

MILITARY AND VETERANS' AFFAIRS COMMITTEE

2012
INTERIM
FINAL REPORT



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

MILITARY AND VETERANS' AFFAIRS COMMITTEE
2012 INTERIM FINAL REPORT
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2012 INTERIM SUMMARY

MILITARY AND VETERANS' AFFAIRS COMMITTEE 2012 INTERIM SUMMARY

The Military and Veterans' Affairs Committee held five meetings in 2012. The committee focused on many areas affecting veterans and military personnel, including:

- (1) housing issues;
- (2) family and community support;
- (3) treatment options for posttraumatic stress disorder (PTSD); and
- (4) opportunities at educational institutions around the state.

Don Arnold, a United States Department of Veterans Affairs (VA) prior approval lender and veteran advocate, gave a presentation to the committee on the problems some veterans are having with losing their homes and the foreclosure process. The committee suggested that Mr. Arnold work with Secretary of Veterans' Services Timothy L. Hale to discuss the issues and develop possible solutions.

Representatives from Cannon Air Force Base and from the National Guard spoke about the comprehensive community and family support services provided to military personnel. These programs include relocation and transition assistance, financial management, youth and community programs and help with behavioral health, suicide prevention and sexual assault issues.

The committee heard several presentations on the topic of PTSD, including the services available from community-based outpatient clinics and the New Mexico VA health care system. The VA is striving to provide effective treatments that can be accessed by all veterans in the state, including through telehealth services. Treatment for veterans and military personnel suffering from PTSD is and will continue to be a significant concern for the committee.

Many educational institutions in the state offer programs for veterans and military personnel. The committee heard discussions on:

- (1) Northern New Mexico College's Green Jobs for Veterans Academy;
- (2) New Mexico State University's military and veterans' program;
- (3) VetSuccess on Campus, currently located at Central New Mexico Community College; and
- (4) the University of New Mexico's Veterans Resource Center.

A concern brought to the committee by Deputy Secretary Alan Martinez of the Veterans' Services Department is that a veteran may be running out of GI Bill benefits before the veteran has earned a degree. The committee agreed with Mr. Martinez that enabling legislation is needed to implement the veterans' scholarship program approved by the voters in 2010.

Other issues heard by the committee included the priorities and initiatives of the Veterans' Services Department and the Office of Military Base Planning and Support, the status of

cemetery space and long-term care options for veterans in the state and the impact of the Veterans Treatment Court that was established in 2011.

2012 WORK PLAN AND MEETING SCHEDULE

**2012 APPROVED
WORK PLAN AND MEETING SCHEDULE
for the
MILITARY AND VETERANS' AFFAIRS COMMITTEE**

Members

Rep. Thomas A. Garcia, Co-Chair
Sen. David Ulibarri, Co-Chair
Rep. Eliseo Lee Alcon
Rep. Dianne Miller Hamilton

Sen. Richard C. Martinez
Sen. John Pinto
Rep. Bob Wooley

Advisory Members

Rep. Thomas A. Anderson
Sen. William F. Burt
Sen. Carlos R. Cisneros
Rep. George Dodge, Jr.
Sen. Mary Jane M. Garcia
Sen. Eric G. Griego

Sen. Clinton D. Harden, Jr.
Sen. Timothy M. Keller
Rep. Rodolpho "Rudy" S. Martinez
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 session. The committee was permanently reauthorized by statute during the 2010 regular session. The committee was given various statutory duties, including making an annual report and recommending any necessary legislation to the next session of the legislature, and requesting necessary action to Congress, 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. The committee will coordinate, as needed, with other committees regarding presentations of subject matter of common concern.

During the 2012 interim, the Military and Veterans' Affairs Committee proposes to explore and discuss the topics in each major issue area affecting veterans and service members as follows:

1. higher education opportunities and programs offered by state educational institutions and public community colleges;
2. family support centers and other community support for military families and veterans;
3. the integration of veterans and returning military personnel into civilian life;
4. health care delivery systems for military personnel and veterans, including access to care in rural areas and via telemedicine options;

5. suicide prevention and support for military personnel, veterans and their families;
6. support for veterans and military personnel with posttraumatic stress disorder, including alternative treatment options, community programs, state and federal partnerships and status of the law enforcement training program for proper interaction with persons with mental impairments;
7. the status of long-term care options in the state for aging veterans;
8. the status of cemetery space for veterans throughout the state;
9. housing issues facing military personnel and veterans, including programs for affordable housing, foreclosure assistance and homeless veterans;
10. quality-of-life issues for military personnel, including child custody issues, honoring licensing and professional credentialing requirements from other states and educational credit for military education, training and experience;
11. the implementation of the veterans' preference on state contracts, pursuant to HB 97 (2012);
12. state benefits for retired military personnel, including exempting military retirement or retainer pay from state income tax;
13. status and impact of the Veterans Treatment Court, requested pursuant to SM 74 (2009);
14. the deployment and mission of the New Mexico National Guard at the state and federal levels;
15. comprehensive updates from military installations in the state, including squadron transitions, growth expectations and issues facing military personnel on base; and
16. an update on the jet fuel spill at Kirtland Air Force Base, including its impact on water quality and remediation efforts.

**Military and Veterans' Affairs Committee
2012 Approved Meeting Schedule**

<u>Dates</u>	<u>Location</u>
June 22	Santa Fe
July 9	Clovis
August 22	Silver City
October 3	Española
November 20	Santa Fe

AGENDAS

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

**June 22, 2012
Room 322, State Capitol**

Friday, June 22

- 9:00 a.m. **Call to Order**
- 9:15 a.m. **2012 Legislation — Summary**
—Pam Stokes, Staff Attorney, Legislative Council Service (LCS)
- 10:00 a.m. **Veterans' Services Department — Priorities and Initiatives**
—Timothy L. Hale, Secretary, Veterans' Services Department
- 11:00 a.m. **Quality-of-Life Issues**
—Dale Vande Hey, South Central Region State Liaison, U.S. Department of
Defense
- 12:00 noon **Lunch**
- 1:00 p.m. **Office of Military Base Planning and Support — Priorities and Initiatives**
—Hanson Scott, Director, Office of Military Base Planning and Support
- 2:00 p.m. **Discussion of Focus Areas and Work Plan**
—Pam Stokes, Staff Attorney, LCS
- 3:00 p.m. **Adjourn**

Revised: July 5, 2012

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

**July 9, 2012
Ingram Room, Clovis-Carver Public Library
701 North Main Street
Clovis, New Mexico**

Monday, July 9

- 8:45 a.m. **Call to Order**
- 8:50 a.m. **Welcoming Remarks**
—Mayor David Lansford, City of Clovis
- 9:00 a.m. **Cannon Air Force Base Operations — Mission Briefing**
—Colonel Albert M. "Buck" Elton II, Commander, 27th Special Operations
Wing, Cannon Air Force Base (CAFB)
- 10:00 a.m. **Family and Community Support Services — Cannon Airman & Family
Readiness Center**
—Major Dina Quanico, Commander, 27th Special Operations Force Support
Squadron, CAFB
- 11:00 a.m. **Housing Issues and Options on CAFB**
—Colonel David C. Piech, Commander, 27th Special Operations Mission Support
Group, CAFB
- 12:00 noon **Lunch**
- 1:00 p.m. **Family and Community Support Services — New Mexico National Guard
Family Readiness Program**
—Brigadier General John D. Bledsoe, Jr., Acting Adjutant General, New Mexico
National Guard
—Therese Sanchez, State Family Program Director, Family Readiness Program
—Boyd Barger, Yellow Ribbon Specialist
—Rachelle Day, Family Assistant Center Coordinator
- 2:00 p.m. **Foreclosure Prevention and Affordable Housing Issues in New Mexico**
—Don Arnold, VA Prior Approval Lender and Veteran Advocate
- 3:30 p.m. **Adjourn**

Revised: August 20, 2012

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

**August 22, 2012
Western New Mexico University Global Resource Center
Silver City, New Mexico**

Wednesday, August 22

- 9:00 a.m. **Call to Order**
- 9:05 a.m. **Relationship Between Western New Mexico University and Veterans**
—Dr. Joe Shepard, President, Western New Mexico University
- 9:35 a.m. **Status of Fort Bayard National Cemetery**
—Andrew Matthews, Cemetery Director, Fort Bliss and Fort Bayard National
 Cemeteries
- 10:15 a.m. **Old Fort Bayard Update**
—Chuck Gara, Director, Property Control Division, General Services Department
- 11:15 a.m. **Alternative Treatment Option for Posttraumatic Stress (PTS)**
—Dr. Patrick Nuzzo, Naprapathic School of Medicine
- 12:00 noon **Lunch**
- 1:00 p.m. **New Mexico Veterans Affairs (VA) Health Care System Programs: Effective
Treatments for PTS Disorder and Recent Findings with Female Veteran
Returnees from OEF/OIF and Suicide Prevention**
—Diane T. Castillo, Ph.D., Coordinator, Women's Stress Disorder Treatment
 Team, New Mexico VA Health Care System
—Brenda Mayne, Ph.D., Suicide Prevention Coordinator, New Mexico VA
 Health Care System
- 2:30 p.m. **Community-Based Outpatient Clinics (CBOCs) and PTS**
—Dr. Connie Ponce, Psy.D., Staff Psychologist and CBOC Supervisor for Mental
 Health Services
—Jill Johansen, L.C.S.W., OEF/OIF/OND Program Manager, Facility Integrated
 Ethics Officer
- 3:30 p.m. **Veterans Concerns in the Grant County Area**
—Representative Rodolpho "Rudy" S. Martinez
- 4:00 p.m. **Adjourn**

Revised: September 28, 2012

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

**October 3, 2012
Montoya Administration Building, Room 101
Northern New Mexico College
Española, New Mexico**

Wednesday, October 3

- 9:00 a.m. **Call to Order**
- 9:05 a.m. **Welcoming Remarks**
—Alice Lucero, Mayor, City of Española
—Dr. Nancy "Rusty" Barceló, President, Northern New Mexico College
(NNMC)
- 9:15 a.m. **Veteran Services at NNMC — Ensuring Access and Retention**
—Pam Montrose, Veterans Affairs Administrator, NNMC
—Dr. Matthew Martinez, Director, Northern Pueblos Institute, NNMC
- 10:15 a.m. **Military and Veterans Programs at New Mexico State University (NMSU)**
—Laura Grant, Veterans Programs Coordinator, NMSU
—Jacob Varela, Assistant Registrar, NMSU
—Vicente Vargas, Office of Government Relations, NMSU
- 11:15 a.m. **VetSuccess on Campus — Central New Mexico Community College (CNM)**
—Gwen Nutter, M.R.C., C.R.C., VetSuccess on Campus Counselor, CNM
Disability Resource Center
—Kathy Nelsen, M.Ed., L.P.C.C., Vocational, Rehabilitation and Employment
Officer, Albuquerque Veteran Affairs Regional Office
- 12:15 p.m. **Lunch**
- 1:15 p.m. **Veterans Resource Center at the University of New Mexico (UNM):
Focusing on Academic Success and Employment Preparation**
—Marilyn M. Dykman, L.C.D.R., U.S.C.G. (Ret.), Director, Veterans Resource
Center, UNM
—Terry Babbitt, Associate Vice President for Enrollment, UNM
—Alex Gonzalez, Director, Registrar's Office, UNM
- 2:15 p.m. **State Approving Agencies**
—Brandon Trujillo, Director, New Mexico State Approving Agency

- 3:15 p.m. **Veteran Scholarship Program**
—Alan Martinez, Deputy Secretary, Veterans' Services Department
- 3:45 p.m. **Update on the State's Namesake Nuclear Submarine, USS *New Mexico* (SSN-779)**
—Dick Brown, Chair, USS *New Mexico* Committee, Navy League of the United States
- 4:00 p.m. **Adjourn**

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

**November 20, 2012
Room 322, State Capitol
Santa Fe, New Mexico**

Tuesday, November 20

- 9:00 a.m. **Call to Order**
- 9:05 a.m. **Statewide Comprehensive Plan on Long-Term Care Options for Veterans**
—Timothy L. Hale, Cabinet Secretary, Veterans' Services Department (VSD)
- 10:00 a.m. **Statewide Comprehensive Plan on Cemetery Space**
—Timothy L. Hale, Cabinet Secretary, VSD
- 11:00 a.m. **Status and Impact of the Veterans Treatment Court**
—Alan Martinez, Deputy Secretary, VSD
—The Honorable Stan Whitaker, Judge, Second Judicial District Court (SJDC)
—Rachel Saiz, Pretrial Services Director, SJDC
—Retta Riley, Pretrial Services Officer, SJDC
- 12:00 noon **Consideration of Legislation**
—Pam Stokes, Staff Attorney, Legislative Council Service
- 1:00 p.m. **Adjourn**

MINUTES

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

**June 22, 2012
Room 322, State Capitol
Santa Fe**

The first meeting of the Military and Veterans' Affairs Committee for the 2012 interim was called to order by Representative Thomas A. Garcia, co-chair, on Friday, June 22, at 9:20 a.m. in Room 322 of the State Capitol in Santa Fe.

Members

Rep. Thomas A. Garcia, Co-Chair
Sen. David Ulibarri, Co-Chair
Rep. Eliseo Lee Alcon
Sen. Richard C. Martinez
Rep. Bob Wooley

Absent

Rep. Dianne Miller Hamilton
Sen. John Pinto

Advisory Members

Rep. Thomas A. Anderson
Sen. Carlos R. Cisneros
Rep. George Dodge, Jr.
Sen. Clinton D. Harden, Jr.
Rep. Rodolpho "Rudy" S. Martinez
Rep. Edward C. Sandoval

Sen. William F. Burt
Sen. Mary Jane M. Garcia
Sen. Eric G. Griego
Sen. Timothy M. Keller
Sen. William H. Payne

Guest Legislator

Sen. Bernadette M. Sanchez

Staff

Pam Stokes, Legislative Council Service (LCS)
Rebecca Griego, LCS
Melissa Candelaria, LCS

Guests and Handouts

The guest file and copies of all handouts and written testimony are in the meeting file.

Friday, June 22

Welcome and Introduction

Representative Garcia asked committee members and staff to introduce themselves. He then acknowledged the committee's many accomplishments since its inception three years ago

and the committee's desire to continue working hard on behalf of military veterans and their families during the 2012 interim session.

2012 Legislation — Summary

Ms. Stokes gave a summary of legislation related to military and veterans' affairs that passed the 2012 legislative session. The six bills passed and signed into law included: House Taxation and Revenue Committee (HTRC) Substitute for House Bills 10 and 154; House Bill 97; House Bill 131; House Bill 178; House Bill 219; and Senate Bill 369.

A committee member recognized HTRC/House Bills 10 and 154 as a good piece of legislation that provides an employer a credit of up to \$1,000 of the gross wages the employer pays to each qualified military veteran and hopes that employers and veteran employees will participate in the credit. The committee members also inquired as to how many veterans qualify for the credit and the total amount of credits provided. Ms. Stokes said that these numbers would be available next year after tax returns have been received.

Veterans' Services Department (VSD) — Priorities and Initiatives

Timothy L. Hale, secretary of veterans' services, began his testimony with a story of two brothers who in two separate incidents on the same day were injured by improvised explosive devices to illustrate the needs and challenges faced by New Mexico's injured veterans and their families. One brother suffers from a traumatic brain injury and the other is an amputee, two of the signature military-related injuries, and these brothers will need assistance from the VSD and the community. Secretary Hale underscored that the needs are even greater for those living in the rural areas of the state. He urged the committee to send a strong message to the federal Department of Veterans Affairs (VA), the primary provider of health care to veterans, to consider the unique needs of New Mexico's veterans. He stated that one of the duties of the VSD is to hold the VA accountable and help fill in the service gaps that the VA is unable to fill.

Secretary Hale introduced the new staff of the VSD, then reported that New Mexico receives \$1.5 billion through the VA and a majority of that amount is allocated for veterans' services and a lesser amount to construction. Based on this information, the VSD's focus is outreach to veterans and to assist them in accessing available VA resources. Secretary Hale emphasized the importance of outreach to veterans as the state experiences a significant increase in the number of military service men and women returning home as a result of early release from military missions, retirement and reduction in National Guard deployment cycles.

Secretary Hale explained that the strategic goals of the VSD are twofold: 1) to improve awareness and access to benefits for all New Mexico veterans; and 2) to improve and build upon community interagency partnerships to bridge verified gaps in VA benefits. The keys to achieving these goals include communication, cooperation and creating partnerships with other state agencies, as well as conducting strategic planning to ensure that the VSD is effectively serving veterans. Secretary Hale provided some examples of the work of the department, including the partnering with the federal Bureau of Indian Affairs to do outreach and establish

new programs for Native American veterans living in the remote tribal areas of the state. The department is providing outreach to veterans in rural counties to provide information and assist veterans in navigating the system to access benefits and services. He also reported that an anonymous crisis line is available to help veterans work through issues of suicide and other behavioral health needs. The department's long-term strategic planning includes addressing homelessness; posttraumatic stress disorder awareness and treatment; veteran joblessness; rural, Native American and women's issues; and an aging veteran population.

The VSD is working with the VA to avoid duplication of services and to ensure that services are tailored to the unique needs of veterans based on their location throughout the state. The VSD is partnering with the VA to take medical health care vans out to the rural and tribal areas, and a recent collaborative effort is clergy awareness day, giving clergy information about veterans' services and systems to share with the veterans in their parishes. The VSD's other key partners include Disabled American Veterans, Military Order of the Purple Heart, Veterans of Foreign Wars and the American Legion.

The total veteran population in New Mexico is 176,566. Ten community-based outpatient clinics (CBOC) exist to serve veterans, and the goal is to establish more CBOCs throughout the state. There are two state-funded veterans' homes, one in Albuquerque and the other in Truth or Consequences. Fort Bayard and the VA in Albuquerque offer services for Alzheimer's disease and traumatic brain injury patients. There are also two homeless/integration centers located in Albuquerque and Las Cruces to assist homeless veterans. Another nonprofit facility in Albuquerque caters specifically to homeless female veterans and their children and has had a good success rate. Secretary Hale concluded with a status report on the present cemetery sites, the proposed state cemetery site in Fort Stanton and the possible cemetery sites in the eastern Navajo Nation and Taos.

Committee members expressed interest in the proposed cemetery sites and the possibility of having a state or federal cemetery in Santa Fe as land becomes available. Committee members stated that local communities such as Angel Fire and Taos County are interested in building veterans' cemeteries in their areas. The committee asked if Colorado is interested in having a national cemetery due to the Santa Fe National Cemetery nearing full capacity, and Secretary Hale stated that Colorado is pushing for a cemetery in the southwest portion of the state, and Arizona is interested as well. He further stated that the federal government wants to support state-sponsored cemeteries. The state's current proposal requests federal assistance in the amount of \$3.1 million to operate the Fort Stanton cemetery and that local initiatives to establish veterans' cemeteries must agree to maintain them according to national standards, which will require a significant amount of resources. Strategic planning is needed to determine the needs for veterans' cemeteries and which areas of the state could best serve those needs. Tribal governments can submit their own applications for federal funding for veterans' cemeteries on tribal lands.

Committee members also emphasized the need for outreach and medical services to veterans in rural New Mexico and pointed out that transportation to the VA hospital in Albuquerque is difficult for many, including older veterans and veterans without vehicles. Secretary Hale said that the VA supports telehealth services to local community-based facilities and that the VSD is working with the VA to expand the CBOC program.

Committee members asked about the capacity of Fort Stanton. Secretary Hale answered that Fort Stanton could serve approximately 2,600 veterans. The state's proposal to activate Fort Stanton is in the final approval stage that includes a support letter from the governor and the assurance from the legislature to re-appropriate the initial matching funds. He stated that the Fort Stanton proposal may come to fruition in the next three years.

Committee members were interested in female veterans' issues and needs. Secretary Hale shared that the VSD is working with the VA to hold women's clinics in four locations to provide medical care to female veterans and their children, but mostly to inform female veterans of available resources and how to access the services. In addition, Secretary Hale offered to provide the committee with demographic information on New Mexico's female veterans. Further, he highlighted the Henderson House, a nonprofit facility that houses homeless female veterans and their children, as a model program that facilitates community partnership between private and nonprofit entities.

Committee members inquired about job opportunities for veterans and if the Veterans' Transition Assistance Program (VTAP) is still available. Secretary Hale said that the VTAP is still available and that the department is working with the Workforce Solutions Department to create links to potential employers, to host job fairs and to enlist monsters.com as a partner to advertise job opportunities to veterans. He also mentioned that the department has veterans' business outreach centers to assist veterans interested in starting their own businesses. Secretary Hale reported that 12,784 veterans have been to the VSD's offices asking for assistance with VA benefits, pensions and education. The VSD offered to report back to the committee the number of veterans requesting job search assistance and will also continue to work with the Economic Development Department.

Committee members stressed the need to hold the VA accountable for processing veterans' benefits applications. There is backlog of applications, and many veterans are losing hope that they will receive benefits. Acknowledging that this is a federal issue, the committee asked how it can help address the backlog problem and offered that it could pass a memorial encouraging the VA to expedite the processing of applications.

Quality-of-Life Issues

Dale Vande Hey, south central region state liaison, U.S. Department of Defense (DoD), thanked the committee for its work on behalf of service members and their families and briefly reviewed the 10 key DoD service member and family initiatives in New Mexico and asked for the legislature's support on two of those issues in 2013. First, he explained that service members

experience delay and lost opportunities qualifying for licenses and academic credit although they have applicable training and experience. The goal is to have states recognize military training and experience to provide service members with credit toward education and licenses or allowing for temporary permits for a limited period to allow the person to perform professional services while completing any specific state requirements.

Mr. Vande Hey also spoke about the career challenges faced by military spouses as a result of frequent moves and difficult licensing requirements. The goal is to have states offer alternative certification options and streamlined procedures to support the unique needs of working military spouses. Spouses want to maintain their careers and continue to utilize their skills, and states can help to reduce employment delay experienced by military spouses.

Mr. Vande Hey also thanked the committee and Representative Garcia for sponsoring House Bill 121, a bill that would ensure that deployment separation does not determine child custody. He noted that the bill went through the committee hearing process and had the support of the Family Law Section of New Mexico State Bar during the 2012 session. He looks forward to the passage of the bill in the next legislative session with the committee's support.

Committee members noted that the state has a reciprocity process for some professions and specialized trades that allows a person to transfer a certification or license from one state to New Mexico for up to six to eight months prior to obtaining licenses from the appropriate state board or commission. The committee asked Mr. Vande Hey to identify specific state licenses that do not currently qualify for reciprocity with other states as a first step to narrowing the areas that the legislature may need to address. In addition to getting this information from the state boards and commissions, Mr. Vande Hey said he would work with the state's military installations to obtain data on the skill sets of New Mexico's military spouses to determine which professional fields are relevant to the state.

Office of Military Base Planning and Support — Priorities and Initiatives

Hanson Scott, brigadier general (ret.), director, Office of Military Base Planning and Support, reported on New Mexico's military base planning programs and budgets for the military installations. President Obama and the secretary of defense rolled out new strategic guidance on January 6, 2012 providing that the military is going to be smaller and leaner in the future and it will invest in new technology, among other key elements. Brigadier General Scott said that the U.S. Army is downsizing and thus its budget and procurement plan is focused on training in order to preserve readiness and avoid hollowing out of the force. The U.S. Army's fiscal year (FY) 2013 budget is \$135 billion, which is a \$10 billion reduction from FY 2012, and funding for military personnel will be reduced by \$3.7 billion. He reported that the U.S. Army is proposing a decrease of 80,000 soldiers in the next several years. The U.S. Air Force's budget for FY 2013 is \$110.1 billion, a reduction of \$5.1 billion from the previous FY. Also in FY 2013, 227 aircraft will be retired, and an additional 59 aircraft will be retired between FY 2014 and FY 2017. The critical issue for the U.S. Air Force is the encroachment on training and test ranges, such as White Sands Missile Range (WSMR).

Brigadier General Scott addressed the issue of base realignment and base closure (BRAC), noting that the proposed BRAC legislation that would authorize two base closures, one in 2013 and another one in 2015, does not have the support of Congress. However, it is expected that legislation will eventually be passed providing for one or more base closure rounds in the future. He said the goal is to keep Kirtland Air Force Base and Cannon Air Force Base off the realignment list and warned that this will be a difficult task. He mentioned the importance of the state's military facilities to attain military value by doing everything possible to reduce operation costs.

Brigadier General Scott offered that all New Mexico military installations are in a state of transition and have experienced considerable turnover of commanding officers and key staff members. He reported that the number one issue is the transition from F-22s to two squadrons of F-16s at Holloman Air Force Base commencing in 2013. There is solid support from the military for the Holloman transition.

Brigadier General Scott reported that Kirtland Air Force Base's 377th Air Base Wing is continuing to address the jet fuel plume and the Air Force is fully committed to remediation. Also, the 377th Air Base commander is helping to implement a DoD grant to Albuquerque Public Schools for renovation of Wherry Elementary School. The 58th Special Operations Wing will be receiving a MC-130J aircraft, it recently dedicated a new simulator facility and it is looking for additional runway capacity to support assault landings.

Brigadier General Scott reported that Cannon Air Force Base received \$153 million for military construction in FY 2012 and \$93 million is requested in FY 2013 for a new medical facility and apron construction. Further, Cannon's housing privatization program was recently approved for \$470 million for the construction of 688 homes.

Brigadier General Scott pointed out that WSMR is an Army Center of Excellence for Network Integration. He underscored the importance of enabling WSMR to continue to play a key role in military testing and evaluation and to support opportunities to increase its airspace. He also reported that Fort Bliss recently conducted its first major exercise in New Mexico called Iron Focus that was activated in May 2011.

In closing, Brigadier General Scott mentioned that it is imperative that the military continue its outreach to county commissions and the state legislature. He recommended that all installation commanders be invited to make presentations to the committee and asked the committee to visit the installations.

Committee members are concerned about the possibility of budget cuts to the DoD budget and asked what the overall impact will be to the military bases across the state. Brigadier General Scott answered that budget cuts will have tremendous impacts on the bases, but the exact details are uncertain. The committee believes it is critical to know what the potential impacts are and how they may affect the state's national laboratories.

Committee members inquired as to the status of the SunZia Transmission Project and its effects on WSMR. Dan Hicks, chief of staff, WSMR, responded that the U.S. Bureau of Land Management issued a draft environmental assessment on the project. WSMR is in the process of submitting its comments to the draft assessment, including the concern that the project will significantly impact the northern areas of WSMR.

Committee members questioned if there are any outstanding issues regarding the Melrose Air Force Range expansion and lease, and whether the New Mexico Renewable Energy Transmission Authority (NMRETA) is working with the affected military installations. Brigadier General Scott stated that there are two issues, but one has been settled and the other is expected to be resolved very soon. Jeremy Turner from the NMRETA responded that the NMRETA aims to avoid impacting military missions when running its transmissions lines. The NMRETA has reached out to the military installations and is avoiding Holloman and Kirtland Air Force bases' flight zones. Mr. Turner said that while the NMRETA strives to establish working relationships with the military installations, it has no authority to make other entities abide by the same principles.

Discussion of Focus and Work Plan

Ms. Stokes reviewed the proposed committee work plan for the 2012 interim session.

The committee requested the addition of one work plan item to receive an update on the law enforcement training program that responds to situations involving veterans. The committee also requested that the meeting agenda topics be tailored based on the meeting locations and the issues relevant to those areas.

Senator Martinez requested to have a meeting in Española hosted by Northern New Mexico College. Upon a motion by Senator Martinez, seconded by Senator Ulibarri, the committee voted without objection to move the October 3, 2012 meeting from Santa Fe to Española.

The committee discussed holding its August meeting in Silver City to meet with one of New Mexico's Medal of Honor recipients, Army Staff Sergeant Drew Dix. Upon a motion by Representative Martinez, seconded by Senator Ulibarri, the committee voted without objection to move the August 29, 2012 meeting to either August 22 or 24 based on the availability of Army Staff Sergeant Dix. Representative Wooley made a motion to recommend holding a meeting in Roswell when considering the 2013 meeting schedule for the 2013 interim. The motion was seconded by Senator Ulibarri.

There being no further business before the committee, the first meeting in 2012 of the Military and Veterans' Affairs Committee adjourned at 12:37 p.m.

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

**July 9, 2012
Clovis-Carver Public Library
Clovis, NM**

The second meeting of the Military and Veterans' Affairs Committee for the 2012 interim was called to order by Senator David Ulibarri, co-chair, on Monday, July 9, at 8:47 a.m. in the Ingram Room of the Clovis-Carver Public Library, Clovis, New Mexico.

Members

Rep. Thomas A. Garcia, Co-Chair
Sen. David Ulibarri, Co-Chair
Rep. Eliseo Lee Alcon
Sen. Richard C. Martinez
Sen. John Pinto
Rep. Bob Wooley

Absent

Rep. Dianne Miller Hamilton

Advisory Members

Rep. Thomas A. Anderson
Sen. Carlos R. Cisneros
Rep. George Dodge, Jr.
Sen. Clinton D. Harden, Jr.
Rep. Rodolpho "Rudy" S. Martinez
Rep. Edward C. Sandoval

Sen. William F. Burt
Sen. Mary Jane M. Garcia
Sen. Eric G. Griego
Sen. Timothy M. Keller
Sen. William H. Payne

Staff

Pam Stokes, Legislative Council Service (LCS)
Douglas Carver, LCS
Rebecca Griego, LCS

Guests and Handouts

The guest file and copies of all handouts and written testimony are in the meeting file.

Monday, July 9

Welcome and Introductions

Senator Ulibarri opened the meeting by extending a welcome to the committee, staff and members of the public present. He asked all committee members and staff to introduce themselves. After introductions, Senator Ulibarri turned the chair of the committee over to Representative Dodge, as the committee was meeting in Representative Dodge's district (Senator

Ulibarri resumed the chair after the break for lunch). Mayor David Lansford welcomed the committee to Clovis, noting his appreciation for the committee's work and the importance of the military to his community.

Cannon Air Force Base (CAFB) Operations — Mission Briefing

Brigadier General Select Albert M. "Buck" Elton II, commander, 27th Special Operations Wing (SOW), CAFB; Colonel David C. Piech, commander, 27th Special Operations Mission Support Group, CAFB; and Chief Master Sergeant P.J. Henderson gave a presentation to the committee on CAFB's mission. Their presentation was outlined in a PowerPoint document that was presented to the committee. Brigadier General Select Elton noted that there had been a dramatic mission change for CAFB after 50 years of being focused on fighter and bomber missions. Since 1987, CAFB has been part of the Air Force Special Operations Command (SOC). Brigadier General Select Elton discussed the organizational structure of the SOC and the SOW, the projected growth in the 27th SOW and the aircraft flown by and the missions conducted or supported by the 27th SOW. He also detailed plans for development on CAFB and on the Melrose Air Force Range. In addition, he briefly discussed some issues surrounding low-altitude flight training, noting the advantages New Mexico and southern Colorado have for such training. He noted that an environmental impact assessment (EIA) has been completed and that the Air Force has decided to conduct a broader study. This broader study could lead either to another EIA or to a full-blown environmental impact statement.

Members of the committee asked questions about the capabilities of remotely piloted aircraft (RPA), known colloquially as "drones". Members of the committee also asked for further details on the review of the low-altitude flights and about the availability of medical facilities on CAFB for veterans who live in the area. There was some discussion of how Federal Aviation Administration regulations intersect with the low-altitude flight training plans. There was also discussion of encroachment on CAFB by the surrounding civilian areas and some problems that the current layout of roads might pose as the base population expands.

Family and Community Support Services — Cannon Airman and Family Readiness Center

Major Dina Quanico, commander, 27th Special Operations Force Support Squadron, CAFB, made a presentation to the committee on the Cannon Airman and Family Readiness Center. Her presentation was outlined in a PowerPoint document that was presented to the committee. Major Quanico discussed the integrated delivery system (IDS), which includes a wide spectrum of support services, including religious, counseling, health and recreation services. She then discussed the Airman and Family Readiness Center, which provides comprehensive family support services, including the Emergency Family Assistance Control Center, relocation assistance and transition assistance. The Airman and Family Readiness Center enhances resiliency in the troops, especially given the particular stressors of the special operations lifestyle. Family support services also include personal financial management, assisted by two accredited financial counselors. Additionally, the Emergency Family Assistance Control Center provides crisis assistance and identifies personal needs through the Air Force Personnel Accountability and Assessment System. The Air Force Aid Society provides financial

aid for emergencies in the form of loans or grants, as well as funding for a variety of community programs. Relocation and transition assistance are also provided for CAFB families, including a variety of employment resources. An extensive Family Readiness Program (FRP) provides deployment preparation and support. Other programs include the Air Force Wounded Warrior Program, a survivor benefits plan and casualty assistance office, and a resource center with computer work stations and self-help tutorials and resources. A variety of other programs help those on CAFB to integrate with the local community, liaise with the local school systems, find volunteer opportunities and work on personal and family enrichment.

Brigadier General Select Elton added that the personnel at CAFB move often and are gone often, which produces significant stressors on families. Service members at CAFB are deployed as often as they are at home, a rate greater than the norm in the Air Force. He also noted that conducting RPA strikes, where personnel use lethal force although they are not deployed, presents unique challenges.

Members of the committee asked questions about the transferability of professional licenses and how that impacts the integration of CAFB families in New Mexico and discussed access to CAFB facilities by members of the local communities.

Housing Issues and Options on CAFB

Lieutenant Colonel Anthony Figiera, P.E., commander, 27th Special Operations Civil Engineer Squadron, CAFB, gave a presentation to the committee on housing issues at CAFB. His presentation was outlined in a PowerPoint document that was presented to the committee. He discussed the increase in personnel at CAFB and how that impacts the housing available both on CAFB and in rental units in Clovis and Portales. Both family and dormitory space on CAFB are near capacity. Due to this housing crunch, CAFB will, over the next three to three-and-one-half years, be demolishing old housing units and constructing new ones under a 50-year privatization scheme with Balfour Beatty Communities. He noted that the Department of Defense mandates that bases only build to 80 percent of their requirements, so as CAFB continues to grow, it will rely even more on the local community for housing. At present, Clovis and Portales have vacancy rates of one percent.

Members of the committee had numerous follow-up questions about the privatization partnership.

Family and Community Support Services — New Mexico National Guard Family Readiness Program

Brigadier General John D. Bledsoe, Jr., acting adjutant general, New Mexico National Guard; Therese Sanchez, state family program director, FRP; Boyd Barger, Yellow Ribbon specialist; and Rachelle Day, Family Assistance Center coordinator, gave a presentation to the committee on the New Mexico National Guard FRP. Their presentation was outlined in a PowerPoint document that was presented to the committee. They discussed the FRP, whose mission is "to establish and facilitate ongoing communication, involvement, support and

recognition between military families and the military in a partnership that promotes the best in both". They noted that the Family Assistance Centers are regional focal points for all service members and their families. The Yellow Ribbon Deployment Programs cover pre-, mid- and post-deployment services. The FRP has a youth program to support the children of military members, runs the SouthWest Assistance Team that provides a variety of support services for service members and their families, employs directors of psychological health for behavioral health services, employs military and family life consultants for counseling and has outreach services for survivors of fallen service members. The FRP also includes the Employer Support of the Guard and Reserve, which assists National Guard and Reserve members in finding a meaningful job; and the Military One Source 24-Hour Call Center, which provides additional counseling services. The FRP also has special initiatives in the areas of resiliency, suicide prevention and sexual assault, and collaborative initiatives focusing on awareness training for clergy members not associated with the National Guard and other local support and wellness providers.

Members of the committee inquired about how outreach is done for these programs, and there was a brief discussion of the effectiveness of some of the initiatives.

Foreclosure Prevention and Affordable Housing Issues in New Mexico

Don Arnold, Veterans Administration prior approval lender and veteran advocate, gave a presentation to the committee on foreclosure prevention and housing issues in New Mexico. Mr. Arnold gave an overview of the profile of veterans in the New Mexico housing market and discussed some specific cases he had encountered of veterans losing their homes or becoming enmeshed in foreclosure problems. He presented the following recommendations to the committee: that there be required mediation before foreclosure on a property; that banks be required to pay interest on an escrow account to the homeowner; that the senior exemption to property taxes be increased; that there be a graduated veterans tax exemption, depending on the percentage of service-related disability; that there be more transparency in loan documentation; and that an architecture be developed in the state to deal with problems New Mexico veterans have with home loans. Members of the committee suggested that Mr. Arnold work with Secretary of Veterans' Services Timothy L. Hale on solutions to the problems he discussed. Representative Martinez made a motion, seconded by Representative Wooley, that a letter be sent to Governor Susana Martinez requesting that she intervene in the problems of foreclosure for veterans. The motion passed with all present voting in favor.

Adjournment

There being no further business before the committee, the committee adjourned at 3:30 p.m.

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

**August 22, 2012
Western New Mexico University Global Resource Center
Silver City, NM**

The third meeting of the Military and Veterans' Affairs Committee for the 2012 interim was called to order by Senator David Ulibarri, co-chair, on Wednesday, August 22, at 8:59 a.m. in the Western New Mexico University (WNMU) Global Resource Center in Silver City.

Members

Rep. Thomas A. Garcia, Co-Chair
Sen. David Ulibarri, Co-Chair
Rep. Eliseo Lee Alcon
Rep. Dianne Miller Hamilton
Sen. Richard C. Martinez
Sen. John Pinto
Rep. Bob Wooley

Absent

Advisory Members

Rep. Thomas A. Anderson
Rep. George Dodge, Jr.
Rep. Rodolpho "Rudy" S. Martinez

Sen. William F. Burt
Sen. Carlos R. Cisneros
Sen. Mary Jane M. Garcia
Sen. Eric G. Griego
Sen. Clinton D. Harden, Jr.
Sen. Timothy M. Keller
Sen. William H. Payne
Rep. Edward C. Sandoval

Guest Legislators

Rep. Yvette Herrell
Rep. Debbie A. Rodella

Staff

Pam Stokes, Legislative Council Service (LCS)
Douglas Carver, LCS
Rebecca Griego, LCS

Guests and Handouts

The guest file and copies of all handouts and written testimony are in the meeting file.

Wednesday, August 22

Welcome and Introductions

After a presentation of the colors by Vietnam Veterans of America, Chapter 358, Senator Ulibarri opened the meeting by extending a welcome to the committee, staff and members of the public present. After presentation of the colors, he asked all committee members to introduce themselves.

Relationship Between WNMU and Veterans

Dr. Joe Shepard, president, WNMU, discussed the efforts being made by the university to provide services and education to veterans. He noted that there are approximately 70 veterans enrolled at WNMU and that the university had recently been given a "military friendly university" designation. Dr. Shepard noted that in order for WNMU to do a better job of informing veterans of the opportunities available to them at WNMU, the university has set up an office dedicated to assisting veterans in overcoming hurdles to access education; the registrar's office is working to help veterans with financing their education; and the university is looking at ways to grant credit for training done while in the service. Finally, WNMU is at the forefront of the research and technology to study posttraumatic stress disorder (PTSD) by training individuals who can work with those suffering from PTSD.

In response to questions from members of the committee, Dr. Shepard discussed WNMU's efforts to recruit more veterans. He stated that the areas near WNMU's campuses are natural areas for veterans and that the military-friendly designation would attract more veterans to the campus. In addition, Dr. Shepard noted that as part of increasing recruitment, WNMU is reaching out beyond New Mexico to Arizona, California and Texas, with the hope that if residents of those states move to New Mexico for their education, they would then stay in the state.

After introductions, Senator Ulibarri turned the chair of the committee over to Representative Martinez, as the committee was meeting in Representative Martinez's district.

Status of Fort Bayard National Cemetery

Andrew Matthews, cemetery director, Fort Bliss and Fort Bayard national cemeteries; and James Porter, also of the Fort Bliss and Fort Bayard national cemeteries, discussed the status of the Fort Bayard National Cemetery with the committee. Mr. Porter is also the contracting officer's representative for the private contractor that now manages the Fort Bayard National Cemetery. They discussed the changing standards regarding who may be buried at Fort Bayard and the numbers and types of burials at the cemetery, noting the increase in burials in each of the last three years. They noted that the contract for the cemetery is for upgrades so that the cemetery can continue to serve the community for the coming decades; if nothing is done to expand the cemetery, it will run out of room in eight years. The National Cemetery Administration (NCA) of the United States Department of Veterans Affairs (VA) wishes to maximize development of the cemetery to prolong its active use. Mr. Matthews and Mr. Porter

explained how the contract improvements would increase the opportunities for the different types of burials in the cemetery. Mr. Porter noted that he works closely with veterans' service agencies and other veterans' groups so that they know that even though there is a private contractor, the cemetery will still be serving the state's veterans. Mr. Matthews added that the NCA is interested in acquiring additional land adjacent to the existing 18.8 acres of the cemetery in order to expand its overall capacity.

Members of the committee asked about vandalism at the cemetery. Mr. Porter stated that he is unaware of any vandalism but would confirm that with the contractor. Members of the committee also asked further questions about the possible expansion of the cemetery.

Old Fort Bayard Update

Chuck Gara, director, Property Control Division (PCD), General Services Department, discussed the PCD's analysis of the Fort Bayard campus and its recommendations for the campus' disposition, working his way through a handout provided to the committee. He gave an overview of the history of the buildings on the campus and their current conditions, focusing especially on the old Fort Bayard Medical Center (FBMC). He noted that it would cost \$28 million to bring the FBMC up to current code and would have a replacement cost of approximately \$93 million. He added that although the building is structurally sound, the layout is not conducive to the functions of a modern hospital. At present, it costs the state approximately \$45,000 a month to maintain the Fort Bayard complex, of which amount approximately \$34,000 a month is associated with the FBMC, a cost to the state of \$500,000 a year. A significant proportion of that cost is associated with the need to maintain the boiler system for the complex. Mr. Gara stated that demolition of the FBMC would substantially reduce the state's costs connected to Fort Bayard, although there are still significant questions to be addressed concerning the cost of demolition, including waste disposal and asbestos remediation.

Mr. Gara also discussed the water rights associated with Fort Bayard, noting there are two designations of rights, the first of 80 acre-feet the second of 200 acre-feet. The water is of high quality and could be used for a number of purposes.

Mr. Gara also discussed the Lautman Economic Architecture Partners (LEAP) study of options for the use of Fort Bayard. None of the proposed projects in the LEAP study is sufficiently developed and/or has sufficient money to be feasible at this time.

Mr. Gara concluded by stating that the PCD's recommendation is that funding be provided to demolish the FBMC. The cost for demolition could run from \$4 million to \$5 million.

A member of the committee suggested that it would be best if Fort Bayard is preserved.

Public Comment on Fort Bayard

The committee allowed public comment on the Fort Bayard proposal.

Two members of the public suggested that the FBMC be turned into a center to treat PTSD.

Another member of the public noted that the community has been working on the issue of Fort Bayard for a long time.

Mayor Richard Bausch of the Village of Santa Clara said that his village is interested in managing the property and coordinating groups interested in Fort Bayard.

Arlene Schadel, economic development coordinator for Grant County, noted that Fort Bayard is an economic development opportunity for Grant County and discussed some proposed projects.

Another member of the public discussed veterans' benefits as entitlements.

Another member of the public noted that the community had been working since 1971 on Fort Bayard and that it is more important to have dollars for benefits than to preserve the building.

Katherine Brown, the past chair of the Operation Bayard Task Force, noted that the task force is now a 501(c)(3) organization and that while it wants grants, it needs ownership of Fort Bayard. She also noted that she supports the Village of Santa Clara and Grant County becoming collaborating forces.

Motion

Senator Martinez made a motion to approve the minutes of the July 2012 committee meeting, which was seconded by Representative Alcon. The motion passed with all present voting in favor.

Alternative Treatment Option for Posttraumatic Stress

Dr. Patrick Nuzzo, Southwest University of Naprapathic Medicine, discussed the use of naprapathic medicine to treat veterans. He gave an overview of the practice and discussed how the drugless alternative medical practice could benefit veterans, particularly veterans' mental and physical trauma. Dr. Nuzzo wishes to have his practice certified with the federal Department of Defense (DOD) or the VA so that his university can train practitioners to help veterans. He had three wishes: first, that the VA understand naprapathic medicine and a request for a memorial similar to the one the committee sponsored concerning acupuncture a few years ago; second, to market his program to veterans so that veterans can be trained to heal other veterans; and third, to establish a program that has been certified by the VA. Members of the committee asked follow-up questions regarding the certification process and expressed support for Dr. Nuzzo's program.

Community-Based Outpatient Clinics (CBOCs) and PTSD

Dr. Connie Ponce, Psy.D., staff psychologist and CBOC supervisor for mental health services, gave an overview of the CBOCs and the West Texas Veterans Affairs Health Care System, working her way through a handout provided to the committee. She discussed the coverage of the West Texas system, which includes the area around Hobbs. She discussed the transition from active or inactive status to veteran status and how veterans learn of the services available, including the use of DOD liaisons and veterans' service officers; she also discussed outreach efforts, including welcome home events, town hall meetings, involvement in local community events and presentations with National Guard units. She noted that the CBOC's primary purpose is to assist in the assessment and coordination of care for all Operation Enduring (OEF), Operation Iraqi Freedom (OIF) and Operation New Dawn veterans but that case management is extended to veterans of all conflicts. Part of the care coordination is an explanation of the services available to veterans and their families, including medical, dental and mental health services and specialty care and an explanation of where services can be accessed. There is also an assessment of what services are needed for each veteran and the provision of ongoing assistance after the assessment is complete. The aim of the CBOCs is to offer services to all veterans, recognizing the unique challenges of access to health services in rural areas. Solutions to these challenges include creating better awareness through outreach efforts and education of veterans and staff; transportation, which currently is provided principally by local volunteer and service organizations; and some limited resources on site, including visits by staff from the Midlands Veterans Center, fee-based services to community partners and agencies and telehealth services.

Dr. Ponce then discussed mental health services for PTSD. The first step is an assessment of whether outpatient or inpatient services are required. Next, there is an identification of resources for the veteran, which include PTSD support groups, residential programs for PTSD, evidence-based therapies for PTSD, including prolonged exposure and cognitive processing therapy, and medication management providers. She noted that a rural CBOC can provide treatment for PTSD. At present, the principal way is through telehealth services; in the future, it is hoped that there will be provision of in-home services, including home-based primary care with home webcam units. Also important is increased staffing for CBOCs, staff training and support for evidence-based therapies and integration of mental health into primary care. Dr. Ponce concluded by summarizing the strengths of the CBOCs and the challenges posed for rural health care for veterans.

Members of the committee asked Dr. Ponce further questions about rural transportation, telehealth initiatives and the use of alternative therapies in CBOCs.

Effective Treatments for PTSD and Recent Findings with Female Veterans

Diane T. Castillo, Ph.D., coordinator, Women's Stress Disorder Treatment Team, New Mexico VA Health Care System, discussed effective treatments for PTSD and recent findings from a study of new approaches to prolonged exposure therapy and cognitive processing therapy, working her way through a PowerPoint presentation she presented to the committee. She

explained in detail the diagnostic measures that are used to assess whether someone has PTSD, including the type of trauma; the three symptom categories of re-experiencing symptoms, avoidance or numbing symptoms and hyperarousal symptoms; and the duration of the symptoms, most importantly, whether the veteran experiences three types of symptoms for one month. She noted that a 1980 study showed that veterans had a 15 percent overall rate of PTSD, a rate that increased to 20 percent for African American veterans and 29 percent for Hispanic veterans. PTSD rates for OIF and OEF male veterans are from 15 to 20 percent; female OIF and OEF veterans had a 22 to 25 percent rate of PTSD. Dr. Castillo also discussed rates of recovery after rape and the fact that the more trauma an individual has had, the more likely there is to be a PTSD diagnosis. Dr. Castillo explained to the committee that over the last 30 years of studying PTSD, two therapies have been shown to be the most effective: prolonged exposure therapy and cognitive processing therapy. Dr. Castillo discussed the processes involved with these therapies.

Dr. Castillo concluded her presentation by giving the committee a detailed overview of a DOD study she conducted involving 72 OEF/OIF female veterans with PTSD. Her hypothesis is that the two therapies would be as effective in a group setting as they are in individual therapy. While the full data will not be available until approximately the end of April 2013, the preliminary results of the study seem to indicate that combining the therapies in a group setting is at least as effective as using either of the therapies in an individual setting.

Members of the committee asked Dr. Castillo for some clarification about prolonged exposure therapy and cognitive processing therapy, about PTSD and about the stigma that some consider to be attached to PTSD.

Returnees from OEF/OIF and Suicide Prevention

Brenda Mayne, Ph.D., suicide prevention coordinator, New Mexico VA Health Care System, gave a presentation to the committee on the problem of suicide among New Mexico's veterans. She noted that not only does New Mexico place in the top five of states for suicide deaths, a disproportionate percentage of those suicides are the state's veterans. She discussed the New Mexico VA Health Care System's suicide prevention efforts, including individual, family and group therapy; special tracking of veterans who are considered a high suicide risk; and inpatient treatment when necessary. She stated that staff on all levels are trained in suicide prevention. She also discussed her role as suicide prevention coordinator to address suicide risk among the families of veterans. She gave a brief overview of the programs available to prevent veteran suicides.

Veterans' Concerns in the Grant County Area

Representative Martinez discussed certain concerns of veterans in Grant County. The principal concern is the time and expense of travel to Albuquerque or other metropolitan areas for the area veterans, particularly older veterans, for whom such a trip can start at 1:30 a.m. and not end until the evening. He noted that he has been discussing the issue with Secretary Timothy L. Hale of the New Mexico Veterans' Services Department. He also noted that there has been

discussion about ways for area hospitals to provide more of the necessary veterans' services so that Grant County veterans could avoid long journeys for treatment.

Adjournment

There being no further business before the committee, the committee adjourned at 3:30 p.m.

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

**October 3, 2012
Northern New Mexico College
Española, NM**

The fourth meeting of the Military and Veterans' Affairs Committee (MVAC) for the 2012 interim was called to order by Representative Thomas A. Garcia, co-chair, on Wednesday, October 3, at 9:01 a.m. in Room 101 of the Montoya Administration Building of Northern New Mexico College (NNMC) in Española, New Mexico.

Present

Rep. Thomas A. Garcia, Co-Chair
Sen. David Ulibarri, Co-Chair
Rep. Eliseo Lee Alcon
Rep. Dianne Miller Hamilton
Sen. Richard C. Martinez
Sen. John Pinto
Rep. Bob Wooley

Absent

Advisory Members

Rep. Thomas A. Anderson
Sen. William F. Burt
Sen. Carlos R. Cisneros
Rep. George Dodge, Jr.
Rep. Rodolpho "Rudy" S. Martinez
Rep. Edward C. Sandoval

Sen. Mary Jane M. Garcia
Sen. Eric G. Griego
Sen. Clinton D. Harden, Jr.
Sen. Timothy M. Keller
Sen. William H. Payne

Guest Legislator

Rep. Debbie A. Rodella

Staff

Pam Stokes, Legislative Council Service (LCS)
Douglas Carver, LCS
Rebecca Griego, LCS

Guests and Handouts

The guest file and copies of all handouts and written testimony are in the meeting file.

Wednesday, October 3

Welcome and Introductions

Representative Garcia opened the meeting by extending a welcome to the committee, staff and members of the public present. He asked all committee members and staff to introduce themselves. After introductions, Representative Garcia turned the chair of the committee over to Senator Martinez, as the committee was meeting in Senator Martinez's district.

Welcoming Remarks

Alice Lucero, mayor, City of Española, welcomed the members of the committee to the area. She noted that the Española Valley and Northern New Mexico are home to many veterans. She told the members of the committee about the war memorial in Española. She noted that the local Veterans of Foreign Wars post had been promised a 90 mm cannon after World War II, yet now that the city would like to have the cannon for its memorial, the cannon it was promised could no longer be found. Mayor Lucero gave members of the committee a letter that she wrote to the United States Army Center for Military History requesting a cannon for the city's memorial, and she asked the committee for its support in Española's quest for a cannon.

Motion 1

Senator Martinez made a motion, seconded by Senator Ulibarri, requesting that the committee send a letter to the United States Army Center for Military History to support the mayor and the Española City Council in their efforts to get a cannon for the war memorial. The motion passed with all members present voting in favor. Representative Garcia requested that Senator Martinez sign the letter in addition to the chairs of the committee as the war memorial is in his district.

Dr. Nancy "Rusty" Barceló, president, NNMC, welcomed the members of the committee to NNMC. She told the committee that the college is committed to seeing that veterans earn competitive degrees and that veterans are incorporated into the college's new outreach, advising and teaching strategy. She noted that the El Rito Campus of NNMC has many veterans enrolled. Michael P. Branch, president of the NNMC Board of Regents, also welcomed the committee, along with Alfred J. Herrera, a board member.

Veteran Services at NNMC — Ensuring Access and Retention

Pam Montrose, veterans affairs administrator, NNMC; Dr. Matthew Martinez, director, Northern Pueblos Institute, NNMC; and Dr. James Biggs, director of the faculty of environmental science and coordinator for the Green Jobs for Veterans Academy, discussed the services provided to veterans by NNMC. Ms. Montrose discussed the number of people using veterans' benefits at NNMC; this can include both veterans and family members of veterans, depending on the type of veteran education benefit. Currently, there are 57 students using veterans' benefits, but an increase in coming years is anticipated. Ms. Montrose then discussed the five different types of GI bills administered by NNMC and the number of students using each: Chapter 33 benefits, for post 9/11 veterans; the older Chapter 30 benefits; the Veterans

Retraining Assistance program; Chapter 35 benefits for dependents; and Chapter 31 benefits for disabled veterans. She noted that nursing, radiology and engineering are the most popular majors for those using veterans' benefits.

Dr. Biggs told the committee about the Green Jobs for Veterans Academy program, founded 18 months earlier after a six-month discussion. The program offers certificates, associate degrees in applied science and bachelor of science degrees in areas such as renewable energy, environmental science, wildland fire, renewable energy, forestry and environmental monitoring. Dr. Biggs stated that the biggest challenge with the program is retention of interested veterans. The initial plan was to have students enter the program in cohorts of 10, but in the last 18 months, of the 25 to 30 potential students for the program, 90 percent have chosen not to participate, usually because of financial reasons, family issues or medical problems.

Dr. Martinez discussed the American Indian students at NNMC. His presentation was outlined in a PowerPoint document that was presented to the committee. He noted that NNMC's mission included being a Hispanic and indigenous serving institution. He discussed the proportion of Native American students at NNMC, which was 10 percent in the autumn of 2012, with Native American students graduating at a rate slightly higher than their enrollment proportion. The top majors for Native American students are business administration, education and nursing. Dr. Martinez also discussed the American Indian Center at NNMC, the Office of American Indian Affairs at NNMC and the Pueblo Indian Studies program. He also discussed the extension of the use of dual credit courses in partnership with area school districts and ongoing initiatives such as the campus' American Indian Student Organization, the upcoming Historias de Nuevo Mexico conference, lectures and film series and collaborations with state colleges, tribal colleges and community-based organizations.

Members of the committee asked the panel for more details about outreach and recruitment, benefits for disabled veterans and their dependents, the dual credit program and the NNMC film program.

Military and Veterans' Programs at New Mexico State University (NMSU)

Laura Grant, veterans programs coordinator, NMSU; Jacobo Varela, assistant registrar, NMSU; and Vicente Vargas, Office of Government Relations, NMSU, discussed military and veterans' programs (MVPs) at NMSU. Their presentation was outlined in a PowerPoint document that was presented to the committee. They told the committee that the MVPs at the main NMSU campus in Las Cruces are under the Registrar's Office in the Student Affairs and Enrollment Management Division. There are certifying officials at each NMSU campus for veterans' education benefits and support for tuition assistance for veterans centralized at the main campus. They discussed the system-wide numbers the MVPs served for 2012 and the fees paid to NMSU through military benefits. They discussed the MVPs' collaboration with faculty, staff and external stakeholders and outlined the portals available to veterans and members of the military to assist with their benefits, including the VAOnce program; GoArmy Ed, for the Army, reservists and National Guard; the AI Portal for the Air Force; and MyCAA for members of the

Navy and their dependents. They also discussed on-campus support for members of the military and veterans and outreach conducted to the community, including membership in the Greater Las Cruces Chamber of Commerce Military Affairs Committee; board membership in the Honor Flight of Southern New Mexico, which sends World War II and Korean War veterans to the memorials in Washington, D.C., yearly; and outreach to White Sands Missile Range, Holloman Air Force Base and Fort Bliss. They informed the committee that Mr. Varela had recently attended a Department of Defense Worldwide Symposium for Higher Education; that NMSU attends the yearly meeting of the Western Association of Veterans Education Specialists Conference; and that NMSU is a member of the National Association of Veteran's Program Administrators. NMSU has been designated a military-friendly institution by both GI Jobs and Military Advanced Education for the last three years in a row. Going forward, NMSU is considering making military members and veterans eligible for preferential course registration; will implement plans to make earlier connections with service members and their families during the admission process; is negotiating a new memorandum of understanding (MOU) with Fort Bliss to allow recruitment and outreach on post; and is constructing a mentoring program for veteran students and a service member-specific new student orientation. The panel concluded its presentation by mentioning barriers to admission for service members, including prior balances owed to other colleges and difficulties in transitioning to an academic environment, particularly for combat veterans. The panel also discussed that reservists do not receive in-state tuition, which may occasion an amendment to the state statute on in-state tuition for members of the military.

Members of the committee inquired further about rural outreach, the conversion of military training to academic credit and how NMSU addresses posttraumatic stress disorder (PTSD). Members of the committee noted that it was believed that recent legislation defining who is a member of the military should solve the issue of reservists not being eligible for in-state tuition; MVAC staff was directed to research the matter.

VetSuccess on Campus — Central New Mexico Community College (CNM)

Gwen Nutter, M.R.C., C.R.C., VetSuccess on Campus counselor, CNM Disability Resource Center; and Kathy Nelsen, M.Ed., L.P.C.C., vocational, rehabilitation and employment officer, Albuquerque Veteran Affairs Regional Office, spoke to the committee about the VetSuccess program at CNM and the Albuquerque campus of the University of New Mexico (UNM). Their presentation was outlined in a PowerPoint document that was presented to the committee. Ms. Nutter noted that CNM and UNM had been selected for two slots in the VetSuccess on Campus program, a program to assist veterans to transition to college life and to successfully complete their education programs. The program started at the two campuses in May. CNM was selected for the program because of its large enrollment of veterans, its proximity to a Department of Veterans Affairs (VA) Regional Office and Medical Center, the provision of space and furniture for the program and CNM's collaborations with other veteran support services on campus. Ms. Nutter noted that in the fall of 2012, there were 1,225 CNM students using veterans' benefits. Ms. Nutter discussed the various facets of her role, including working with veterans to obtain their proper benefits and other student assistance; handling

walk-in requests from veterans; making referrals for employment, medical care or other assistance; providing vocational and readjustment counseling; and networking with veterans' assistance organizations in the community. The VetSuccess program will collaborate with CNM staff and faculty to develop mechanisms for measuring veterans' graduation and retention rates. Ms. Nelsen discussed the special efforts that are being made in collaboration with the VA Hospital poly-trauma staff to assist veterans with PTSD and traumatic brain injury (TBI). Members of the committee expressed support for the efforts of the VetSuccess program and had suggestions for how the program might be extended across the state.

New Mexico National Guard Members Who Were Called up for the State Penitentiary Riot in 1980

Floyd J. Garcia, a member of the New Mexico National Guard who was called up to respond to the State Penitentiary Riot of 1980, and other individuals who were guardsmen who responded to the riot told the committee of their ongoing problems because of untreated PTSD. They presented a letter that will be sent to Governor Susana Martinez about their struggles and a memoir that Mr. Garcia has written about the incident. They also discussed the destruction of their records by the New Mexico National Guard.

Motion 2

Representative Alcon made a motion, seconded by Senator Ulibarri, that a letter be sent to Secretary Timothy L. Hale of the Veterans' Services Department enclosing a copy of the memoir, asking what benefits might be available to the guardsmen and inquiring about the destruction of records. The motion passed with all members present voting in favor.

Deputy Secretary Alan Martinez of the Veterans' Services Department noted that the guardsmen called up for the penitentiary riot were called up by the governor, not the president, which is why they did not qualify for benefits, though he said he felt it would be appropriate for the state to find a way, through the Risk Management Division of the General Services Department or another agency, to provide benefits to these guardsmen. Deputy Secretary Martinez also stated that a letter asking about the destruction of records should be directed to the Department of Military Affairs, as it is the custodian of those records; he further stated that he would be willing to contact the department about this issue. Finally, he discussed how the Veterans' Services Department handles original records when they are sent in by service members.

Veterans Resource Center at the UNM: Focusing on Academic Success and Employment Preparation

Marilyn M. Dykman, L.C.D.R., U.S.C.G. (Ret.), director, Veterans Resource Center, UNM; Terry Babbitt, associate vice president for enrollment, UNM; and Alex Gonzalez, director, Registrar's Office, UNM, discussed how UNM addresses the needs of its students who are veterans. Their presentation was outlined in a PowerPoint document that was presented to the committee. They began their presentation by giving an overview of UNM's transitional services for veterans. They then discussed how military service training can be transferred to

academic credit at UNM. They gave an overview of the various types of education benefits used by veterans or their spouses or dependents at UNM, and they discussed the dedicated staff and resources being offered to veterans for the upcoming spring 2013 registration. They stressed how the transition from active duty military service to an academic setting can be difficult for these students, with many needing assistance in basic education skills such as mathematics, reading and writing; it can take one to two years for a veteran to adjust to the vastly different environment of an educational program. A further challenge for many veteran students arises from having experienced trauma while in service, especially for those who suffer from TBI or PTSD. They told the committee that UNM is fully networked into veterans' services throughout the state, including by agreeing to MOUs with the Veterans' Services Department, the Workforce Solutions Department and CNM. There is also a consortium agreement with CNM to ensure that credits can easily transfer from CNM to UNM. Additionally, a veteran employment representative and a representative from Disabled Veterans of America are on site weekly. They gave an overview of the rapid growth in the UNM Veterans Resource Center from 2009 to the present, driven by the 88 percent increase in veteran students at the university. They briefly discussed UNM's VetSuccess on Campus program and how the university is implementing Presidential Executive Order 13607, "Principles of Excellence for Educational Institutions Serving Service Members, Spouses, and Other Family Members". The university has a pilot program called Operation College Promise, backed by the Pat Tillman Foundation, that is collecting data on and tracking the progress of a randomly selected cohort of 50 veteran students. They also gave an overview of the Boots to Books, the Supportive Education for Returning Veterans and the Boots to Suits programs, all intended to help veterans complete their college education and enter the work force. They mentioned that UNM is launching a survey to see what particular issues veterans might have while attending UNM and to better assess veterans' needs. They told the committee that there is a need for more resources to fully implement all of these programs and plans, and they expressed the desire for the UNM Veterans Resource Center model to be used at colleges throughout the state. They finished their presentation by showing photographs of their new office space and showing the committee the special certificate and commemorative coin that are presented to veteran students upon graduation.

Members of the committee asked for further elucidation of UNM's support programs for veterans, funding needs and outreach efforts to veterans.

State Approving Agencies

Brandon Trujillo, director, New Mexico State Approving Agency (SAA), gave an overview of the functions of the SAA. The SAA approves schools and on-the-job training programs to ensure that they meet federal requirements for programs that utilize VA education benefits. He noted that the SAA has recently moved back under the authority of the Veterans' Services Department after two years under the Higher Education Department. The SAA's core functions are to approve programs for veterans' benefits; track compliance with federal requirements for programs; provide technical assistance for schools and training centers; act as a liaison with other government entities, such as the Regulation and Licensing Department or the Workforce Solutions Department; monitor compliance with contracts established with schools

and training institutes; and conduct outreach regarding veterans' education benefits. Concerns include the antiquated nature of VA technical systems, which often prevents timely transfer of records when a veteran moves from one administrative region to another; the duplicative nature of many compliance reports; failure of schools to keep updated and accurate records of enrollment changes, which could result in a veteran being liable to unexpectedly repay benefits; and the burdens placed on requiring SAAs to be compliance experts when they were originally intended to be liaisons. Mr. Trujillo requested that a letter be sent to New Mexico's congressional delegation asking that if federal legislation on veteran education is considered, the members of the delegation consult with the SAA; that a joint memorial be introduced in the upcoming legislative session recognizing the work done by the SAA; and that schools be recognized as veteran serving institutes of higher education.

Motion 3

Senator Ulibarri made a motion, seconded by Representative Hamilton, that the letter requested by Mr. Trujillo be drafted. The motion passed with all members present voting in favor.

Mr. Trujillo was also directed to work with MVAC staff on the language of the memorial he requested for consideration at the November committee meeting.

Motion 4

Senator Ulibarri made a motion, seconded by Representative Alcon, to approve the minutes of the August 2012 meeting of the committee. The motion passed with all members present voting in favor.

Veteran Scholarship Program

Deputy Secretary Martinez gave a presentation to the committee on the enabling legislation necessary to implement the constitutional amendment on a combat veterans scholarship adopted by the voters of the state in the November 2010 general election. His presentation was outlined in a PowerPoint document that was presented to the committee. He gave an overview of the numbers of combat veterans in the state, discussed the passage of the constitutional amendment and discussed the impacts such legislation would have. The scholarships would assist veterans in finishing their degrees and thus facilitate their integration into the work force while having a minimal immediate fiscal impact. The Veterans' Services Department and the Higher Education Department estimate an initial budgetary allocation of between \$150,000 and \$200,000. In response to questions from members of the committee, Deputy Secretary Martinez discussed how the enabling legislation for the amendment became bogged down in the legislative process. Members of the committee suggested that Deputy Secretary Martinez work with MVAC staff to bring a draft of the enabling legislation to the November committee meeting for possible endorsement by the committee.

Update on the State's Namesake Nuclear Submarine, USS *New Mexico* (SSN-779)

Dick Brown, chair, USS *New Mexico* Committee, Navy League of the United States, informed the committee about the activities surrounding the state's namesake nuclear submarine. His presentation was outlined in a PowerPoint document that was presented to the committee. He gave some background on the history of the naming of the submarine and discussed the activities of the USS *New Mexico* Committee. He asked for legislative support for a \$25,000 appropriation to support the USS *New Mexico* Committee's work and detailed how the \$25,000 would be spent. He noted that the \$25,000 had been included in the budget in the last legislative session, but it was line-item vetoed by the governor. Members of the committee suggested that the committee should consider endorsing a new appropriation at the November committee meeting, and that the Office of the Governor be informed that the appropriation would be coming to her desk.

Adjournment

There being no further business before the committee, the committee adjourned at 3:28 p.m.

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

**November 20, 2012
Room 322, State Capitol
Santa Fe**

D The fifth meeting of the Military and Veterans' Affairs Committee (MVAC) for the 2012 interim was called to order by Representative Thomas A. Garcia and Senator David Ulibarri, co-chairs, on Tuesday, November 20, at 9:05 a.m. in Room 322 of the State Capitol in Santa Fe.

Members

Rep. Thomas A. Garcia, Co-Chair
Sen. David Ulibarri, Co-Chair
Rep. Eliseo Lee Alcon
Rep. Dianne Miller Hamilton
Rep. Bob Wooley

Absent

Sen. Richard C. Martinez
Sen. John Pinto

Advisory Members

Rep. Thomas A. Anderson
Sen. Carlos R. Cisneros
Rep. George Dodge, Jr.
Rep. Edward C. Sandoval

Sen. William F. Burt
Sen. Mary Jane M. Garcia
Sen. Eric G. Griego
Sen. Clinton D. Harden, Jr.
Sen. Timothy M. Keller
Rep. Rodolpho "Rudy" S. Martinez
Sen. William H. Payne

Guest Legislator

Rep. Anna M. Crook

Staff

Pam Stokes, Legislative Council Service (LCS)
Douglas Carver, LCS
Rebecca Griego, LCS

Guests and Handouts

The guest file and copies of all handouts and written testimony are in the meeting file.

Tuesday, November 20

Welcome and Introductions

Representative Garcia and Senator Ulibarri opened the meeting by extending a welcome to the committee, staff and members of the public present. They asked all committee members and staff to introduce themselves.

Statewide Comprehensive Plan on Long-Term Care Options for Veterans

Timothy L. Hale, secretary, Veterans' Services Department (VSD), made a presentation to the committee concerning the department's plan for long-term care of the state's veterans. Using a PowerPoint presentation, he described to the committee the challenges posed by how spread out the 177,566 New Mexico veterans are. He discussed the differing populations of the veteran long-term-care facilities in Albuquerque, Fort Bayard and Truth or Consequences, as well as the Fort Bliss facility in El Paso, which serves some New Mexico veterans. He discussed the large numbers of veterans of the Iraq and Afghanistan conflicts who have been diagnosed with posttraumatic stress disorder (PTSD) and traumatic brain injury (TBI), noting that PTSD and TBI are considered to be precursor injuries to the development of dementia and Alzheimer's disease. Thus, the likelihood is that the coming years will see more veterans in need of long-term care that starts at an earlier age than has been the case in the past. Secretary Hale said that it is estimated that an additional 150 to 200 beds will be needed in medical units that can manage Alzheimer's-type illnesses. He recommended that a task force be convened to study these issues.

In response to questions from members of the committee, Secretary Hale discussed options for families that wish to care for their elderly or disabled veteran family member; how the success of different PTSD treatments varies from person to person; and the problems posed by New Mexico's geographic scale, dispersal of veterans and the distance limitations mandated for community-based outpatient clinics.

Statewide Comprehensive Plan on Cemetery Space

Secretary Hale then gave an update to the committee on the cemeteries available to veterans in the state at Fort Bayard, Fort Bliss, Fort Stanton and Santa Fe. He discussed the eligibility requirements for veterans to be interred in a Department of Veterans Affairs (VA) national cemetery. He gave an overview of the National Cemetery Administration of the VA, and then discussed the VA Rural Initiative Plan, which would build small national veterans burial grounds within existing public or private cemeteries in rural areas where the unserved population is 25,000 or less within a 75-mile radius. These criteria pose a problem for New Mexico because of the existing national cemeteries and the dispersed veteran population. As presently written, New Mexico would not qualify for the Rural Initiative Plan. Secretary Hale is pursuing this matter with the VA.

Members of the committee asked further questions of Secretary Hale concerning the Rural Initiative Plan, including questions concerning burials for tribal members who are veterans.

Motion

Representative Alcon made a motion, seconded by Senator Ulibarri, requesting that the committee adopt the draft of the minutes for the October 2012 MVAC meeting. The motion passed with all members present voting in favor.

Consideration of Legislation

The committee considered and endorsed the following legislation:

1. an appropriation for \$5 million to demolish the old Fort Bayard Medical Center;
2. a bill to create a Military War Veteran Scholarship Fund;
3. a memorial requesting the governor to declare March 29, 2013 as "Vietnam Veterans Day" in the state;
4. a memorial requesting the New Mexico congressional delegation to utilize the New Mexico State Approving Agency and the National Association of State Approving Agencies when considering legislation that could impact VA education benefits;
5. an appropriation for \$50,000 to raise awareness of the state's namesake submarine, the USS *New Mexico*;
6. a bill to exempt military retainer pay from income tax;
7. a bill to enact the Service Member Child Custody Act; and
8. an appropriation for \$750,000 to improve and maintain the cemetery at Fort Stanton State Monument, contingent upon receiving a \$7.5 million grant from the VA.

The committee also endorsed, in concept, a memorial to the state's congressional delegation to expand the VA's definition of what constitutes a rural area for sparsely populated states like New Mexico, and an appropriation for a pilot project to study virtual reality treatment for PTSD.

Status and Impact of the Veterans Treatment Court

Alan Martinez, deputy secretary, VSD; Judge Stan Whitaker, Second Judicial District Court (SJDC); Rachel Saiz, pretrial services director, SJDC; Retta Riley, pretrial services officer, SJDC; and Greg Ireland, SJDC, gave a presentation to the committee on the SJDC Pretrial Services Division's veterans treatment court program, in place for the past year. The veterans treatment court is modeled on the SJDC's drug court program. The program is a collaboration among the SJDC, the Pretrial Services Division, the district attorney's office, the public defender's office, the VA health care system in the state, the VSD and the Human Services Department's Behavioral Health Services Division. The program operates in four phases: 1) veterans who have become involved in the justice system are identified and vetted for supervision and treatment services; 2) eligibility for participation in the program is determined by the veterans court team, which consists of a pretrial services officer, the VA veterans justice outreach coordinator, the public defender's office, the district attorney's office and the veterans court judge; 3) veterans continue to be supervised until they graduate from the program; and 4) after graduation from the program, there are two years of follow-up supervision. The SJDC is requesting \$260,000 in funding for fiscal year 2014 to support the program.

Members of the committee asked the panel follow-up questions concerning whether other counties could take advantage of this program, and how the concept might be expanded statewide. Members of the committee also asked the panel further questions about the screening process and about which veterans are eligible to participate in the program.

Adjournment

There being no further business before the committee, the committee adjourned for the interim at 11:52 a.m.

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ENDORSED LEGISLATION

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HOUSE BILL

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

INTRODUCED BY

FOR THE MILITARY AND VETERANS' AFFAIRS COMMITTEE

AN ACT

MAKING AN APPROPRIATION TO THE PROPERTY CONTROL DIVISION OF THE
GENERAL SERVICES DEPARTMENT TO DEMOLISH THE FORT BAYARD MEDICAL
CENTER.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. APPROPRIATION.--Five million dollars
(\$5,000,000) is appropriated from the general fund to the
property control division of the general services department
for expenditure in fiscal year 2014 and subsequent fiscal years
to demolish the Fort Bayard medical center owned by the state.
Any unexpended or unencumbered balance remaining at the end of
a fiscal year shall not revert to the general fund.

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HOUSE BILL

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

INTRODUCED BY

FOR THE MILITARY AND VETERANS' AFFAIRS COMMITTEE

AN ACT

RELATING TO HIGHER EDUCATION; CREATING THE MILITARY WAR VETERAN SCHOLARSHIP FUND; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of Chapter 21, Article 21E NMSA 1978 is enacted to read:

"~~[NEW MATERIAL]~~ MILITARY WAR VETERAN SCHOLARSHIP FUND-- PURPOSE--ADMINISTRATION--DISBURSEMENTS.--"

A. There is created in the state treasury the "military war veteran scholarship fund". The fund shall consist of money appropriated to the fund, any grants, gifts and bequests made to the fund and income from investment of the fund. Any money in the fund from grants, gifts, bequests or investment income shall not revert to the general fund at the end of any fiscal year. Money in the fund shall be dispersed

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1 on warrants signed by the secretary of finance and
2 administration pursuant to vouchers signed by the secretary of
3 higher education.

4 B. The higher education department shall administer
5 the fund and shall make disbursements from the fund to
6 reimburse post-secondary educational institutions under the
7 exclusive control of the state for tuition payments, required
8 student fees and book allowances for military war veteran
9 students, including students who have received a baccalaureate
10 degree and are enrolled in a program of study leading to a
11 master's or doctoral degree, who are attending post-secondary
12 educational institutions pursuant to Article 9, Section 14 of
13 the constitution of New Mexico and who are in compliance with
14 the educational institution's satisfactory academic progress
15 requirements. A financial aid officer may exercise
16 professional judgment when special circumstances exist to
17 adjust the cost of attendance or expected family contribution
18 or to modify other factors to make the program responsive to a
19 student's special financial circumstances; provided that
20 documentation exists in the student's file within the
21 parameters authorized for this program.

22 C. A military war veteran may apply to the
23 veterans' services department for a scholarship. The veterans'
24 services department shall determine the eligibility of an
25 applicant and certify approved applicants to the higher

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1 education department. The higher education department shall
2 pay by voucher to the appropriate post-secondary educational
3 institution an amount not exceeding the amount of the
4 scholarship for an approved military war veteran. Money in the
5 fund shall be allocated in the order that applications are
6 received and approved.

7 D. The higher education department and the
8 veterans' services department may adopt rules and procedures as
9 necessary or appropriate to implement the provisions of this
10 section.

11 E. As used in this section, "military war veteran"
12 means a person who has been honorably discharged from the armed
13 forces of the United States; who was a resident of New Mexico
14 at the original time of entry into the armed forces or who has
15 lived in New Mexico for ten years or more; and who has been
16 awarded a southwest Asia service medal, global war on terror
17 service medal, Iraq campaign medal, Afghanistan campaign medal
18 or any other medal issued for service in the armed forces of
19 the United States in support of any United States military
20 campaign or armed conflict as defined by congress or
21 presidential executive order or any other campaign medal issued
22 for service after August 1, 1990 in the armed forces of the
23 United States during periods of armed conflict as defined by
24 congress or by executive order."

25 SECTION 2. APPROPRIATION.--One hundred fifty thousand

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1 dollars (\$150,000) is appropriated from the general fund to the
2 military war veteran scholarship fund for expenditure in fiscal
3 year 2014 to carry out the provisions of this act. Any
4 unexpended or unencumbered balance remaining at the end of
5 fiscal year 2014 shall revert to the general fund.

6 SECTION 3. EFFECTIVE DATE.--The effective date of the
7 provision of this act is July 1, 2013.

HOUSE JOINT MEMORIAL

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

INTRODUCED BY

FOR THE MILITARY AND VETERANS' AFFAIRS COMMITTEE

A JOINT MEMORIAL

REQUESTING THAT THE GOVERNOR DECLARE MARCH 29, 2013 AS "VIETNAM VETERANS DAY" IN THE STATE OF NEW MEXICO.

WHEREAS, on January 12, 1962, United States Army pilots lifted more than one thousand south Vietnamese service members over jungle and underbrush to capture a national liberation front stronghold near Saigon; and

WHEREAS, Operation Chopper marked America's first combat mission against the Viet Cong and the beginning of one of the longest and most challenging wars; and

WHEREAS, through more than a decade of conflict that tested the fabric of the nation, the service of men and women in uniform stood true; and

WHEREAS, thousands returned home bearing shrapnel and scars; more were burdened by the invisible wounds of

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1 posttraumatic stress disorder, agent orange and memories that
2 would never fade; and many of these men and women came home to
3 be shunned or neglected and to face treatment unbecoming their
4 courage and a welcome unworthy of their example; and

5 WHEREAS, America's veterans answered the country's call
6 and served with honor, and on March 29, 1973, the last United
7 States' troops left Vietnam, where more than fifty-eight
8 thousand laid down their lives in service to the nation; and

9 WHEREAS, fifty-one years later, we honor the sacrifice of
10 the more than three million Americans who served in Vietnam by
11 serving them as well as they served the country and by
12 reaffirming one of the most fundamental obligations to show all
13 who have worn the uniform of the United States the respect and
14 dignity that they deserve, and by paying tribute to the fallen,
15 the missing, the wounded, the millions who served and the
16 millions more who awaited their return; and

17 WHEREAS, the United States stands stronger for their
18 service, and their proud legacy is honored with deepest
19 gratitude;

20 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
21 STATE OF NEW MEXICO that the governor be requested to declare
22 March 29, 2013 "Vietnam Veterans Day" in the state of New
23 Mexico; and

24 BE IT FURTHER RESOLVED that copies of this memorial be
25 transmitted to the office of the governor, the office of the

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1 lieutenant governor and the veterans' services department.

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1 HOUSE JOINT MEMORIAL

2 **51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013**

3 INTRODUCED BY

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8 FOR THE MILITARY AND VETERANS' AFFAIRS COMMITTEE

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10 A JOINT MEMORIAL

11 REQUESTING THE NEW MEXICO CONGRESSIONAL DELEGATION TO UTILIZE
12 THE NEW MEXICO STATE APPROVING AGENCY AND THE NATIONAL
13 ASSOCIATION OF STATE APPROVING AGENCIES WHEN LEGISLATION IS
14 BEING CONSIDERED BY CONGRESS THAT COULD IMPACT EDUCATION
15 BENEFITS FOR NEW MEXICO VETERANS.

16
17 WHEREAS, congress, in its wisdom, determined that each
18 state should create a state approving agency to approve
19 educational programs for veterans and to determine which
20 programs were appropriate for veterans to utilize United States
21 department of veterans affairs education benefits; and

22 WHEREAS, the first state approving agencies were formed
23 after World War II; and

24 WHEREAS, the primary role of a state approving agency is
25 to review, evaluate and approve quality programs of education

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1 and training under state and federal criteria so that veterans
2 may use the GI Bill or other veteran-related education
3 benefits; and

4 WHEREAS, this fundamental role of a state approving agency
5 has remained the same; however, state approving agencies have
6 grown with the changes in society over the past fifty years.
7 State approving agencies have become advocates for quality
8 education and training for veterans and other eligible persons;
9 educational partners with the institutions themselves,
10 facilitating even greater and more diverse educational
11 opportunities for veterans; and strong advocates for the usage
12 of the GI Bill; and

13 WHEREAS, the New Mexico state approving agency is a
14 division of the veterans' services department; and

15 WHEREAS, the New Mexico state approving agency approves
16 programs of education and training at institutions of higher
17 learning, non-degree institutions, apprenticeship programs and
18 other on-the-job training programs; and

19 WHEREAS, New Mexico has approved over two hundred twenty-
20 seven facilities for veteran-related education benefits; and

21 WHEREAS, in fiscal year 2011, New Mexico had six thousand
22 six hundred fifty-seven persons receiving veteran-related
23 education benefits at one hundred twenty-five active
24 facilities; and

25 WHEREAS, state approving agencies conduct on-site

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1 compliance visits at approved institutions and schools; provide
2 technical assistance to all interested parties; are engaged in
3 outreach activities to foster the usage of the GI Bill; and act
4 as state liaisons in assisting military installations to
5 provide base personnel with quality educational offerings; and

6 WHEREAS, the New Mexico state approving agency is a member
7 of the national association of state approving agencies, which
8 works in cooperation with its partners to facilitate the
9 efforts of the state approving agencies to promote and
10 safeguard quality educational and training programs for all
11 veterans and other eligible persons to ensure greater
12 educational and training opportunities that meet the changing
13 needs of veterans; and

14 WHEREAS, state approving agencies have developed a working
15 partnership with the federal government that other federal
16 agencies have tried to emulate; and

17 WHEREAS, every year, congress discusses and enacts
18 legislation impacting veteran-related education benefits; and

19 WHEREAS, the New Mexico state approving agency is the only
20 state government entity that works directly with schools and
21 veterans regarding veteran-related education benefits and that
22 can provide invaluable information to the New Mexico
23 congressional delegation on issues regarding these benefits;
24 and

25 WHEREAS, to ensure quality educational and training

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1 programs for veterans and other eligible persons, it is
2 important for congress to utilize the expertise of the New
3 Mexico state approving agency and the national association of
4 state approving agencies when contemplating legislation that
5 could impact veteran-related education benefits;

6 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
7 STATE OF NEW MEXICO that the New Mexico congressional
8 delegation be requested to utilize the New Mexico state
9 approving agency and the national association of state
10 approving agencies when legislation is being considered by
11 congress that could impact education benefits for New Mexico
12 veterans; and

13 BE IT FURTHER RESOLVED that copies of this memorial be
14 transmitted to members of the New Mexico congressional
15 delegation, the secretary of the United States department of
16 veterans affairs, the president of the national association of
17 state directors of veterans affairs, the national association
18 of state approving agencies and the veterans' services
19 department.

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HOUSE BILL

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

INTRODUCED BY

FOR THE MILITARY AND VETERANS' AFFAIRS COMMITTEE

AN ACT

MAKING AN APPROPRIATION TO THE DEPARTMENT OF MILITARY AFFAIRS
TO RAISE AWARENESS OF THE SUBMARINE USS *NEW MEXICO* IN THE
STATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. APPROPRIATION.--Fifty thousand dollars
(\$50,000) is appropriated from the general fund to the
department of military affairs for expenditure in fiscal year
2014 to educate the people of New Mexico about the mission of
the nuclear-powered submarine USS *New Mexico*, SSN-779; to
sponsor visits of the crew of the USS *New Mexico* to New Mexico;
to recognize the top sailors of the crew of the USS *New Mexico*
each quarter; and to recognize the top sailor of the USS *New*
Mexico for the year. Any unexpended or unencumbered balance
remaining at the end of fiscal year 2014 shall revert to the

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HOUSE BILL

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

INTRODUCED BY

FOR THE MILITARY AND VETERANS' AFFAIRS COMMITTEE

AN ACT

RELATING TO TAXATION; ENACTING A NEW SECTION OF THE INCOME TAX ACT; CREATING THE ARMED FORCES RETAINER PAY TAX CREDIT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of the Income Tax Act is enacted to read:

"[NEW MATERIAL] ARMED FORCES RETAINER PAY TAX CREDIT.--

A. A taxpayer who files an individual New Mexico income tax return, who is not a dependent of another individual and who is an armed forces retiree may claim a credit against the tax liability imposed by the Income Tax Act. The tax credit provided by this section may be referred to as the "armed forces retainer pay tax credit".

B. The purpose of the armed forces retainer pay tax credit is to encourage armed forces retirees to move to New

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1 Mexico and to utilize the expertise of armed forces retirees in
2 New Mexico's work force.

3 C. The department may allow an armed forces
4 retainer pay tax credit to be deducted against a taxpayer's
5 income tax liability for the taxable year imposed pursuant to
6 the Income Tax Act in an amount that shall not exceed one
7 thousand dollars (\$1,000) and that is equal to the following
8 percentages of military retainer pay:

9 (1) beginning January 1, 2014, twenty-five
10 percent;

11 (2) beginning January 1, 2015, fifty percent;

12 (3) beginning January 1, 2016, seventy-five
13 percent; and

14 (4) beginning on or after January 1, 2017, one
15 hundred percent.

16 D. That portion of an armed forces retainer pay tax
17 credit approved by the department that exceeds a taxpayer's
18 income tax liability in the taxable year in which the armed
19 forces retainer pay tax credit is claimed shall not be refunded
20 to the taxpayer. No portion of the armed forces retainer pay
21 tax credit shall be carried forward, refunded or transferred to
22 another taxpayer.

23 E. The taxpayer shall submit to the department
24 information required by the secretary establishing that the
25 taxpayer is an armed forces retiree pursuant to this section.

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1 F. The department shall adopt rules establishing
2 procedures to certify armed forces retirees for purposes of
3 obtaining an armed forces retainer pay tax credit.

4 G. The department shall compile an annual report
5 that includes the number of taxpayers approved by the
6 department to receive an armed forces retainer pay tax credit.
7 Notwithstanding any other section of law to the contrary, the
8 department may disclose the number of applicants for the armed
9 forces retainer pay tax credit, the amount of each credit
10 approved, the number of taxpayers receiving the credit who are
11 employed in the state of New Mexico and any other information
12 required by the legislature or the department to aid in
13 evaluating the effectiveness of the armed forces retainer pay
14 tax credit.

15 H. Acceptance by a taxpayer of an armed forces
16 retainer pay tax credit pursuant to this section is
17 authorization by the taxpayer receiving the credit for the
18 department to reveal information to the legislature necessary
19 to analyze the effectiveness of the armed forces retainer pay
20 tax credit.

21 I. An appropriate legislative committee shall
22 review the effectiveness of the armed forces retainer pay tax
23 credit every five years beginning in 2019.

24 J. As used in this section, "armed forces retiree"
25 means a former member of the armed forces of the United States

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1 who has qualified by years of service or disability to separate
2 from military service with lifetime benefits."

3 SECTION 2. APPLICABILITY.--The provisions of this act
4 apply to taxable years beginning on or after January 1, 2014.

5 SECTION 3. EFFECTIVE DATE.--The effective date of the
6 provisions of this act is January 1, 2014.

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HOUSE BILL

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

INTRODUCED BY

FOR THE MILITARY AND VETERANS' AFFAIRS COMMITTEE
AND THE COURTS, CORRECTIONS AND JUSTICE COMMITTEE

AN ACT

RELATING TO DOMESTIC RELATIONS; ENACTING THE SERVICE MEMBER
CHILD CUSTODY ACT; ESTABLISHING PROCEDURES FOR MODIFYING
EXISTING CUSTODY, TIME-SHARING OR VISITATION ORDERS FOR
CHILDREN OF SERVICE MEMBERS; PROHIBITING ENTRY OF FINAL ORDERS
MODIFYING EXISTING CHILD CUSTODY, TIME-SHARING OR VISITATION
ORDERS WHILE A SERVICE MEMBER IS UNAVAILABLE PURSUANT TO
MILITARY ORDERS; PROHIBITING THE MODIFICATION OF EXISTING CHILD
CUSTODY, TIME-SHARING OR VISITATION ORDERS SOLELY BECAUSE A
SERVICE MEMBER IS ABSENT OR MIGHT BE ABSENT PURSUANT TO
MILITARY ORDERS; PROVIDING FOR A SERVICE MEMBER TO DELEGATE
VISITATION RIGHTS; PROVIDING FOR AN EXPEDITED HEARING WHEN A
SERVICE MEMBER WILL BE UNAVAILABLE PURSUANT TO MILITARY ORDERS;
PROVIDING FOR ELECTRONIC TESTIMONY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

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1 SECTION 1. SHORT TITLE.--This act may be cited as the
2 "Service Member Child Custody Act".

3 SECTION 2. DEFINITIONS.--As used in the Service Member
4 Child Custody Act:

5 A. "child" means an individual who has not attained
6 eighteen years of age or is not otherwise legally emancipated;

7 B. "deploying parent" means a military parent who
8 has received written orders to deploy with the United States
9 army, navy, air force, marine corps, coast guard or national
10 guard or a reserve component thereof;

11 C. "deployment" means military service in
12 compliance with military orders received by a service member to
13 report for combat operations, contingency operations,
14 peacekeeping operations, temporary duty, a remote tour of duty
15 or other active service for which a service member is required
16 to report unaccompanied by any family member; and "deployment"
17 includes a period during which a service member remains subject
18 to deployment orders and remains deployed on account of
19 sickness, wounds, leave or other military cause;

20 D. "family member" means a person related by blood,
21 adoption or marriage and includes a spouse, child, sibling,
22 parent or grandparent or other person who may significantly
23 affect a child's best interest;

24 E. "military parent" means a parent who is a
25 service member;

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1 F. "non-deploying parent" means a parent not
2 subject to deployment;

3 G. "parent" includes a biological or adoptive
4 parent of a child or other person who provides care for a child
5 and may significantly affect the child's best interest;

6 H. "period of leave" means an authorized absence
7 from military duty; and

8 I. "service member" means a member of the United
9 States army, navy, air force, marine corps, coast guard or
10 national guard or a member of a reserve component thereof.

11 SECTION 3. FINAL ORDERS.--

12 A. A court shall not enter a final order modifying
13 an existing order concerning custody, time-sharing or
14 visitation to which a deploying parent is a party until ninety
15 days after that deploying parent's deployment ends unless all
16 parties stipulate to the entry of a final order.

17 B. Nothing in this section shall be interpreted to
18 limit the power of a court to conduct a hearing concerning
19 custody, time-sharing or visitation in which a military parent
20 is a party and to issue a temporary order concerning custody,
21 time-sharing or visitation in the best interest of the child
22 until a final order may be issued.

23 SECTION 4. MODIFICATION OF CUSTODY, TIME-SHARING OR
24 VISITATION--DEPLOYMENT NOT SOLE FACTOR.--Deployment or the
25 potential for future deployment is not in itself a substantial

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1 and material change in circumstance affecting the welfare of a
2 child. A court shall not use deployment or the potential for
3 future deployment as the sole factor to modify an existing
4 order concerning custody, time-sharing or visitation.

5 SECTION 5. TEMPORARY MODIFICATION--LEAVE AND OTHER
6 ACCOMMODATIONS.--

7 A. A court may issue a temporary order to modify an
8 existing order concerning custody, time-sharing or visitation
9 to which a deploying parent is a party to make reasonable
10 accommodation for the child because of the deploying parent's
11 deployment.

12 B. A temporary modification order issued pursuant
13 to this section shall provide that:

14 (1) the deploying parent shall have custody of
15 the child or reasonable time-sharing or visitation, whichever
16 is applicable, pursuant to the existing order concerning child
17 custody or visitation, during a period of leave granted to the
18 deploying parent;

19 (2) the non-deploying parent shall facilitate
20 telephonic, electronic mail or other communications and contact
21 between the deploying parent and the child during deployment;
22 and

23 (3) the deploying parent shall provide
24 information regarding the deploying parent's period of leave
25 schedule to the non-deploying parent at least ten days prior to

1 the commencement of the period of leave or within reasonable
2 time if the deploying parent received less than ten days'
3 notice of a period of leave.

4 C. The non-deploying parent shall make a reasonable
5 effort to afford the deploying parent custody, time-sharing and
6 visitation pursuant to the existing order and parenting plan
7 concerning custody, time-sharing and visitation; provided,
8 however, that the non-deploying parent shall not be obligated
9 to incur a financial burden to facilitate custody, time-sharing
10 and visitation with the deploying parent. A reasonable effort
11 to afford custody, time-sharing and visitation includes
12 facilitation of the transportation of the child within the
13 exterior boundaries of New Mexico and other facilitation for
14 the child to visit with the deploying parent.

15 D. A court modifying an existing order concerning
16 custody, time-sharing or visitation due to deployment shall
17 specify that the deployment is the basis for the modification
18 and shall enter the order as a temporary order. The court
19 shall require the non-deploying parent to provide the court and
20 the deploying parent with thirty days' advance written notice
21 of any change of address and any change of telephone number,
22 unless a domestic violence order requires that the address or
23 contact information of the non-deploying parent be kept
24 confidential pursuant to the Family Violence Protection Act.

25 E. Upon motion of a deploying parent notifying the

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1 court of imminent deployment, the court shall hold an expedited
2 hearing in the custody, time-sharing or visitation proceeding
3 to which that deploying parent is a party.

4 SECTION 6. TERMINATION OF TEMPORARY ORDER ISSUED DURING
5 DEPLOYMENT.--

6 A. Except as provided in Subsection B of this
7 section, a temporary order modifying an existing order
8 concerning custody, time-sharing or visitation during
9 deployment of a military parent shall terminate no later than
10 ten days after the end of the deployment of the military
11 parent. The original terms of the existing order and parenting
12 plan concerning custody, time-sharing or visitation prior to
13 deployment shall be reinstated. The deploying parent shall
14 notify the court and the non-deploying parent, in writing, of
15 the deploying parent's termination of deployment at least
16 fifteen days prior to the termination of deployment. If the
17 address of the non-deploying parent is confidential due to a
18 domestic violence order, the deploying parent shall only notify
19 the court in writing of the deploying parent's termination of
20 deployment.

21 B. The court shall not terminate the temporary
22 order if either the deploying parent or non-deploying parent
23 files an emergency or expedited motion alleging an immediate
24 danger or irreparable harm to the child if the terms of the
25 existing order concerning custody, time-sharing or visitation

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1 is reinstated. The court shall hold a hearing within ten days
2 of the filing of an emergency or expedited motion by either the
3 deploying parent or non-deploying parent alleging an immediate
4 danger of irreparable harm to the child if the terms of the
5 existing order and parenting plan concerning custody, time-
6 sharing and visitation are reinstated.

7 SECTION 7. DELEGATION OF VISITATION RIGHTS.--

8 A. Upon motion of a deploying parent, or upon
9 motion of a family member of the deploying parent with the
10 consent of the deploying parent, the court may issue a
11 temporary order to delegate all or a portion of the deploying
12 parent's visitation rights to a family member with a close and
13 substantial relationship to the child for the duration of the
14 deployment if in the best interest of the child. The person to
15 whom delegated visitation rights are granted shall have full
16 legal standing to enforce that temporary order.

17 B. The delegation of visitation rights or access to
18 the child shall not create an entitlement or standing to assert
19 separate rights to a liberty interest in the care and custody
20 of the child for a person other than a parent. A temporary
21 order delegating the visitation rights of a deploying parent
22 shall terminate by operation of law upon the end of that
23 deploying parent's deployment.

24 C. A delegation of visitation rights shall not
25 exceed the visitation time granted to the deploying parent

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1 under the existing order concerning child custody or
2 visitation, unless the court determines that additional time is
3 required to transport the child.

4 SECTION 8. TESTIMONY.--

5 A. In addition to other procedures available to a
6 party, a party to a custody, time-sharing or visitation
7 proceeding involving the child of a service member may offer
8 testimony of witnesses who are located in another state or
9 country, including testimony of the parties and the child, by
10 deposition or other means allowable in this state for testimony
11 taken in another state or country. The court on its own motion
12 may order that the testimony of a person be taken in another
13 state or country and may prescribe the manner in which and the
14 terms upon which the testimony is taken.

15 B. A court of this state may permit an individual
16 residing in another state or country to be deposed or to
17 testify by telephone, audiovisual means or other electronic
18 means before a designated court or at another location in that
19 state or country. A court of this state shall cooperate with
20 courts of other states or military facilities and courts in
21 other countries in designating an appropriate location for the
22 deposition or testimony.

23 SECTION 9. NO EXISTING ORDER.--

24 A. If a military parent has not been issued an
25 order concerning the terms of custody, time-sharing or

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1 visitation and it appears that deployment is imminent, upon the
2 filing of initial pleadings and a motion by either the
3 deploying parent or the non-deploying parent notifying the
4 court in the title of the pleading that deployment of a
5 military parent is imminent, the court shall expedite a hearing
6 to establish temporary custody, time-sharing or visitation to
7 ensure that the military parent has access to the child during
8 deployment, to ensure disclosure of information, to grant other
9 rights and duties pursuant to the Service Member Child Custody
10 Act and to provide other appropriate relief.

11 B. An initial pleading filed to establish custody,
12 time-sharing or visitation for a child of a deploying parent
13 shall be identified at the time of filing by stating in the
14 title of the pleading that the matter concerns a deploying
15 parent, and the pleading shall state the specific facts related
16 to the deployment.

17 **SECTION 10. DUTY TO COOPERATE AND DISCLOSE INFORMATION.--**

18 A deploying parent shall provide a copy of the deployment
19 orders to the non-deploying parent promptly and without delay
20 before deployment. Notification shall be made within ten days
21 of the receipt of the deployment orders or notification of a
22 period of leave. If less than ten days' notification is
23 received by the deploying parent, then notification to the non-
24 deploying parent shall be given immediately upon receipt of the
25 deployment orders. If all or part of the orders are classified

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1 or restricted as to release, the deploying parent shall provide
2 all nonclassified or nonrestricted information to the non-
3 deploying parent.

4 SECTION 11. FAILURE TO EXERCISE TIME-SHARING OR
5 VISITATION RIGHTS.--In determining whether a parent has failed
6 to exercise time-sharing or visitation rights, the court shall
7 not count any time periods during which the military parent did
8 not exercise time-sharing or visitation due to the material
9 effect of that military parent's military duties on time-
10 sharing or visitation time.

11 SECTION 12. REMOVAL FROM THE STATE.--Once an order for
12 child custody involving the child of a military parent has been
13 entered in this state, any absence of a child from this state
14 during the military parent's deployment shall be designated a
15 "temporary absence" for the purposes of the application of the
16 Uniform Child-Custody Jurisdiction and Enforcement Act. For
17 the duration of the military parent's deployment, this state
18 shall retain exclusive continuing jurisdiction under that act
19 and the non-deploying parent shall not use the non-deploying
20 parent's relocation to another state as a basis to assert
21 inconvenience of the forum under that act.

22 SECTION 13. EFFECTIVE DATE.--The effective date of the
23 provisions of this act is July 1, 2013.

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HOUSE BILL

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

INTRODUCED BY

ENDORSED BY THE MILITARY AND VETERANS' AFFAIRS COMMITTEE

AN ACT

MAKING AN APPROPRIATION TO THE CULTURAL AFFAIRS DEPARTMENT TO
IMPROVE AND MAINTAIN THE CEMETERY AT THE FORT STANTON STATE
MONUMENT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. APPROPRIATION.--Seven hundred fifty thousand
dollars (\$750,000) is appropriated from the general fund to the
cultural affairs department for expenditure in fiscal year 2014
and subsequent fiscal years to improve and maintain the
cemetery at the Fort Stanton state monument, contingent on the
department receiving a grant of seven million five hundred
thousand dollars (\$7,500,000) from the United States department
of veterans affairs. Any unexpended or unencumbered balance
remaining at the end of a fiscal year shall not revert to the
general fund.

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HOUSE BILL

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

INTRODUCED BY

FOR THE MILITARY AND VETERANS' AFFAIRS COMMITTEE

AN ACT

RELATING TO VETERANS; CREATING A PILOT PROJECT TO TREAT
VETERANS WITH POSTTRAUMATIC STRESS DISORDER USING VIRTUAL
REALITY TREATMENT DEVICES; PROVIDING FOR THERAPISTS' TRAINING;
PROVIDING FOR VIRTUAL REALITY THERAPY CURRICULUM DEVELOPMENT
FOR THE MASTER'S OF SOCIAL WORK PROGRAM AT WESTERN NEW MEXICO
UNIVERSITY; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

**SECTION 1. VETERANS VIRTUAL REALITY TREATMENT PILOT
PROJECT--CREATED--ADMINISTRATION--TRAINING--CURRICULUM
DEVELOPMENT--FUND CREATED.--**

A. The "veterans virtual reality treatment pilot
project" is created as a four-year study to determine the
efficacy of virtual reality therapy for veterans who suffer
from posttraumatic stress disorder. The purpose of the pilot

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1 project is to:

2 (1) demonstrate that virtual reality therapy
3 is a cost- and therapeutically effective strategy to help
4 reduce anxiety and depression and other symptoms of
5 posttraumatic stress disorder;

6 (2) demonstrate that virtual reality therapy
7 will decrease long-term costs due to chronic care needs,
8 reduced productivity and suicide among veterans with
9 posttraumatic stress disorder;

10 (3) develop and implement a related curriculum
11 in the master's of social work program at western New Mexico
12 university to train social workers in the therapeutic use of
13 virtual reality therapy;

14 (4) train graduate social workers and other
15 therapists to provide virtual reality therapy; and

16 (5) provide therapeutic services to rural
17 veterans closer to their homes through the use of mobile
18 virtual reality therapy devices.

19 B. The pilot project shall be administered by the
20 veterans' services department in conjunction with western New
21 Mexico university. The department and the university shall
22 establish reporting and evaluation requirements for the pilot
23 project and shall provide interim and final reports to the
24 governor and to the legislature through the interim military
25 and veterans' affairs and legislative health and human services

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1 committees. A copy of the reports shall be provided to the
2 legislative council service library.

3 C. The department shall seek public and private
4 grants and donations for the pilot project, which shall be
5 deposited in the "veterans virtual reality treatment grants
6 fund", created as a nonreverting fund in the state treasury.
7 Income from investment of the fund shall be deposited in the
8 fund. The department shall administer the fund, and money in
9 the fund is appropriated to the department to carry out the
10 purposes of the veterans virtual reality treatment pilot
11 project. Money shall be expended in accordance with the terms
12 of the grants and donations. Unless otherwise specified by the
13 terms of a grant or donation, money in the fund at the end of
14 the pilot project shall revert to the general fund.
15 Expenditures from the fund shall be by warrants of the
16 secretary of finance and administration drawn pursuant to
17 vouchers signed by the secretary of veterans' affairs or the
18 secretary's authorized representative.

19 SECTION 2. APPROPRIATION.--Two hundred fifty thousand
20 dollars (\$250,000) is appropriated from the general fund to the
21 veterans' services department for expenditure in fiscal years
22 2014 through 2017 to implement the veterans virtual reality
23 treatment pilot project. Any unexpended or unencumbered
24 balance remaining at the end of fiscal year 2017 shall revert
25 to the general fund.

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SENATE JOINT MEMORIAL

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

INTRODUCED BY

DISCUSSION DRAFT

ENDORSED BY THE MILITARY AND VETERANS' AFFAIRS COMMITTEE

A JOINT MEMORIAL

REQUESTING THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS AND THE NEW MEXICO CONGRESSIONAL DELEGATION TO CONDUCT A STUDY TO DETERMINE THE LOCATION OF ALL VETERANS IN THE STATE AND TO DEVELOP A PLAN TO PROVIDE VETERANS LIVING IN RURAL AND HIGHLY RURAL AREAS OF THE STATE ADEQUATE ACCESS TO SERVICES AND BENEFITS OFFERED BY THE DEPARTMENT OF VETERANS AFFAIRS.

WHEREAS, veterans have fought to defend this country and deserve to be treated with the utmost respect and the greatest care possible; and

WHEREAS, veterans in the state of New Mexico travel some of the longest distances of any veterans in the country to access department of veterans affairs services facilities, resulting in gaps in services and care to a significant population in the state; and

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1 WHEREAS, the federal government has identified major
2 portions of the state of New Mexico as rural and has classified
3 almost two-thirds of the state as highly rural, which is
4 defined as an area with less than seven persons living within
5 one square mile, recognizing the fact that the veteran
6 population of this state often has difficulty accessing many of
7 the benefits delivered by the United States department of
8 veterans affairs due to limited physical and electronic
9 communications infrastructure; and

10 WHEREAS, the department of veterans affairs office of
11 rural health seeks to deploy medical care in such a manner that
12 veterans in highly rural areas will need to travel no more than
13 two hours, and veterans in rural areas will need to travel no
14 more than one hour, to receive access to veterans health
15 administration acute-care facilities; and

16 WHEREAS, large portions of the veteran population in the
17 most sparsely populated regions of New Mexico must drive in
18 excess of two hours to reach an acute-care facility due to the
19 distance of the facility from the veteran's residence and the
20 poor infrastructure the veteran must sometimes traverse to get
21 to the facility; and

22 WHEREAS, the department of veterans affairs national
23 cemetery administration has set a standard of service whereby
24 the family of a veteran buried in a veterans cemetery should
25 not have to travel more than seventy-five miles to visit the

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1 veteran's gravesite; and

2 WHEREAS, the department of veterans affairs national
3 cemetery administration's latest rural initiative states that,
4 "Under the Rural Initiative plan, VA will build small National
5 Veterans Burial Grounds within existing public or private
6 cemeteries in rural areas where the unserved Veteran population
7 is 25,000 or less within a 75-mile radius"; and

8 WHEREAS, the New Mexico veterans' services department has
9 been informed on several occasions that, although the majority
10 of the state meets the criteria of the latest rural initiative,
11 New Mexico is ineligible to participate in the initiative due
12 to the presence of two national cemetery administration
13 facilities in the state; and

14 WHEREAS, although there are two national cemetery
15 administration facilities in the state, the facilities are
16 located more than four hours away from the residences of a
17 large portion of the veteran population of the state, denying
18 these veterans access to possible burial in a veteran-
19 appropriate gravesite that is easily accessible by grieving
20 family members; and

21 WHEREAS, although the veteran population in New Mexico is
22 among the highest per capita in the nation, United States
23 citizens in this state believe that the United States
24 department of veterans affairs has not met its obligation to
25 adequately serve New Mexico veterans in its deployment of

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1 veterans services, including access to benefits, basic and
2 long-term health care and eternal memorialization in dignified
3 veterans cemeteries, because too few facilities that provide
4 services and benefits to veterans are accessible to the many
5 veterans who live in rural or highly rural areas of the state;

6 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
7 STATE OF NEW MEXICO that the United States department of
8 veterans affairs and the New Mexico congressional delegation be
9 requested to conduct an in-depth study to determine the
10 location of all veterans within the state of New Mexico and
11 that this information be provided to the New Mexico veterans'
12 services department; and

13 BE IT FURTHER RESOLVED that the United States department
14 of veterans affairs and the New Mexico congressional delegation
15 be requested to help develop a plan to provide adequate access
16 to the services that are offered by the veterans health
17 administration, the veterans benefits administration and the
18 national cemetery administration in order to meet the needs of
19 veterans living in all areas of the state, including rural and
20 highly rural areas; and

21 BE IT FURTHER RESOLVED that copies of this memorial be
22 transmitted to the United States secretary of veterans affairs,
23 the New Mexico secretary of veterans' services and the members
24 of the New Mexico congressional delegation.