

MILITARY AND VETERANS' AFFAIRS COMMITTEE

2010
INTERIM
FINAL REPORT



New Mexico Legislature
Legislative Council Service
411 State Capitol
Santa Fe, New Mexico 87501

MILITARY AND VETERANS' AFFAIRS COMMITTEE
2010 INTERIM FINAL REPORT
TABLE OF CONTENTS

2010 Interim Summary

2010 Work Plan and Meeting Schedule

Agendas

Minutes

Endorsed Legislation

2010 INTERIM SUMMARY

MILITARY AND VETERANS' AFFAIRS COMMITTEE
2010 INTERIM SUMMARY

The Military and Veterans' Affairs Committee (MVAC) was originally created by statute for the 2009 interim and then permanently reauthorized during the Forty-Ninth Legislature, Second Session. Pursuant to Section 2-20-2 NMSA 1978, the MVAC holds hearings relating to military issues and veterans' issues and creates an annual report, with recommendations for any necessary legislation, by December 15 prior to each session of the legislature. The MVAC is also tasked with making legislative recommendations to Congress and regulatory recommendations to the United States Department of Veterans Affairs and the United States Department of Defense (DOD).

In fulfillment of its statutory duties, the MVAC held four meetings during the 2010 interim. At its initial meeting, the MVAC developed a work plan, to be approved by the New Mexico Legislative Council, that identified numerous military and veterans' issues of concern. The work plan identifies the specific topics explored and discussed during the 2010 interim. During its organizational meeting, the MVAC reviewed past legislation and heard testimony from John M. Garcia, secretary of veterans' services; Kenny C. Montoya, adjutant general of the Department of Military Affairs; and General Hanson Scott, director of the Office of Military Base Planning and Support. Each agency presented its legislative priorities. The MVAC took into consideration the requests of these agencies as it scheduled testimony and presenters for the coming interim. Additionally, Raúl E. Burciaga, director, Legislative Council Service (LCS), informed the committee that the New Mexico Legislative Council directed all interim committees to hold their meetings in Santa Fe, unless a meeting outside the capital city could be specifically justified. In addition to voting to submit the work plan for approval by the New Mexico Legislative Council, the committee voted to write a letter to the superintendents of the school districts requesting that they assist the "Call for Photos" effort by providing photographs of identified deceased Vietnam veterans. The committee also voted to write a letter to Dr. Viola E. Florez, secretary of higher education, to request that the Higher Education Department (HED) address the resolution expressed in House Joint Memorial 1, which proposed a study of uniform military credit at New Mexico colleges.

At its second meeting, the MVAC heard testimony regarding House Joint Memorial 1 and other educational issues facing active military personnel and veterans. Dr. Florez and Brendan Trujillo, director, State Approving Agency (SAA), HED, discussed the need to standardize the evaluation and transfer of credits earned by military veterans in their pursuit of an undergraduate or graduate degree, including experience or training gained while enlisted. The HED has created an "articulation committee", which is responsible for defining general education courses. The committee recognized the challenges the HED faces in standardizing the evaluation and transfer of credits earned by military veterans, and it will continue to work with the HED to resolve the issue. Dr. Sheila Hyde, deputy secretary, and Rod Ventura, deputy general counsel, Public Education Department, summarized the current and expected actions necessary to implement the Interstate Compact on Educational Opportunity for Military Children, of which New Mexico is a signatory. Molly Hayes, flight chief, Airmen and Family Services, summarized the role of Kirtland Air Force Base's School Liaison Office and benefits expected from the enactment and implementation of the Interstate Compact on Educational Opportunity for Military Children.

The following day, the MVAC heard from George Marnell, director of the federal Veterans Administration (VA) health care system; Dr. Virginia Porterfield, co-director for behavioral health care and chief of psychiatry; and Loren Pierce, Veterans Service Center manager, Albuquerque Regional Office, Veterans Benefits Administration, U.S. Department of Veterans Affairs, regarding the existing services and barriers to treat veterans with posttraumatic stress disorder (PTSD) or traumatic brain injury. Committee members were pleased to hear that all veterans now can get help within 30 days, and if immediate help is needed, a veteran will be seen immediately. Harrison Kinney, executive manager, and Hoyt Roberson, clinical supervisor, Presbyterian Medical Services Behavioral Health Services Division, provided a status update on the recently created "jail diversion program", whose mission is to provide behavioral health and substance abuse treatment alternatives for New Mexico veterans in contact with the legal and judicial systems. The committee has been working on this issue since 2009, when it was raised in Senate Memorial 74. Committee members were pleased that implementation was taking place, even if only as a pilot project.

The committee also addressed the leaked jet fuel from Kirtland Air Force Base into Albuquerque's ground water. James P. Bearzi, chief of the Hazardous Waste Bureau, Department of Environment, discussed the spread of the plume. Colonel Matthew Bartlett, commander, Mission Support Group, gave an overview of Kirtland Air Force Base operations and Kirtland's contribution to New Mexico and to the Albuquerque community. Colonel Bartlett assured the committee that the DOD and Kirtland Air Force Base would take necessary action to contain and clean up the jet fuel.

The MVAC continued to address the concerns of veterans and military installations during its third meeting. Alan Martinez, deputy secretary of veterans' services, and Lloyd Calderon, director of the Veterans' Business Resource Center (VBRC) of the Department of Veterans' Services, described New Mexico as "nonfriendly" to veterans' efforts to establish businesses in New Mexico. The committee received various legislative recommendations to promote veteran-owned businesses. Additionally, Dale M. Vande Hey, south central region state liaison, DOD, provided testimony on the two legislative priorities for the DOD: first, on a service member's ability to authorize a person of the member's choosing to direct disposition after death; and second, an enactment of model legislation to maintain the status quo in child custody while a service member is deployed. Dan Hicks, chief of staff, White Sands Missile Range (WSMR), and Colonel David Sullivan, 49th Wing vice commander, discussed the concerns of their respective military installations. Of particular concern for the committee was the impact of placing SunZia transmission lines alongside or within testing areas of WSMR. The committee voted without objection to write a letter to the legislative leadership expressing the need to balance the growing alternative energy industry in New Mexico with the existing needs of the military facilities in New Mexico.

At its final meeting of the 2009 interim, the MVAC heard reports that were requested in various memorials, and it considered legislation. In addition to the recommendations made to federal agencies during the 2010 interim, the MVAC endorsed various bills for the upcoming legislative session. The bills endorsed by the MVAC are as follows:

- Service Member Child Custody Act — 202.182922.3;
- Kenneth Ellis III Act — 202.182806.1SA;
- Removing of service members killed or missing in action from jury pool — 202.183109.1;
- Giving school enrollment priority for children of deployed service members — 202.183184.1;
- Designating a person to arrange disposition of remains of a service member — 202.182691.1;
- Providing an additional 3% preference for veteran-owned businesses — 202.183093.2;
- A memorial to study the use of Fort Bayard as a PTSD treatment center — 202.183233.2;
- Providing a deduction from gross receipts of veteran-owned businesses — 202.183095.1SA;
- Creating a veterans' enterprise fund — 202.182827.2SA; and
- Creating a veteran employment tax credit — 202.183094.1SA.

2010 WORKPLAN AND MEETING SCHEDULE

**2010 APPROVED
WORK PLAN AND MEETING SCHEDULE
for the
MILITARY AND VETERANS' AFFAIRS COMMITTEE**

Members

Sen. David Ulibarri, Co-Chair
Rep. Thomas A. Garcia, Co-Chair
Rep. Elias Barela
Rep. Nathan P. Cote

Sen. Eric G. Griego
Rep. Dianne Miller Hamilton
Sen. John Pinto
Sen. William E. Sharer

Advisory Members

Sen. Rod Adair
Rep. Eliseo Lee Alcon
Rep. Thomas A. Anderson
Sen. Dianna J. Duran
Sen. Mary Jane M. Garcia
Rep. Karen E. Giannini

Sen. Richard C. Martinez
Rep. Rodolpho "Rudy" S. Martinez
Rep. Kathy A. McCoy
Sen. William H. Payne
Rep. Edward C. Sandoval

Work Plan

The Military and Veterans' Affairs Committee was first created by statute for the 2009 interim only. During the 2010 regular session, the committee was permanently reauthorized by statute. The committee was given various statutory duties. The committee shall make a report and recommend any necessary legislation to the next session of the legislature and make legislative recommendations to Congress and regulatory recommendations to the United States Department of Veterans Affairs and the United States Department of Defense. The committee is required to conduct meetings in several geographically dispersed areas of the state and conduct hearings relating to military issues and veterans' issues. This year, however, the committee will limit travel to Albuquerque in order to reduce costs for legislative staff and executive agency personnel.

The committee will also assist the Government Restructuring Task Force by studying the current resources of the Veterans' Services Department, the Department of Military Affairs and the Office of Military Base Support and Planning, those agencies' programs, services, funding and policies and the public needs served by those agencies. The committee will coordinate, as needed, with other committees regarding presentations of subject matter of common concern.

During the 2010 interim, the Military and Veterans' Affairs Committee proposes to explore and discuss the topics in each major issue area affecting veterans and servicemembers here as follows:

A. Education:

1. the benefits and feasibility of establishing uniform standards for accepting military credit and articulation among all colleges and universities in New Mexico pursuant to

House Joint Memorial 1;

2. educational opportunities for veterans and their families, including college scholarships for veterans;

3. educational opportunities for servicemembers and their families, including secondary school priority for military children and performance evaluations for K-12; and

4. the implementation of HB 24, the Interstate Compact on Educational Opportunity for Military Children.

B. Health:

1. health care delivery systems for military personnel, veterans and those in transition to include expansion of emergency room treatment to primary care treatment and continued treatment for posttraumatic stress disorder and traumatic brain injury;

2. long-term care for aging veterans, including aid and attendance special pension benefits for long-term care expenses;

3. integration of homeless veterans back into stable homes, including special accommodations for female veterans;

4. establishment of a holistic wellness center;

5. establishment of a clinic for female veterans;

6. implementation of the federal Caregivers and Veterans Omnibus Health Services Act of 2010; and

7. the veterans home in Truth or Consequences.

C. Courts and Justice:

1. procedures and guidelines for servicemembers in child custody proceedings;

2. procedures and guidelines for veterans in the judicial system; and

3. pretrial diversion programs for veterans and servicemembers suffering from posttraumatic stress disorder and traumatic brain injury.

D. Military Base Operations and Missions:

1. family support centers and other support for military families and communities;

2. ensuring adequate resources for military women for programs such as sexual assault prevention and response;

3. establishing missions and operations in New Mexico, such as cyber-defense command and endurance category unmanned aerial vehicles, to support foreign conflicts; and

4. the effects of base operations at the state level.

E. Commemoration of Veterans:

1. re-establishment of the Veterans' National Cemetery Fund;

2. funding eligibility from the Veterans' National Cemetery Fund for Fort Bayard National Cemetery and Santa Fe National Cemetery pursuant to House Joint Memorial 10; and

3. the role of veterans organizations, including applications of liquor fees.

F. Economic Development:

1. veterans business and entrepreneur programs; and

2. establishment of new revenue sources, such as an enterprise fund.

G. New Mexico National Guard:

1. 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

2. deployment and mission of the New Mexico National Guard at the state and federal levels.

**Military and Veterans' Affairs Committee
2010 Approved Meeting Schedule**

Dates	Location
June 10, 2010	Santa Fe
July 20, 2010	Albuquerque
July 21, 2010	Rio Rancho
September 10, 2010	Santa Fe
November 12, 2010	Santa Fe

AGENDAS

Revised: June 2, 2010

**TENTATIVE AGENDA
for the
FIRST MEETING
of the
MILITARY AND VETERANS' AFFAIRS COMMITTEE**

**June 10, 2010
Room 322, State Capitol**

Thursday, June 10

- 9:00 a.m. **Call to Order**
- 9:15 a.m. **2010 Legislation — Summary**
—Damian R. Lara, Staff Attorney, LCS
- 10:00 a.m. **Government Restructuring Task Force — Update and Request**
—Paula Tackett, Director, Legislative Council Service (LCS)
—Raúl E. Burciaga, Director-Designate, LCS
- 10:30 a.m. **Veterans' Services Department — Priorities and Initiatives**
—John M. Garcia, Secretary, Veterans' Services Department
- 12:00 noon **Lunch**
- 1:00 p.m. **Department of Military Affairs — Priorities and Initiatives**
—Kenny C. Montoya, Adjutant General, Department of Military Affairs
- 2:00 p.m. **Discussion of Focus Areas and Work Plan**
—Damian R. Lara and Karen Wells, LCS Staff
- 3:30 p.m. **Adjourn**

Revised: July 19, 2010

**TENTATIVE AGENDA
for the
SECOND MEETING
of the
MILITARY AND VETERANS' AFFAIRS COMMITTEE**

**July 20-21, 2010
Student Services Center, Room 260
University of New Mexico, Albuquerque
City Hall, Rio Rancho**

Tuesday, July 20 — Student Services Center, Room 260, University of New Mexico (UNM)

- 10:00 a.m. **Call to Order**
- 10:05 a.m. **Welcome**
—David W. Harris, Executive Vice President for Administration, UNM
- 10:15 a.m. **UNM Reserve Officer Training Corps (ROTC) Programs and Overview**
—Capt. Ronald W. Kennedy, Naval ROTC
—Lt. Col. Raul V. Garcia, Air Force ROTC, UNM
—1st Lt. Michael A. McGahie, Army ROTC
—Renee Delgado, Professional Intern, Division of Student Affairs, UNM
- 11:00 a.m. **Higher Education**
—Dr. Viola Florez, Secretary of Higher Education
- 12:00 noon **Lunch**
- 1:00 p.m. **University Educational Resources**
—Elise Wheeler, Director of the Veterans Resources Center, UNM
—Roberta L. Derlin, Associate Vice President for Student Success and Associate Dean, New Mexico State University (NMSU)
—Laura Grant, Student and Veteran Affairs Coordinator, Office of Veterans Programs, NMSU
- 2:30 p.m. **Interstate Compact on Educational Opportunity for Military Children**
—Dr. Sheila Hyde, Deputy Secretary, Public Education Department
—Rod Ventura, Deputy General Counsel, Public Education Department
- 3:30 p.m. **School and Family Support at Kirtland Air Force Base**

—Molly Hayes, Flight Chief, Airmen and Family Services

4:30 p.m. **Recess**

Wednesday, July 21 — City Hall, Rio Rancho

9:00 a.m. **Call to Order**

9:05 a.m. **Welcome**

—James C. Jimenez, City Manager, Rio Rancho

9:15 a.m. **Posttraumatic Stress Disorder and Traumatic Brain Injury**

—George Marnell, Director of the VA Health Care System

—Loren Pierce, Veterans Service Center Manager, Albuquerque Regional
Office, Veterans Benefits Administration, U.S. Department of
Veterans Affairs

10:00 a.m. **Veterans First Jail Diversion Grant**

—Harrison Kinney, Executive Manager of Behavioral Health Services
Division, Human Services Department

11:00 a.m. **State Response to Jet Fuel Leak**

—James P. Bearzi, Chief of the Hazardous Waste Bureau, Department of
Environment

12:00 noon **Lunch**

1:00 p.m. **Kirtland Air Force Base — Update and Status**

—Col. Matthew Bartlett, Commander, Mission Support Group

2:00 p.m. **Office of Military Base Planning and Support**

—Hanson Scott, Brig. Gen. USAF (Ret.), Director

3:00 p.m. **Adjourn**

Revised: September 8, 2010

**TENTATIVE AGENDA
for the
THIRD MEETING
of the
MILITARY AND VETERANS' AFFAIRS COMMITTEE**

**September 10, 2010
Room 322, State Capitol**

Friday, September 10

- 9:00 a.m. **Call to Order**
- 9:05 a.m. **Veterans' Business Resources Center (VBRC)**
—John M. Garcia, Secretary, Veterans' Services Department
—Lloyd Calderon, Director, VBRC, Veterans' Services Department
- 9:45 a.m. **Operation Fort Bayard Committee**
—Kathryn Brown, Operation Fort Bayard Committee
—John M. Garcia, Secretary, Veterans' Services Department
—Bill Taylor, Director, Property Control Division, General Services Department
- 10:15 a.m. **Returning Veterans Film Employment Program (ReV-FEP)**
—John C. Muir III, M.Ed., President, ReV-FEP
—Bill McCamey, Vice President, ReV-FEP; Film Liaison, City of Las Cruces
—Charles Tyler III, Political Affairs Director, ReV-FEP
- 10:45 a.m. **Authorization to Direct Disposition**
—Dale M. Vande Hey, South-Central Region State Liaison, U.S. Department of
Defense (DOD)
- 11:15 a.m. **Impact of Servicemember Deployment on Child Custody**
—Dale M. Vande Hey, South-Central Region State Liaison, DOD
—Mark E. Sullivan, Attorney, Law Offices of Mark E. Sullivan
- 11:45 a.m. **Lunch**
- 12:45 p.m. **Transmission Line Impact on White Sands Missile Range**
—Dan Hicks, Chief of Staff, White Sands Missile Range
- 1:45 p.m. **Holloman Air Force Base — Status Update**
—Colonel David Sullivan, 49th Wing Vice Commander, Holloman Air Force
Base
- 2:45 p.m. **Fort Wingate — Status Update**

—James P. Bearzi, Chief, Hazardous Waste Bureau, Department of Environment

3:45 p.m. **Public Comment**

4:00 p.m. **Adjourn**

Revised: October 28, 2010

**TENTATIVE AGENDA
for the
FOURTH MEETING
of the
MILITARY AND VETERANS' AFFAIRS COMMITTEE**

**November 12, 2010
Room 311, State Capitol**

Friday, November 12

- 9:30 a.m. **Call to Order**
- 9:35 a.m. **Funding for National Veterans Cemeteries — HJM 10**
—Alan Martinez, Deputy Secretary of Veterans' Services
- 10:30 a.m. **Service Member Child Custody Act**
—Damian Lara, Legislative Council Service (LCS)
—Twila B. Larkin, New Mexico Family Law Attorney
- 11:30 a.m. **Kenneth Ellis III Act**
—Damian Lara, LCS
—Jonelle Ellis, Sister of Kenneth Ellis
—Alan Martinez, Deputy Secretary of Veterans' Services
- 12:00 noon **Lunch**
- 1:00 p.m. **Legislative Endorsements**
—Damian Lara, LCS
- 1:30 p.m. **Veterans' Services Department Legislation**
—Damian Lara, LCS
—Alan Martinez, Deputy Secretary of Veterans' Services
- 2:45 p.m. **Public Comment**
- 3:00 p.m. **Adjourn**

MINUTES

**MINUTES
of the
FIRST MEETING
of the
MILITARY AND VETERANS' AFFAIRS COMMITTEE**

**June 10, 2010
State Capitol, Room 322
Santa Fe**

The first meeting of the Military and Veterans' Affairs Committee for the 2010 interim was called to order by Senator David Ulibarri, co-chair, on Thursday, June 10, 2010, at 9:15 a.m. in Room 322 of the State Capitol in Santa Fe.

Present

Rep. Thomas A. Garcia, Co-Chair
Sen. David Ulibarri, Co-Chair
Rep. Nathan P. Cote
Sen. Eric G. Griego
Sen. John Pinto
Sen. William E. Sharer

Absent

Rep. Elias Barela
Rep. Dianne Miller Hamilton

Advisory Members

Sen. Rod Adair
Rep. Eliseo Lee Alcon
Rep. Thomas A. Anderson
Sen. Dianna J. Duran
Sen. Mary Jane M. Garcia
Rep. Karen E. Giannini
Rep. Rodolpho "Rudy" S. Martinez
Rep. Kathy A. McCoy
Sen. William H. Payne

Sen. Richard C. Martinez
Rep. Edward C. Sandoval

Guest Legislator

Rep. James P. White

Staff

Damian Lara
Karen Wells

Guests and Handouts

The guest list is in the meeting file. Copies of all handouts and written testimony are in the meeting file.

Thursday, June 10

Welcome and Introductions

The members of the committee and staff introduced themselves. James E. Smith, who will become a state representative replacing Representative McCoy, was introduced. Mr. Smith had primary opposition but faces no opposition in the general election.

Government Restructuring Task Force — Update and Request

Raúl E. Burciaga, director-designate, Legislative Council Service (LCS), informed the committee of directions given by the New Mexico Legislative Council to all interim committees. Committee meetings are to be held in Santa Fe, unless the committee requests otherwise and justifies the request in its work plan for a meeting to be held elsewhere. The number of meeting dates has been limited. All interim committees are asked to examine programs, issues, functions and opportunities for restructuring and greater administrative efficiency for the agencies for which they have oversight responsibility. Input on this topic is requested for the Government Restructuring Task Force. The co-chairs each extended congratulations to Mr. Burciaga on his appointment as director of the LCS.

2010 Legislation — Summary; Review of Proposed Work Plan

Mr. Lara, staff attorney, LCS, provided a summary of legislation that was introduced during the 2010 legislative session that was endorsed by the committee or that related to military and veterans' issues. Included in the summary were items that were introduced but did not pass. Committee members commented on several items in the summary. Mr. Lara then reviewed the proposed work plan with the committee and the rationale for the topics identified. He reminded the committee that the Government Restructuring Task Force has asked for input.

Committee members requested the addition of several items, including a hearing regarding educational issues of military personnel being transferred into New Mexico, Reserve Officers' Training Corps (ROTC) faculty being denied in-state tuition for higher education and denial of room and board for ROTC scholarship recipients. A suggestion was made that the University of New Mexico (UNM) provide information about its position on ROTC and veteran students. One committee member described a constituent request regarding the automatic removal of servicemembers from jury duty rolls who were killed or missing in action. The committee also requested a briefing on the new federal Caregivers and Veterans Omnibus Health Services Act in order to better respond to constituent inquiries. The committee members requested the additions of: child custody issues for servicemembers; treatment of veterans with posttraumatic stress disorder (PTSD) who enter the criminal justice system; alternative models to veterans courts, such as pretrial diversion programs; alternative therapies for treatment of PTSD, such as diving; testing active servicemembers for traumatic brain injury following an explosion and whether members are coached on how to answer to avoid a diagnosis of traumatic brain injury; long-term care, especially at the New Mexico State Veterans' Home in Truth or Consequences; cyber-warfare; follow-up on the legacy of Navajo Code Talkers, as requested in SJM 51; and assistance for veterans' organizations in obtaining a waiver of fees for a liquor license upon growth in membership. Kelly O'Donnell, Ph.D., superintendent, Regulation and Licensing Department (RLD), is apparently willing to review this issue. A suggestion was offered to invite Gary Tomada, director, Alcohol and Gaming Division, RLD, to testify on this,

as it is a long-term proposal of his.

A question was asked regarding the status of development of a wellness center in Angel Fire. Representative Garcia reported there are ongoing workshops and continued work toward development of the center.

Representative Garcia announced that Speaker of the House Ben Lujan has approved the appointment of Representative Martinez as a voting member for one day in order to establish a quorum.

The committee discussed the articulation process of New Mexico colleges and universities as it relates to military credit. The Higher Education Department (HED) had previously notified Representative Cote that the committee would be unable to meet the request of HJM 1 due to inadequate resources and staff.

Upon a motion by Senator Ulibarri and seconded by Representative Martinez, the committee voted without objection to write a letter to the Dr. Viola E. Florez, secretary of higher education, to request that the HED address the resolution expressed in HJM 1.

Representative Garcia raised an issue regarding the tedious bureaucratic process required to obtain a death certificate for a soldier killed in Iraq. Alan Martinez, deputy secretary, Veterans' Services Department (VSD), noted that VSD constituent services handles many of these complaints and usually can resolve them easily by providing the courts with a casualty report. He offered to set up a meeting with the Administrative Office of the Courts to explore opportunities to streamline the process. A request was made to ensure that a veteran not be removed from voter registration in cases of infirmity.

Mr. Lara then presented meeting locations and dates for the committee's consideration. Committee members discussed proposed meeting locations and dates.

Upon a motion by Representative Cote and seconded by Senator Griego, the committee voted without objection to request permission to travel to Albuquerque for a two-day meeting in July.

Upon a motion by Representative Martinez and seconded by Representative Cote, the committee voted without objection to accept the proposed work plan with suggested agenda additions.

Mr. Lara noted that the LCS is trying to communicate with committees primarily through email. A member who wishes to receive notifications through the U.S. mail should communicate that desire to the LCS. A request was made to highlight emails as "priority" in the subject line so that they do not get overlooked.

VSD — Priorities and Initiatives

John Garcia, secretary, VSD, and Mr. Martinez provided testimony regarding the

priorities of the department, which include the establishment of a PTSD/traumatic brain injury program; continued work to create a New Mexico veterans' wellness center in Angel Fire; creation of a veterans' education outreach office; establishment of a homeless veterans program for women; development of an enterprise fund to permit the VSD to pursue private funding; creation of a veteran lottery ticket; a veteran-owned New Mexico business tax credit, mirroring a federal government contracts award set-aside of 3% for veteran-owned businesses; promoting contracting preference for service disabled veteran-owned businesses; statutory language to clean up a provision to allow Veterans National Cemetery Fund check-off money to be transferred to the City of Santa Fe; and a clarification of veteran property tax exemption rules.

Secretary Garcia informed the committee about the "Call for Photos" program to identify all veterans of the Vietnam conflict. Although many family members are providing photographs, some family members find it too difficult to search through memorabilia and find photographs to share. For this reason, high schools are also being contacted to provide photographs. Many photographs have already been found; however, the effort in the rural areas has not been as successful.

Upon a motion by Senator Griego and seconded by Representative Cote, the committee voted to write a letter to the superintendents of the school districts from which more photographs are needed, requesting that they assist the effort by providing photographs of the identified Vietnam veterans.

Secretary Garcia also informed the committee about the "forgotten heroes" program, which identifies veterans who have died and whose bodies are not claimed by family members. Through this program, the VSD respectfully buries the remains with full military honors. A question was asked about identifying and posthumously honoring homeless veterans whose ashes were previously spread without recognition. Secretary Garcia will look into it. The program does not cost the state any money and may even generate money that the federal government provides for disabled veterans. The committee commended the program.

Secretary Garcia identified measures the department is undertaking to address issues with limited funding. Long-term care for aging veterans is a top priority for the department. Issues of military retirees are important. New Mexico is one of only three states that does not exempt military retirees from state income taxes. The department is seeking federal funding for a veterans' wellness center in Angel Fire and is talking to Fort Bayard as a potential site for a veterans' clinic for women. The department is working with UNM on a student veterans education outreach center. Elise Wheeler, retired Air Force colonel, was introduced and invited to comment. She is the director of the UNM Veterans Resource Center (VRC), which assists students to reintegrate into a school setting.

Secretary Garcia highlighted the second annual Heroes Honoring Heroes veterans job fair to be held on June 22, 2010. He mentioned the Veterans Business Resource Center, which supports the efforts of veterans who own businesses to hire other veterans. The department is working with Presbyterian Medical Services (PMS) to establish a veterans court program.

The committee sought clarification regarding the number of unclaimed veterans' remains

that have been interred and details of how the program works and how it is funded. Representative Anderson indicated that he would like to carry legislation for tax relief for veterans and will continue his efforts on HB 126, which failed to pass the legislature, to conform with federal law. Senator Ulibarri asked to defer legislative endorsements until the November meeting but indicated that concepts may be supported. A request was made for an update on the establishment of a Fisher House at Kirtland Air Force Base. Secretary Garcia indicated that either Kirtland or the Veteran's Administration hospital has to apply; the VSD cannot apply. He hopes an application will be forthcoming in 2010. A suggestion was made to put this topic on the agenda for the September meeting in Albuquerque.

Additional information was requested regarding plans for a homeless center for female veterans. Value Place is a national model for such centers, which are motel-style buildings with kitchenettes. The Young Women's Christian Association (YWCA) has been awarded a contract to develop a center; federal money may become available to fund the project. Questions were asked about the UNM VRC; plans include becoming a complete resource center, not merely focusing on education. Further detail was requested regarding the Heroes Hiring Heroes program, with a recommendation to be sure to contact the aerospace industry. Secretary Garcia agreed, indicating that Avon is being contacted. More detail was provided about the proposed use of the Fort Bayard property for veterans. It was described as a natural healing place, and it has a national cemetery. A request was made for an update on the New Mexico Veterans Integration Center. The center has been changed to a Value Place on Central Avenue in Albuquerque and is currently run by Larry Campos. The center is providing outreach and training to reintegrate homeless veterans into society. Secretary Garcia would like to expand the concept to other locations such as Santa Fe and promote this as a national program.

Clarification was sought regarding a veterans court; PMS has the contract for that as well as a jail diversion program. Coordination with the wellness treatment center is seen as essential. It was noted that Fort Bliss received a federal grant to do a pilot program of a wellness center in El Paso, Texas. A request was made for a list of all current veterans' benefits available in New Mexico. Mr. Martinez will provide such a list to the committee.

Secretary Garcia noted that Senators Payne and Timothy Z.Jennings and he were at the commissioning services for the USS *New Mexico* submarine.

Department of Military Affairs — Priorities and Initiatives

Kenny C. Montoya, adjutant general, Department of Military Affairs, identified a request for \$3.6 million for additions to the Army National Guard (the guard) armory in Farmington. That armory includes police as well as military functions. Additionally, the department will request \$500,000 for statewide energy, maintenance and modernization of armories. Finally, the department is promoting partnering with the City of Roswell to sustain the New Mexico Youth Challenge Academy (NMYCG), a program for troubled youth. He updated the committee about members of the guard in combat around the world. The goal is to ensure the health of soldiers so that families are also healthy and happy.

Clarification was sought about what is being done for military families and employers. Counseling is very family-focused; 12 summer camps have been established for children of members of the guard who are deployed. The guard sees a natural turnover of about 12% per year. Although it is hard to keep in touch with members who are deployed, the guard is committed to providing appropriate follow-up for these soldiers. Adjutant General Montoya expressed great pride in members of the guard. When members return from tours in Iraq or Afghanistan and are discharged from the guard, they become veterans and qualify for all veteran programs.

An update was requested regarding the status of the NMYCG. If the Roswell community does not come through, Adjutant General Montoya will look to relocate the program elsewhere. Currently, Roswell has indicated an interest in keeping the program.

Clarification was sought about whether members of the guard are entitled to normal military benefits. The U.S. Department of Defense Appropriation Act, 1984, extended normal military benefits to members of the guard. Depleted uranium mining remains an area of interest. Adjutant General Montoya will provide more information on this issue. Questions were asked about the role of the guard in border control. Adjutant General Montoya indicated that the guard is supporting border agents in what is known as the bootheel area of New Mexico. While much violent activity is ongoing in Mexico, Adjutant General Montoya stated that the violence has not crossed over, and all indications are that the violence will not spill over. It is unknown when or if New Mexico will benefit from President Obama's proposed expansion of members of the guard to the border; however, Adjutant General Montoya indicated that he has soldiers ready to go. He has been working with U.S. Senator Jeff Bingaman to ensure that an adequate number of soldiers are deployed in New Mexico for this purpose. He fears that the deployment of 1,200 additional members of the guard will benefit Texas and Arizona disproportionately. Members of the guard are being well received by local citizens in the area. A question was asked about whether recruitment is sufficient to respond to new deployment at the border. Adjutant General Montoya stated the guard has grown over the last six years. He is using soldiers returning from combat to serve on the border to give them time to recover from combat experience. This is a federal mission, and the federal funding has been sufficient. Challenges continue in trying to operate the youth challenge program. It is currently underfunded, but Adjutant General Montoya is committed to continuing it. Clarification was offered regarding tuition assistance for members of the guard. New Mexico is one of only a few states that has a state-funded program to supplement federal funding for this purpose.

On April 9, 2011, a ceremony to honor Bataan veterans will be sponsored by the guard, as it does yearly. Adjutant General Montoya considers it a legacy and a very important event to conduct each year. Thanks were expressed to Adjutant General Montoya and his staff.

There being no further business before the committee, the first meeting of the Military and Veterans' Affairs Committee was adjourned at 12:30 p.m.

**MINUTES
of the
SECOND MEETING
of the
MILITARY AND VETERANS' AFFAIRS COMMITTEE**

**July 20-21, 2010
Student Services Center, Room 260
University of New Mexico, Albuquerque
City Hall, Rio Rancho**

The second meeting of the Military and Veterans' Affairs Committee (MVAC) for the 2010 interim was called to order by Senator David Ulibarri, co-chair, on Tuesday, July 20, 2010, at 10:00 a.m. in Room 260 of the Student Services Center of the University of New Mexico in Albuquerque.

Present

Sen. David Ulibarri, Co-Chair
Rep. Thomas A. Garcia, Co-Chair (7/21)
Rep. Elias Barela (7/20)
Rep. Nathan P. Cote
Sen. Eric G. Griego (7/20)
Rep. Dianne Miller Hamilton
Sen. John Pinto (7/21)

Absent

Sen. William E. Sharer

Advisory Members

Rep. Eliseo Lee Alcon
Rep. Thomas A. Anderson
Sen. Mary Jane M. Garcia (7/20)
Rep. Karen E. Giannini
Sen. Richard C. Martinez
Rep. Rodolpho "Rudy" S. Martinez
Sen. William H. Payne (7/20)
Rep. Edward C. Sandoval (7/20)

Sen. Rod Adair
Sen. Dianna J. Duran
Rep. Kathy A. McCoy

Guest Legislator

Rep. James P. White

(Attendance dates are noted for those members not present for the entire meeting.)

Staff

Damian Lara
Rebecca Griego
Jennifer Rabinowitz

Guests and Handouts

The guest list is in the meeting file. Copies of all handouts and written testimony are in the meeting file.

Tuesday, July 20 — Student Services Center, Room 260, University of New Mexico (UNM)

Welcome and Introductions

Members of the committee and staff introduced themselves.

Minutes

Upon a motion by Representative Cote, seconded by Senator Ulibarri, the committee approved without objection the minutes from the first meeting of the MVAC held on June 10, 2010.

Welcome

David W. Harris, executive vice president for administration, UNM, welcomed the committee and described UNM's 60-year relationship with the Reserve Officer Training Corps (ROTC). UNM has plans to expand its Veterans Resource Center.

UNM ROTC Programs and Overview

Captain Ronald W. Kennedy, Naval ROTC, and Lieutenant Colonel Raul V. Garcia, Air Force ROTC, summarized ROTC's contribution to UNM. ROTC offers nationally competitive, merit-based college scholarships. Approximately 30% of UNM's ROTC students receive a scholarship that covers tuition, textbooks and university fees. Air Force ROTC scholarships amount to \$1.2 million over four years for 30 UNM students. ROTC also pays \$1.6 million toward UNM professors' and staff salaries. ROTC offers summer programs, such as "Project GO" (global officer), a language and culture immersion program. Overall, ROTC contributes \$5 million annually to UNM and has produced over 2,000 officers in the 60 years that it has been on campus. ROTC recommends amending New Mexico law to permit out-of-state ROTC recruits to qualify for in-state tuition.

Committee members explored ROTC admission standards, scholarships and recruiting processes. ROTC recruits have a 1,100 minimum SAT score, rank in the top 10% academically, pass rigorous physical tests and are engaged in volunteer activities in their communities. Students spend four to eight years in active duty (depending on military branch). Upon graduation, ROTC students earn approximately \$45,000, inclusive of housing costs. Scholarships to college can be unlimited, in which case, a ROTC student can go to a college of choice; or scholarships can be capped.

Army students who disenroll or fail the ROTC program must repay the scholarship money or enlist; the Navy does not require a refund of the scholarship. Students choose three areas of specialization upon completing three years of general college courses. ROTC also operates a junior ROTC in high schools. Students transferring from community colleges are entitled to the same scholarships as UNM students. ROTC aims to increase the number of minorities in that program. Generally, 50% of ROTC recruits transfer from community colleges. The committee urged ROTC to expand recruitment from community colleges as a way to achieve greater diversity.

Higher Education

Dr. Viola Florez, secretary, Higher Education Department (HED), and Brendan Trujillo, director, State Approving Agency (SAA), HED, discussed the need to standardize the evaluation and transfer of credits earned by military veterans in their pursuit of an undergraduate or graduate degree, including experience or training gained while enlisted. Secretary Florez said that establishing a standard protocol for evaluating credits is a challenge. While college general education courses are usually transferable within New Mexico colleges, higher-level courses are less uniformly transferable. Both Secretary Florez and Mr. Trujillo recognized the need for veterans to receive credit for their in-service experience.

Committee members asked whether courses across colleges could be more uniformly defined. Secretary Florez explained that naming and defining the content of a course remains at the discretion of individual schools. The HED has created an "articulation committee", which is responsible for defining general education courses.

Committee members asked about the ability of students to appeal an adverse determination of transfer credit. Secretary Florez said that students may lodge a complaint, which is an online process. Secretary Florez added that the HED has not received one appeal or complaint since she took office. Committee members responded that students may feel that it is not worth the effort if the system will not respond.

Committee members noted that the military offers more high-level, specialized courses and fewer general education courses, which, under the present system, precludes students from receiving a transfer of credit. Secretary Florez explained that her department evaluates schools' decisions to determine if a valid transfer or rejection was made. The HED is hampered in that process, however, in that the HED has no way of identifying a student as a veteran. Committee members saw this as a problem because of time limitations in accessing G.I. Bill benefits. Secretary Florez said that the SAA was transferred to the HED to address this issue. She said there are 33,000 veterans in New Mexico who are eligible for educational benefits, but the HED does not know how many are using those benefits.

University Educational Resources

Elise Wheeler, lieutenant colonel, United States Air Force (Retired), and director of the veterans resource center; Roberta L. Derlin, associate vice president for student success and associate dean, New Mexico State University (NMSU); and Laura Grant, student and veteran affairs coordinator, Office of Veterans Programs, discussed the range of services offered to students who are military veterans and challenges to improving those services. UNM's Veterans Resource Center is a veteran-run, centralized resource for veterans and their families. It was established in 2009 and seeks to increase admission and graduation rates of veterans. The number of students who are military veterans at UNM increased by 40% between 2009 and 2010. The complexity of navigating the G.I. Bill challenges students' ability to get access to the full range of benefits available to them. Further, there is no protocol for evaluating transfer credits for military coursework and experience. The timing in which credits are awarded to a student who is a veteran can affect a student's eligibility for certain kinds of federal student loans. Lieutenant Colonel Wheeler urged the HED to enter into discussions with stakeholders on

these issues.

NMSU is expanding its services to students who are veterans. NMSU's Center of Excellence for Veteran Student Success (CEVSS) aims to be a single point of contact for veterans' academic, financial, physical and social needs. The process of identifying and establishing an expanded CEVSS program will involve collaboration between NMSU students who are veterans and supervisors from NMSU's services departments. NMSU estimates that, systemwide, it has almost 1,300 student's who are veterans and their dependents.

Committee members focused on evaluating and transferring credits for military coursework or experience. Committee members opined that the process of getting access to G.I. Bill benefits should be streamlined and simple. Lieutenant Colonel Wheeler agreed, saying a trained staff member who can sit down with students who are veterans to tailor their educational paths and to inform them about financial aid is needed.

Committee members asked Mr. Trujillo if the SAA kept a formalized list of criteria for transferring and awarding credits. Mr. Trujillo said the SAA will be working with New Mexico schools and will get back to the committee with its results at the next MVAC meeting. Committee members invited UNM and NMSU veteran centers to submit a list of their needs to the MVAC. Committee members also invited recommendations for a bill in November.

The committee passed a motion to write a letter of support for a grant request to the HED on behalf of the UNM Veterans Resource Center. Finally, the committee passed a motion to write a certificate of recognition to a homeless veteran seen folding a tattered American flag.

Interstate Compact on Educational Opportunity for Military Children

Dr. Sheila Hyde, deputy secretary, and Rod Ventura, deputy general counsel, Public Education Department, summarized the Interstate Compact on Educational Opportunity for Military Children, of which New Mexico is a signatory. The compact was created to remove barriers to educational success imposed on children of military families that must frequently relocate. The compact was drafted by the federal Department of Defense (DoD) and the Council of State Governments' Military Interstate Children's Compact Commission and has been submitted to all 50 states. The New Mexico Legislature adopted an amended version of the compact in 2010. As amended, rules enacted by the commission do not supersede New Mexico laws, and New Mexico may withdraw from the compact without having to wait one year upon notice.

The compact requires New Mexico to form a state compact council consisting of the secretary of public education, a superintendent of a school district with a high concentration of military children, a representative of a military installation, a representative from the executive branch of state government and representatives of any other offices or stakeholder groups that the state compact council deems necessary. The state compact council must designate a military family educational liaison to assist military families and the state. The governor must appoint a state compact commissioner. Neither the liaison nor the compact commissioner is a voting member of the state compact council. The compact specifies the conditions by which New Mexico public schools will administer to the needs of military children. Among other things,

enrolled military children are afforded 30 days in which to obtain required immunizations. Further, New Mexico public schools are required to place military children in the same classes that they had in their previous school, pending placement testing. Schools must honor class placements and educational assessments from sending schools, and military children must have an opportunity to join extracurricular activities, regardless of deadline. Military children are to receive needed excused absences if a parent is deployed or on leave. A military child can be enrolled in school by a non-parent possessing a power of attorney. New Mexico public schools must waive courses required for graduation if similar coursework was taken elsewhere and must accept exit or end-of-course exams taken from a sending state. Military students ineligible to graduate from a receiving school may receive a diploma from the sending school, provided that all graduation requirements are met.

Committee members asked how public schools are conforming with the compact's requirements. Dr. Hyde said that New Mexico schools are in compliance.

Committee members asked about conflicting immunization policies. The Department of Health and the PED will have to amend existing rules to comply with the compact.

Committee members asked about military children's ability to join extracurricular activities. Dr. Hyde said that these requirements would either have to be changed or waived.

School and Family Support at Kirtland Air Force Base

Molly Hayes, flight chief, Airmen and Family Services, summarized the role of Kirtland Air Force Base's School Liaison Office (SLO). The SLO coordinates and assists military and DoD civilian parents to maximize educational opportunities for their children. Challenges that military children face include transfer of records, immunization requirements, calendars and schedules, graduation requirements, extracurricular activities and special educational needs. The SLO promotes parental involvement in children's education; develops and coordinates community educational partnerships; helps parents overcome obstacles associated with the military lifestyle; and educates the community regarding the needs of the military. Ms. Hayes highlighted school choice and special education as priorities of the SLO. Ms. Hayes also suggested that New Mexico public schools adjust attendance policies for children with a family member being deployed; increase educators' awareness of military culture; facilitate transfer of classes between host and receiving schools; and create protocols for the timely transfer of records.

Committee members asked about the experiences of military families in educating their children. Ms. Hayes said that the quality of schools is a major concern of military parents and is a determinant of whether a family lives on- or off-base. DoD schools have a 99% graduation rate and are awarded millions of dollars in scholarships. Committee members suggested that the SLO establish a relationship with local parent-teacher associations. Committee members thanked Ms. Hayes and said that the MVAC is a resource for the SLO.

Following the presentation, Senator Ulibarri recessed the meeting at 3:55 p.m.

Wednesday, July 21 — City Hall, Rio Rancho

The second meeting of the MVAC for the 2010 interim was called back into session by Senator Ulibarri on Wednesday, July 21, 2010, at 9:00 a.m. at the City Hall in Rio Rancho.

Welcome

James C. Jimenez, city manager, Rio Rancho, welcomed the committee and described Rio Rancho as home to a large number of veterans and their families. Committee members asked where Rio Rancho is getting its water. Mr. Jimenez said that Rio Rancho has no source of surface water and depends on aquifers. The city is working on developing long-term solutions, including working on an injection process. New Mexico's water compacts complicate that undertaking. He said that Rio Rancho relies on high taxation of water to encourage conservation.

Posttraumatic Stress Disorder and Traumatic Brain Injury

George Marnell, director of the Veterans Administration (VA) health care system, Dr. Virginia Porterfield, co-director for behavioral health care line/chief of psychiatry, and Loren Pierce, Veterans Service Center manager, Albuquerque Regional Office, Veterans Benefits Administration, U.S. Department of Veterans Affairs, summarized existing services for treating veterans with posttraumatic stress disorder (PTSD) or traumatic brain injury. The VA Albuquerque office offers psychiatric services, counseling and evidence-based psychotherapy to veterans with military-related PTSD. PTSD-related treatment programs include substance abuse, trauma and rehabilitation residences; a women's stress disorder treatment team; a military sexual therapy group; a World War II/Korean Conflict support group; and a Native American talk circle group. A day treatment program and acute inpatient care are available to veterans with PTSD. All veterans desiring care receive comprehensive care by a primary care provider, registered nurse or social worker and a mental health provider. Veterans attend a five-week psychoeducational group, which can be specialized (e.g., for veterans with substance abuse issues). Veterans of all wars can receive PTSD treatment. Mr. Marnell said that for a long time there were no measurements for PTSD and medication had been marginal in treating it. Today's treatment approach, which is evidence-based, is an intensive therapeutic intervention, but it requires a veteran's commitment to treatment.

Committee members asked for examples of noncombat-related trauma. The panel replied that anything that can traumatize a civilian can traumatize a veteran or G.I. Committee members asked what kind of evidence is required for a diagnosis of PTSD. Mr. Marnell said a "major" change in standards by which the VA determines PTSD has taken place, so that a veteran's exposure to traumatic events no longer needs to be documented.

Committee members suggested that veterans might be frustrated in navigating the VA system and might even resort to drug use as a form of self-medication in the absence of help. Mr. Marnell said the Veterans Benefits Administration is responsible for adjudicating benefits and determining whether a symptom is service-related. VA providers conduct a medical exam, but the determination is made by the Veterans Benefits Administration. All veterans get help within 30 days, and if immediate help is needed, a veteran will be seen immediately.

Committee members asked about finding and treating homeless veterans. The VA does homeless outreach through a medical van and at veteran centers. The VA also provides mental health therapy to military families. The VA routinely screens veterans for suicide, depression, substance use and other mental health conditions. If one or more of these conditions is found, a veteran is referred to a clinic and is assigned to a clinician within 14 days. Unless a veteran is in imminent danger, the veteran is responsible to attend an appointment.

Committee members inquired about compensation to veterans for service-related injuries. Compensation is based on the nature and degree of physical disabilities and stressors, as determined by the VA.

Veterans First Jail Diversion Grant

Harrison Kinney, executive manager, and Hoyt Roberson, clinical supervisor, Presbyterian Medical Services' Behavioral Health Services Division (BHSD), discussed the Jail Diversion Program, whose mission is to provide trauma-informed behavioral health and substance abuse treatment alternatives for New Mexico veterans in contact with the legal and judicial systems. The program diverts veterans with trauma spectrum disorders from the justice system, increases awareness by law enforcement and the courts of trauma-related reaction and builds treatment providers' capacity to provide trauma-informed behavioral health services. The BHSD plans on developing a model of services statewide based on its study and development of a "best practices" model of treatment for veterans with PTSD who are in contact with the justice system, and it will use data collected by the state to apply for Substance Abuse and Mental Health Services Administration and other funding.

Committee members commented that people with mental illness in jails are often forgotten. Committee members asked whether the Jail Diversion Program has benefited veterans. Veterans in the program are tracked through a before-and-after set of interviews and by tracking clients' use of services. Committee members observed that the New Mexico prison system has no way of knowing who among its population is a veteran. Committee members asked at what point in the judicial process does the program intersect, which is at the pretrial stage and during parole or probation.

State Response to Jet Fuel Leak

James P. Bearzi, chief of the Hazardous Waste Bureau, Department of Environment, discussed the spread of a plume of leaked jet fuel from Kirtland Air Force Base into Albuquerque's ground water. The leaked fuel, which is one-foot to three-feet thick, has migrated off Kirtland Air Force Base toward residential areas in Albuquerque and is threatening drinking water. The leaked fuel contains contaminants that are known to be carcinogenic. The state and Kirtland have been aware of the leak for 10 years, but they realize it is a bigger problem than originally thought. The state does not know how fast or in what direction the plume is traveling or from how many sources leaks are occurring. Mr. Bearzi urged the state to take an aggressive approach toward the military in its response to the problem. He said the Air Force needs to keep the public informed about the issue, and progress being made. He said the Air Force immediately needs to: (1) complete studies of the tank farm, piping and fuel offloading rack to determine leakage; (2) identify where the fuel is reaching ground water supplies; (3) study the composition and spread of the plume; (4) draw new boreholes for soil sampling from surface to

ground water; (5) establish new soil-gas monitoring sites; (6) excavate contaminated soil to a depth of 20 feet; and (7) install early detection ground water monitoring wells. Mr. Bearzi estimates that 500,000 people would be affected by the plume's spread.

Committee members inquired about the plume's potential health effects on people. The contaminants are carcinogenic if residents consume a lot of the ground water. Committee members said they want information on all wells in Albuquerque, not just those wells the Air Force is paying to have monitored.

Kirtland Air Force Base — Update and Status

Colonel Matthew Bartlett, commander, Mission Support Group, gave an overview of Kirtland Air Force Base operations and its contribution to New Mexico and the Albuquerque community. Kirtland has 20,721 personnel and 777 buildings located on 51,606 acres. Kirtland is the largest employer in the state and offers an average salary of \$75,000. It brings in \$56 million in payroll/job creation in New Mexico. Kirtland sees education as a national security challenge, and to that end it seeks to strengthen science curricula, investing \$5 million per year in K-12 and university educational institutions, as well as to strengthen professional development in the sciences. Currently, 42,000 students from 326 schools in 76 districts have participated in Kirtland's educational science initiatives.

Office of Military Base Planning and Support

Brigadier General Hanson Scott, United States Air Force (Retired), director, Office of Military Base Planning and Support, gave an update on the Air Force's operations and bases in New Mexico, as well remediation efforts of a fuel leak that has migrated from Kirtland Air Force Base toward residential ground water supplies. Brigadier General Scott characterized remediation of the leak, which has been absorbed to a depth of 500 feet, as a challenge.

Committee members' questions focused on remediation efforts. The Air Force has considered pumping the fuel out from the ground, but that approach will leave an environmental trail. The Air Force is looking at other solutions and technologies, such as destroying the vapors as the fuel oil is brought to the surface, bioremediation and other solutions.

Committee members expressed concern for the residential communities in the path of the plume and inquired how long it would take to remove. Brigadier General Scott said that he did not know.

Committee members inquired about planned realignment of bases. Brigadier General Scott replied that legislation would have to be passed first, but that Kirtland, Holloman and White Sands will be "in good shape". Committee members observed that they have spent a lot of time talking about the welfare of veterans, but less attention has been given to bases. They inquired about ways to help the bases. Brigadier General Scott replied that the Air Force sees land use and renewable energy initiatives as important and invited legislators to the bases to learn more about operations there.

Committee members inquired about the status of Fort Wingate. Mr. Lara referred to a 2020 plan to have Fort Wingate remediated and placed in the jurisdiction of the Navajo Nation

and the Pueblo of Zuni. Committee members asked that Fort Wingate be placed on November's agenda. Committee members also expressed an interest in extending the gross receipts tax reduction on military bases, which expires on September 30.

Adjourn

There being no further business before the committee, the second meeting of the MVAC was adjourned at 2:26 p.m.

**MINUTES
of the
THIRD MEETING
of the
MILITARY AND VETERANS' AFFAIRS COMMITTEE**

**September 10, 2010
Santa Fe**

The third meeting of the Military and Veterans' Affairs Committee (MVAC) for the 2010 interim was called to order by Senator David Ulibarri, co-chair, on Friday, September 10, 2010, at 9:10 a.m. in Room 322 of the State Capitol.

Present

Rep. Thomas A. Garcia, Co-Chair
Sen. David Ulibarri, Co-Chair
Rep. Elias Barela
Rep. Nathan P. Cote
Sen. John Pinto

Absent

Sen. Eric G. Griego
Rep. Dianne Miller Hamilton
Sen. William E. Sharer

Advisory Members

Sen. Rod Adair
Rep. Eliseo Lee Alcon
Rep. Thomas A. Anderson
Rep. Karen E. Giannini
Sen. Richard C. Martinez
Rep. Rodolpho "Rudy" S. Martinez
Rep. Edward C. Sandoval
Rep. Gloria C. Vaughn

Sen. Dianna J. Duran
Sen. Mary Jane M. Garcia
Rep. Kathy A. McCoy
Sen. William H. Payne

Guest Legislator

Rep. Sandra D. Jeff

Staff

Damian Lara
Rebecca Griego
Jennifer Rabinowitz

Guests and Handouts

The guest list is in the meeting file. Copies of all handouts and written testimony are in the meeting file.

Friday, September 10

Welcome and Introductions

Members of the committee and staff introduced themselves.

Veterans' Business Resources Center

Alan Martinez, deputy secretary of veterans' services, and Lloyd Calderon, director of the Veterans' Business Resources Center (VBRC) of the Veterans' Services Department, described New Mexico as "nonfriendly" to veterans' efforts to establish businesses. Deputy Secretary Martinez described small businesses as the heart of the New Mexico economy. Mr. Calderon said that New Mexico is the only state in the union with an office devoted to helping veterans establish businesses of their own. However, Mr. Calderon said that the state could do more to help veteran entrepreneurialism, including establishing a system of preferences for veterans when awarding state contracts for services and goods. Mr. Calderon explained that while there are three federal statutes encouraging that 3% of all federal contracts be directed to veterans, that goal is met by very few federal agencies. Mr. Calderon also highlighted the VBRC's role to assist veterans in navigating the federal procurement process. Over the last three years, the VBRC has helped veterans secure over \$34 million in contracts. If the VBRC can help veterans to access the 3% of federal contracts, it could potentially bring in contracts cumulatively worth billions of dollars that could greatly help the New Mexico economy. The VBRC's job, therefore, is to identify roadblocks to those opportunities. Putting resources into helping veterans access opportunities to build businesses is an important economic development issue. Mr. Calderon stated that a problem with accessing federal contracts is that federal agencies require evidence of past contractual performance, which creates a classic "Catch-22" situation. Mr. Calderon explained that a remedy is to assist veteran-owned businesses in receiving state contracts in New Mexico by legislating a new preference or an additional 5% preference for veteran-owned businesses in state contracts, in addition to the existing 5% preference given to New Mexico resident businesses.

The committee asked for statistics regarding the potential impact to New Mexico in accessing federal contracts under the 3% goal. The committee also commented that New Mexico's small business offices should be improved and that New Mexico business schools should assist veterans interested in starting businesses. Mr. Calderon said that the VBRC has a memorandum of understanding with the U.S. Small Business Administration in New Mexico and is partnering with the Chamber of Commerce. Still, he said, there is no support from the state for veteran entrepreneurialism in terms of set-asides or preferences. Mr. Calderon said assistance is needed in order for small businesses to compete with large, international companies that are already established.

In response to an inquiry about partnering with financial institutions, Mr. Calderon replied that banks have lending programs for veterans, but banks are highly risk-adverse and not lending money.

The committee expressed concern about pass-through entities and the problem of corruption. The committee recommended that any legislation passed should specify penalties for laws being broken. The committee also said that establishing preferences should not accumulate

preferences based on ethnicity, gender or to simply develop a check-the-box system for weighing contracts in the procurement process. The committee indicated that fairness in the procurement process is the overall goal. Nonetheless, the committee concluded that more needs to be done to assist veteran-owned businesses.

Operation Fort Bayard Committee

Kathryn Brown with the Operation Fort Bayard Committee and Bill Taylor, director for the Property Control Division of the General Services Department, discussed potential uses of Fort Bayard, which the Department of Health is vacating at the end of its lease in November. Ms. Brown discussed the potential of Fort Bayard as a facility for treating veterans with posttraumatic stress disorder (PTSD) and the need of veterans and their families for quality mental health treatment upon returning to the United States from deployment. Fort Bayard was established in 1866 by troops of Company B of the 125th United States Colored Infantry, whose hard work is reflected in the buildings' structural integrity today. Fort Bayard was designated a National Historic Landmark in 2004. Fort Bayard also has a veterans' cemetery. The facility is located upon more than 465 acres of pristine beauty, including 19 natural springs. Ms. Brown said that Fort Bayard is an ideal setting for offering veterans with PTSD a quiet, serene setting in which to heal and to readjust to civilian society. Soldiers returning from war have no buffer in which to heal from the traumas they experienced during deployment. The soldiers are not receiving treatment in the military. Ms. Brown stated that soldiers are being medicated, but they are not receiving therapeutic counseling. She also said that soldiers and their families need help in making the adjustment to civilian life. Mr. Taylor described the Fort Bayard buildings as needing work, including painting and asbestos removal.

The committee commented that Fort Bayard has many potential functions. In response to an inquiry about work readiness programs for veterans, Ms. Brown said that a task force is undertaking a study to determine the feasibility of establishing a vocational rehabilitation center, including a program in organic food production and solar energy at the facility.

The committee said that Fort Bayard represents a valuable economic opportunity to the region. The committee acknowledged that veterans' families would need to receive treatment to help the post-deployment readjustment process.

In response to questions, Ms. Brown further noted that aging veterans who could be cared for at Fort Bayard are being placed in out-of-state facilities, which represents a loss of federal dollars to the state. The committee noted that there are not enough inpatient treatment centers in New Mexico.

In response to a committee inquiry, Ms. Brown replied that female veterans need a place where they can discuss sensitive issues, including sexual assault, without the presence of male soldiers.

The committee asked whether the facility would be for all veterans or just those from New Mexico. Ms. Brown answered that Fort Bayard could be a facility for veterans with PTSD from across the nation and could offer a continuum of care model. In response to follow-up questions, Ms. Brown said that the project is still in a planning stage, and funding sources need to be

identified. However, she said that funding will likely become more available for treating veterans with PTSD.

The committee asked Mr. Taylor about the state's plans for leasing the buildings. Mr. Taylor answered that the General Services Department is working to transfer the property from the Department of Health to the Veterans' Services Department, but there is no money in the budget to pay for operations costs. Mr. Taylor noted that unused buildings are a liability to the state. The state is currently expending money only for essential maintenance such as roof repairs. The committee said that the project will likely take a long time to get established, but it is a worthy use for veterans.

Returning Veterans Film Employment Program (ReV-FEP)

John C. Muir III, M.Ed., president, Bill McCamey, vice president, and Charles Tyler III, political affairs director, all of the ReV-FEP, discussed efforts to establish a not-for-profit school to train veterans in the film industry. Mr. Muir explained that the school would focus on recruiting disabled veterans and female veterans, who have been underserved by the film industry. New Mexico is one of three states that are frequently used as filming bases for the industry. Southern New Mexico, however, has lacked a production base for the film industry. Mr. Muir said that the ReV-FEP could establish a service base for the industry and also a technical training facility offering New Mexico veterans a place to learn skills and to develop valuable experiential learning.

The committee said the initiative is a good idea and asked whether the ReV-FEP would establish a training partnership with New Mexico universities or seek separate accreditation. Mr. Muir responded that the ReV-FEP is seeking its own accreditation and plans to be a 100% veteran student body. New Mexico universities are not as focused on recruiting and serving veterans. Mr. Muir pointed out that as a vocational school, the ReV-FEP does not need to be accredited.

In response to questions, Mr. Muir said that the ReV-FEP's training fills a void in an area that the Dona Ana Community College does not serve.

The committee directed staff to draft a bill that gives a percentage of the film industry tax credits to production companies that hire veterans.

Authorization to Direct Disposition

Dale M. Vande Hey, south central region state liaison, U.S. Department of Defense (DOD), discussed a conflict between state law and a DOD form in which deceased service members indicated their wish for the handling of their remains. Mr. Vande Hey said situations have arisen in which a deceased soldier's wishes, as indicated on the DOD form, are challenged by family members under state law. The inconsistency between state law and recognizing the DOD document as authoritative creates a potential for litigation. Representative Cote and Legislative Council Service staff have drafted a bill recognizing the DOD form as determinative. Approximately 21 states have formally recognized the DOD form as binding. The committee recommended that the bill be endorsed when staff presents it at the final meeting.

Impact of Service Member Deployment on Child Custody

Mr. Vande Hey and Mark E. Sullivan of the Law Offices of Mark E. Sullivan discussed problems of child care and custody of deployed soldiers, even with previously established child care agreements. Mr. Sullivan, who joined the committee meeting by telephone conference, said there is a need for state courts to give temporary authority to determine the best interests of the child of a service member when the service member is deployed. He suggested that courts be empowered to issue temporary orders regarding child care, which would terminate after a soldier returns from duty. A court's final order would be issued 90 days after a soldier's return. He said a majority of soldiers do not have custody of their children, but they do have visitation rights. Situations have arisen in which a deployed soldier's extended family has initiated litigation for custody while the soldier is deployed.

The committee members questioned whether the proposed legislation would encourage litigation between a custodial parent and the service member's family, to which Mr. Sullivan answered that a statute would specify temporary custody to the family member closest with the child. The parenting plan in the final order will address the issue of future deployment and temporary custody. Committee members said that parenting plans are difficult to establish; adding temporary custody arrangements might further complicate that process. Committee members asked how temporary custody arrangements would accommodate incapacitated caretakers. Mr. Sullivan said that an expedited hearing would revisit custody arrangements under the temporary order. Committee members suggested that copies of a draft bill be sent to committee members for their review.

Transmission Line Impact on White Sands Missile Range

Dan Hicks, chief of staff at White Sands Missile Range (WSMR), discussed the potential impact to WSMR of placing SunZia transmission lines alongside or within testing areas. SunZia aims to place 460 miles of electric transmission lines across Arizona and New Mexico. Approximately 80% of the lines will be located on Bureau of Land Management (BLM) lands. WSMR conducts pilot training and missile testing, which would be affected by new infrastructure. For example, training missions in which pilots must fly close to the ground are affected by transmission lines. Mr. Hicks said that the transmission lines would pose a hazard to the pilots, the aircraft and also place the public at risk due to the dispersal of a plane's wreckage should an accident occur. Mr. Hicks said that the SunZia project would impact the Army's use of acoustic towers in training exercises. The transmission lines lose upwards of 200 kilowatts of energy and interfere with acoustics training to a distance of 11.8 miles, weakening America's ability to use acoustics in today's war arenas. The BLM is undertaking an environmental impact statement on the SunZia project in which several proposed transmission routes will be considered.

The committee members said that New Mexico must ensure that WSMR facilities stay in the state. WSMR and the national laboratories contribute \$4.5 billion annually to New Mexico. The committee recommended that it write a letter endorsing the DOD's recommendations, with the Science, Technology and Telecommunications Committee acting as a co-signer. The committee wishes for the letter to say that the DOD and WSMR should be able to maintain the integrity of their operations and missions, and that the economic value of WSMR to the state should be considered in the vetting process. The committee suggested that the letter be generally

phrased. The committee also directed staff that wording of the letter should not favor the value of the military over the value of the growing alternative energy industry in New Mexico.

Upon a motion by Senator Ulibarri, seconded by Representative Cote, the committee voted without objection to write a letter to legislative leadership expressing the need to balance the growing alternative energy industry in New Mexico with the existing needs of the military facilities in New Mexico.

Holloman Air Force Base — Status Update

Colonel David Sullivan, 49th Wing vice commander, discussed the spectrum of military missions and activities undertaken at Holloman Air Force Base. Holloman is located in the Alamogordo area and is situated on 59,639 acres, including four off-base sites. Colonel Sullivan estimated that Holloman's local economic impact is approximately \$1.1 million per day and \$405.5 million per year. Holloman has 18 partner units, including the 49th Wing, 44th Fighter Group, 46th Test Group, 4th Space Control Squadron and the German Air Force, which use Holloman for training purposes. The mission of the 49th Wing is combat readiness, including supporting ongoing combat operations, training aircrews and training, equipping and certifying F-22 forces. The F-22 is a multi-role fighter aircraft costing \$143 million each. Colonel Sullivan described the F-22 in his presentation as an exponential leap in warfighting capabilities. Holloman is home to the MQ-1 Predator and MQ-9 Reaper, both of which are remotely piloted aircraft (RPA). Colonel Sullivan described RPAs as critical to American troops on the ground in Afghanistan. In August 2012, upon completion of a squadron transfer from Creech Air Force Base, it is estimated that the total RPA community at Holloman will number 600 to 800 people, with more than 300 students trained each year.

In new developments and of concern to the committee, Colonel Sullivan said the Air Force command is contemplating transferring F-16 aircraft to Holloman from Luke Air Force Base, changing Holloman's primary mission of F-22 combat readiness to F-16 pilot training. The transition is being analyzed based on potential environmental impacts, including hydrazine and other hazardous materials used in the F-16, the number of bombs and bullets dropped on ranges and increased training activities. The transition will also involve an increase in manpower at Holloman. The RPA mission will remain the same. Emerging missions at Holloman include, among other things, counter-narcotics operations, high value targets, target development, precision strikers, airstrike control, convoy overwatch and disaster relief. The base's daily economic impact is likely to increase as the base expands. The committee thanked Colonel Sullivan for the many volunteer activities Holloman undertakes in the Alamogordo community.

Fort Wingate — Status Update

James P. Bearzi, chief, Hazardous Waste Bureau, Department of Environment, discussed efforts to clean up unexploded ordnance and other environmental hazards at Fort Wingate in preparation of the transfer of land to the Pueblo of Zuni and the Navajo Nation. Fort Wingate has been occupied by the U.S. Army since 1862 and as an ammunition depot for most of the last century. Fort Wingate has extensive environmental contaminants in the soil and ground water, including munitions debris and propellants, buried waste and unexploded ordnance. As the cleanup proceeds, sacred and cultural sites of Native Americans are being discovered. Risk-based cleanup efforts may conflict with the needs and objectives of the tribes. Additionally,

some areas are too dangerous to clean up or transfer to tribes. The Department of Environment's role is to ensure that cleanups proceed in a safe manner, that they meet applicable environmental legal standards, that the public is protected from immediate and long-term hazards, that tribal concerns are recognized and addressed and that the U.S. Army complies with the hazardous waste closure permit. Mr. Bearzi said the U.S. Army must continue identifying and cleaning up environmental contamination sites, addressing tribal and State Historic Preservation Division of the Cultural Affairs Department concerns, addressing immediate hazards as they are discovered and addressing natural resource damages. Federal law permits resource trustees, tribes, the state and federal agencies to sue for damages caused to natural resources. Mr. Bearzi pointed to some accomplishments made in the cleanup effort, including erecting a fence around one area containing unexploded ordnance, the cleanup of five parcels, the pending transfer of two parcels to tribes, the site investigation of Parcel 21, which is one of the most contaminated areas, and the demolition of contaminated structures on Parcel 21. Mr. Bearzi stated that current or future work includes planned remediation of six parcels in 2011, submitting a work plan for additional cleanup and building a fence along the south side of Parcel 3.

In response to committee questions, Mr. Bearzi said that approximately 5,500 of 26,000 acres will be transferred to the Pueblo of Zuni and the Navajo Nation. Mr. Bearzi also noted that it would be the tribes' decision whether igloos, or storage structures, would be removed. The structures that will remain during the transfer will only be those safe enough for unrestricted use.

The committee members inquired about the presence of asbestos in the buildings. Mr. Bearzi said that the igloos do not have asbestos but that some buildings do. Igloos, he said, have other contaminants.

Committee members wondered about the possibility of setting aside some of the land for veterans, as the veterans cemetery in Santa Fe is running out of available space. The committee suggested that the area might be excellent as a cemetery for Navajo Code Talkers or as a national cemetery. The committee encouraged the Pueblo of Zuni and the Navajo Nation to consider those ideas. The committee further inquired whether the cleanup effort includes remediation of contaminated water. Mr. Bearzi replied that the cleanup is limited to the surface.

Public Comment

Tina R. Sibbitt, associate attorney for the Administrative Office of the Courts, said that the Child Support Enforcement Division of the State Bar of New Mexico would like to work with the legislature on any bill drafted to address child custody issues discussed today. The committee directed her to contact and work with Mr. Lara of the Legislative Council Service.

Minutes

Upon a motion by Representative Martinez, seconded by Representative Giannini, the committee approved without objection the minutes from the second meeting of the MVAC held on July 20-21, 2010.

Adjourn

There being no further business before the committee, the third meeting of the MVAC

was adjourned at 3:15 p.m.

**MINUTES
of the
FOURTH MEETING
of the
MILITARY AND VETERANS' AFFAIRS COMMITTEE**

**November 12, 2010
Santa Fe**

The fourth meeting of the Military and Veterans' Affairs Committee (MVAC) for the 2010 interim was called to order by Senator David Ulibarri, co-chair, on Friday, November 12, 2010, at 9:35 a.m. in Room 311 of the State Capitol.

Present

Sen. David Ulibarri, Co-Chair
Rep. Thomas A. Garcia, Co-Chair
Rep. Nathan P. Cote
Rep. Dianne Miller Hamilton

Absent

Rep. Elias Barela
Sen. Eric G. Griego
Sen. John Pinto
Sen. William E. Sharer

Advisory Members

Rep. Eliseo Lee Alcon
Rep. Thomas A. Anderson
Rep. Karen E. Gianinni
Rep. Rodolpho "Rudy" S. Martinez
Sen. William H. Payne
Rep. Edward C. Sandoval

Sen. Rod Adair
Sen. Dianna J. Duran
Sen. Mary Jane M. Garcia
Rep. Sandra D. Jeff
Sen. Richard C. Martinez
Rep. Kathy A. McCoy

Guest Legislator

Rep. Gloria C. Vaughn

Staff

Damian Lara
Rebecca Griego
Jennifer Rabinowitz

Guests

The guest list is in the meeting file.

Handouts

Copies of all handouts and written testimony are in the meeting file.

Friday, November 12

Welcome and Introductions

Members of the committee and staff introduced themselves.

Minutes

Upon a motion by Senator Ulibarri, seconded by Representative Sandoval, the committee approved without objection the minutes from the meeting of the MVAC held on September 10, 2010.

Funding for National Veterans Cemeteries — HJM 10

Alan Martinez, deputy secretary of veterans' services, discussed the need to expand veterans national cemeteries in New Mexico and discussed funding mechanisms to achieve that objective. At present, there is \$100,000 in the Veterans' National Cemetery Fund. The fund is derived from voluntary donations elected in a "check-off" box on New Mexico tax returns. Last session, Representative Sandoval sponsored a bill that would allow money in the fund to be transferred to the City of Santa Fe, which donated 5.7 acres adjacent to the veterans national cemetery in Santa Fe. However, Representative Sandoval's bill did not get through the senate. The federal Department of Veterans Affairs, therefore, is looking at new ways to increase funding for veterans national cemeteries, where an average of 10 burials a day take place. Fort Bayard is finishing a study for that purpose and hopes to tap into some of the money in the fund. At present, the \$100,000 in the fund is has been earmarked for Santa Fe.

Committee members inquired about the funding mechanism for the Veterans' National Cemetery Fund. Deputy Secretary Martinez stated that after the fund receives \$1.7 million, the money is directed into other funds. However, after eight years in existence, the fund has taken in only \$100,000. Under current law, there is no formal mechanism for the transfer of the money. Deputy Secretary Martinez suggested that the statute's language be amended. Representative Sandoval agreed to introduce the bill. Committee members considered the MVAC to be the distributor of the Veterans' National Cemetery Fund and asked which agency would oversee Fort Bayard. It is likely that oversight of Fort Bayard would fall to the county, but that will be part of negotiations when the bill is redrafted. Committee members asked about obtaining federal funding for the cemeteries. The deputy secretary is unfamiliar with any specific grants for that purpose, but he said that the Department of Veterans Affairs will not buy land for that purpose. The land has to be donated.

Service Member Child Custody Act

Mr. Lara and Twila B. Larkin, New Mexico family law attorney, described a draft bill to identify child custody protocols for deployed members of the military. The bill was drafted by the Domestic Relations Task Force, which was appointed by the New Mexico Supreme Court. The task force consists of judges, lawyers and justice system stakeholders. The draft bill has been widely vetted among New Mexico family law practitioners and is considered an improvement over the previous version of the bill draft, which intended to protect veterans but in practice caused much confusion. The current bill offers, among other things, expedited hearings for determining temporary child custody and addresses rules of evidence and rules of civil procedure. The main objective of the bill is to ensure that a custody arrangement reflects the

best interests of the child, which is delegated by the deployed parent to be a temporary caretaker.

Committee members described the Military Child Custody Act as promoting a better quality of life for New Mexico families. It asked whether the bill would be a new statutory section of the federal Service Members Civil Relief Act. The bill, if passed, would be standalone legislation. It establishes procedures and clarifies what can and cannot be done in determining temporary custody while a military service member is deployed. Approximately 23 other states have adopted specific statutes to address this issue.

Kenneth Ellis III Act

Mr. Lara, Jonelle Ellis, sister of Kenneth Ellis, and Alan Martinez, deputy secretary of veterans' services, discussed the need to train New Mexico police in recognizing and responding to people suffering from mental illness. Ms. Ellis described her brother, Kenneth Ellis, an Iraq veteran who suffered from severe posttraumatic stress disorder (PTSD). Mr. Ellis was shot and killed by Albuquerque police in January 2010. The family said the police force needed training to better handle people suffering from mental illness, particularly the many veterans returning from Iraq and Afghanistan. Ms. Ellis described her brother as a jokester and a giving person who, upon his return from Iraq, stopped talking, eating and sleeping. Ms. Ellis said that people with mental health issues can be difficult to understand and treat; so she urged that the police, who protect and serve the public, should have crisis intervention training. Ms. Ellis concluded by observing that crisis intervention training might have prevented the death of Mr. Ellis. Deputy Secretary Martinez described crisis intervention training as a very positive thing for law enforcement, particularly when making split-second decisions. Legislation requiring crisis intervention training will help the police and veterans stay safe.

Committee members asked about anticipated roadblocks to crisis training for police. Deputy Secretary Martinez said that a crisis training program would not have a major fiscal impact to the state but would be incorporated into the overall police training budget. The deputy secretary has been in touch with Albuquerque police leaders, who agree with the intent of the legislation but have some issues with wording. Committee members asked who would do the crisis intervention training. Deputy Secretary Martinez stated that the training would take place at the police academy and through continuing education training. Presbyterian Medical Services is working on a training curriculum. Committee members asked staff to research existing crisis intervention programs and training modules already developed. The panel said that police currently receive only 20 hours of training. The focus of the training would be in de-escalation, including body language, managing fear and other tools. The training would be required of all police officers. Committee members commented that while the training is a good idea, there are difficulties for small police departments in affording the training. Committee members asked for greater specificity in how the program would be paid for and what the training would entail. However, they said, the training is needed and will save lives. The committee suggested looking into funding from the Department of Veterans Affairs. The committee thought a program would not be ready by next year, but that the legislature should revisit the issue of creating a new curriculum, including whether anything in the existing curriculum can be cut out. It considered whether crisis intervention training should be made part of the 40-hour academy training curriculum or part of the recertification process for firearms. The committee asked staff to study

Texas' crisis training model in PTSD.

Legislative Endorsements

Upon a motion by Senator Ulibarri, seconded by Representative Garcia, the committee voted without objection to endorse draft bill A (File No. 182922.3) of the 2010 Proposed Legislative Endorsements and have Representative Garcia sponsor the legislation.

Upon a motion by Representative Sandoval, seconded by Senator Ulibarri, the committee voted without objection to endorse draft bill B (File No. 182806.1) of the 2010 Proposed Legislative Endorsements and have Representative Sandoval sponsor the legislation.

Upon a motion by Representative Garcia, seconded by Representative Alcon, the committee voted without objection to endorse draft bill C (File No. 183109.1) of the 2010 Proposed Legislative Endorsements and have Representative Garcia sponsor the legislation.

Upon a motion by Representative Sandoval, seconded by Senator Ulibarri, the committee voted without objection to endorse draft bill D (File No. 183184.1) of the 2010 Proposed Legislative Endorsements and have Representative Alcon sponsor the legislation.

Upon a motion by Senator Ulibarri, seconded by Representative Sandoval, the committee voted without objection to endorse draft bill E (File No. 182691.2) of the 2010 Proposed Legislative Endorsements and have Representative Alcon sponsor the legislation.

Upon a motion by Representative Sandoval, seconded by Representative Hamilton, the committee voted without objection to endorse draft bill F (File No. 183093.2) of the 2010 Proposed Legislative Endorsements and have Senator Ulibarri sponsor the legislation.

Upon a motion by Representative Cote, seconded by Senator Ulibarri, the committee voted without objection to endorse draft bill G (File No. 183233.1) of the 2010 Proposed Legislative Endorsements and have Representative Hamilton sponsor the legislation.

Upon a motion by Representative Cote, seconded by Senator Ulibarri, the committee voted without objection to endorse draft bill H (File No. 183095.1) of the 2010 Proposed Legislative Endorsements and have Representative Sandoval sponsor the legislation.

Upon a motion by Representative Cote, seconded by Representative Sandoval, the committee voted without objection to endorse draft bill I (File No. 182827.2SA) of the 2010 Proposed Legislative Endorsements and have Representative Anderson sponsor the legislation.

Upon a motion by Representative Cote, seconded by Representative Sandoval, the committee voted without objection to endorse draft bill J (File No. 183094.1SA) of the 2010 Proposed Legislative Endorsements and have Representative Garcia sponsor the legislation.

The committee determined that draft bill K of the 2010 Proposed Legislative Endorsements had not been thoroughly vetted and did not define hiring conditions adequately. It expects the film tax credit to be looked at extensively in the upcoming session. The MVAC recommended

not to endorse the bill at this time and that it be revisited at a later time.

The MVAC directed staff to send a letter to Secretary Garcia and Governor-Elect Susana Martinez recommending that Alan Martinez and Secretary Garcia remain with the Veterans' Services Department. The MVAC expressed its thanks to Governor Bill Richardson for his investment in New Mexico's veterans. The committee also thanked Mr. Lara for his drafting services.

There being no further business before the committee, the fourth meeting of the MVAC was adjourned at 3:00 p.m.

ENDORSED LEGISLATION

INTERIM MILITARY AND VETERANS' AFFAIRS COMMITTEE
2010 LEGISLATIVE ENDORSEMENTS

<u>202 File #</u>	<u>Type</u>	<u>Sponsor</u>	<u>Description</u>
.182691.2	Bill	Rep. Alcon	Authorize Designation of Person to Arrange Disposition of Remains of a Service Member
.182806.1SA	Bill	Sen. Ulibarri*	Law Enforcement Training to Deal with Persons with Mental Impairments
.182827.2SA	Bill	Rep. Anderson*	Creating a Veterans' Enterprise Fund
.182922.3	Bill	Rep. Garcia	Service Member Child Custody Arrangements During Deployment
.183093.2	Bill	Sen. Ulibarri	Additional 3% Preference for Veteran-Owned Resident Business or Manufacturer
.183094.2SA	Bill	Rep. Garcia*	Veterans Employment Tax Credit
.183095.1SA	Bill	Rep. Sandoval*	Deduction from Gross Receipts of Veteran-Owned Businesses for Federal Work
.183109.1	Bill	Rep. Garcia	Automatic Removal of Service Members Killed or Missing in Action from Jury Pool
.183184.1	Bill	Rep. Alcon	School Enrollment Priority for Children of Deployed Service Members

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<u>202 File #</u>	<u>Type</u>	<u>Sponsor</u>	<u>Description</u>
.183233.2	Memorial	Rep. Hamilton	Veterans' Services Department to Study Fort Bayard as PTSD Treatment Center

* Veterans' Services Department Request