session.

*Bill Locator*

▶ *Daily*

▶ *Semifinal*

▶ *Final*

— a cumulative record of all action on bills, memorials and resolutions, current through the previous day (during session) or through the governor's final action

*Bill Sponsorship List*

— a record of all legislation introduced by each member of the legislature (reference copy only)

*Capital Outlay Projects*

— lists of all capital outlay projects included for funding in the final capital outlay bill, by county and by agency

*Capital Outlay Requests*

— lists of all capital outlay requests sponsored and introduced during the session, by county and by agency

*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*

▶ *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*

*Index to Bills, Memorials, Resolutions and Substitutes*

- ▶ *Fiftieth Legislature, First Session, 2011*
- ▶ *Fiftieth Legislature, First Special Session, 2011*
- ▶ *Fiftieth Legislature, Second Session, 2012*

— a multilevel, cross-referenced index of all introduced legislation, including proposed tables of changes to the NMSA 1978 and enacted changes to names of entities, funds, acts and other statutory terms

*Journal of the House and Journal of the Senate*

— records of the proceedings of the house and senate prepared by each chamber and formatted for publication by the LCS

*Legislative Handbook*

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

*Subject Index to Bills, Memorials and Resolutions*

- ▶ *Weekly*
- ▶ *Semifinal*
- ▶ *Final*

— a multi-level cross-referenced index of all subjects covered by introduced bills, memorials and resolutions

*Table of Changes*

- ▶ *Proposed* (weekly)
- ▶ *Final*

— a list of all substantive sections of law being amended, repealed, compiled or recompiled by bill (proposed) or chapter (final)

### *Voting Record*

— roll call votes on final passage in the house and senate

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

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

Supporting and developing projects in the legislative information system (LIS) is an ongoing function of the IT staff at the LCS. With continual user support and system maintenance, the IT staff has been able to enhance both the network infrastructure and quality of service. Major IT projects during the 2010-2012 biennium include the following.

A. Wireless access. During 2010, the demand for wireless internet access grew significantly, and additional access points were added to accommodate the wireless user community, whether the public, legislators or staff. The number of electronic devices being used in the State Capitol greatly increased, with users bringing their own devices to access the LIS in various ways. A number of public access laptops with wireless systems are still being used on the third floor of the State Capitol to provide guest users the ability to conduct research or look at their personal email.

B. Network infrastructure. Major improvements made to the network infrastructure include the installation of new switches and routers that provide higher data throughput and improve the manageability, reliability and efficiency of the entire system. A new core switch was installed and configured to support a 10-gigabyte network in the data center. Network fiber is scheduled to be upgraded in the fall of 2012 to support the rest of the network through intermediate distribution frames on other floors in the building.

C. Legislative web site. Enhancing the legislature's web site has been an ongoing project, with constant data updates and the addition of features to make a more user-friendly environment for the public and internal users. A keyword search engine was added to assist users with narrowing information searches and efficiently accessing data. Twitter is still being used as the primary notification tool for legislative web site users, along with audio webcasting of interim committee meetings held at the State Capitol. Throughout the redistricting process and special session, redistricting maps and general information were included on the web site, allowing users to access information about their districts and legislators.

D. Servers. Servers are constantly being upgraded with increased disk storage and memory to keep up with the high demand for data and processes. The life cycle for all servers in the system is four to five years, and nearly half of the servers were due for replacement with more efficient and reliable equipment during this biennium. Most of the servers in the system are clustered, providing a redundancy that is essential to maintaining uptime throughout the network and providing high

availability and scalability of services 24 hours a day, seven days a week. Virtualization is still being used; the LIS staff has reduced the number of physical servers from 16 to four, with the option to virtualize even further. The storage area network, where all data reside, has increased in data capacity from four terabytes to six terabytes to accommodate the growth in network traffic.

E. Backup system. The network backup system was designed and implemented to keep the legislature's daily operations running efficiently and to ensure quick data recovery and management. All data from all servers are backed up nightly to disk and, from there, backed up to the cloud to a data center located off site in a separate power grid and location — a reliable process that ensures data integrity. A new backup system that was implemented eliminates the need to keep expensive backup tapes and restore procedures. This has improved reliability and given the end user the option to recover files using shadow copies that are kept locally on disk.

F. Internet connection. The internet connection system was initially constructed of two separate T-1 frame relay connections, a system that was designed to provide redundancy to support the business needs of the legislature, employees and other users. With the increasing demand for bandwidth, the internet connection was upgraded to a DS3 connection and has reached its capacity; a metro ethernet connection will be implemented in the fall of 2012 to accommodate the user community, both public and private.

G. Webcasting. In 2008, video and audio webcasting hardware was introduced, installed and configured to produce a live internet webcasting feed to network users during legislative sessions. Video webcasting of the house and senate floor sessions were added to the web site, along with audio webcasting of house standing committee hearings. Webcasting has become increasingly popular, prompting improvements to the system in both the house and the senate. A number of encoder revisions were configured to accommodate the growing webcast audience, and enhancements were made to the webcasting itself. Each committee meeting webcast now includes an agenda and photos of legislators who serve on that committee.

H. Network system. Approximately one-third of the network system devices will soon be due for replacement with more secure and redundant ones. All anti-spam devices were replaced during the biennium with more efficient and robust devices, establishing a more secure communication between the internal network and external users. An improved content filtering system is being set up to effectively eliminate system vulnerabilities, considering the amount of traffic on the network and the malware that exists from various web sites. A monitoring system has been implemented to address downtime issues with network devices and to provide alerts about potential problems.

I. Software. Most software applications used by legislators and legislative staff members were upgraded to the most current versions. In addition, client system updates and patches were installed, and the anti-virus/anti-spyware program will be replaced in the coming fiscal year to achieve greater manageability and security.

J. Security. With security concerns in mind, a third-party entity conducted a network

assessment that provided the IT staff with information on potential vulnerabilities and ways to secure the internal network infrastructure. Since then, an intrusion detection system and other security measures were added to the legislature's security plan. The LIS has been more actively involved with network traffic and logs to assist with any potential intrusions from the outside.

In addition to these projects and others that are included in the 2010-2012 strategic plan, support and service continue to be top priorities, and these are provided by a combination of in-house staff, local vendors and consultants.

### ***Legislative Printing Services***

Most legislative branch publications are produced by Legislative Printing Services, a complete printing and binding facility in the LCS that is responsible for a variety of duties, including large, professional duplicating jobs, printing services for all of the legislative agencies, logistical support for committees and, during special sessions, printing of all bills, memorials and resolutions. During regular sessions, Legislative Printing Services operates in shifts and brings in temporary employees to assist its three permanent staff members.

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

During regular sessions, the Bill Room complex is maintained by the LCS staff. Here, introduced bills are received in quantity from the State Printing Office or Legislative Printing Services and are distributed as rapidly as possible upon written request to:

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

The Bill Room also serves as one of the nerve centers of communication 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 members. *Bill Locators*, daily calendars and other informational materials are all available here. The legislative switchboard and message center, located near the Bill Room complex, is staffed by highly qualified operators. Even during the haste and urgency of the next-to-last legislative day, the LCS, together with the Bill Room complex, keeps materials, information and messages flowing smoothly.

BUILDINGS AND GROUNDS,  
CAPITOL ART FOUNDATION  
AND  
TOURIST INFORMATION SERVICES



## **Buildings and Grounds**

By law, the care, custody and maintenance of the State Capitol, Capitol North annex and surrounding grounds are vested in the New Mexico Legislative Council. The director of the LCS is responsible for all matters pertaining to these buildings and grounds and is also, by policy, responsible for the care, custody, control and maintenance of the recently constructed State Capitol parking facility.

Under the supervision of the building superintendent, crews of custodians, electricians, plumbers, mechanics, carpenters and painters perform 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.

Landscaping improvements have 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 areas.

The New Mexico Legislative Council is responsible for the security at the State Capitol, including limited access to parking facilities, permit parking and a security force under the LCS that is enhanced during each legislative session.

### ***Capitol North***

Legislative Building Services continues to be responsible for the maintenance and custodial work at the Capitol North annex, the first three-branch building in the state. It provides offices for the LESC, LFC, secretary of state and 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 New Mexico 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 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 State Capitol. The foundation, which is composed of art professionals from around the state, is committed to public education programs that address the needs of a diverse audience, and it seeks to promote goodwill and understanding through its programs.

Beginning in 1993, the foundation developed and continues to update and implement a five-year plan that addresses all aspects of the foundation's large mission and day-to-day operation and keeps the interests of visitors foremost at all times.

The capitol art collection was established with the purchase of 14 works of art and 17 art furniture groupings, using funds set aside during renovation of the State Capitol for the purchase of art pursuant to the Art in Public Places Act. Subsequent acquisitions of art for the collection have been purchased with proceeds from fundraising activities and charitable donations to the foundation. Funds are needed for framing, 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 State 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 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 many thousands of people who visit the State 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 foundation's board of directors and on its various committees. Several projects and programs have been jointly developed by the foundation and other arts organizations. The foundation, with its unique and highly visible mission, and the capitol art collection have become welcome additions to New Mexico's arts community.

## **Tourist Information Services**

Tens of thousands of visitors tour the State Capitol each year to see the capitol art collection, the building's unique architecture and the expansive and diverse landscaping. Tourist information services, which are an important part of the duties of the LCS, are provided by full-time and part-time employees 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 State Capitol. The tour is the first view of state government in action for the

majority of these students. Others who tour the State Capitol come from throughout the United States and the world, including numerous visitors from Canada, Germany, France, China and Russia. Specialty tours are conducted for visiting foreign dignitaries, and publications about the State Capitol are available in both English and Spanish. 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, 2011

Appropriations	\$5,404,600
Expenditures:	
personal services	3,895,144
contractual services	186,797
other costs	770,389
 Total Expenditures	 4,852,330
Reversion to General Fund	<u>\$552,270</u>

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

Year Ending June 30, 2012

Appropriations	\$5,368,200
Expenditures:	
personal services	3,757,962
contractual services	144,802
other costs	836,363
Total Expenditures	4,739,127
Reversion to General Fund	<u>\$629,073</u>