



NEW MEXICO LEGISLATURE

**MILITARY AND  
VETERANS' AFFAIRS  
COMMITTEE**

2015 INTERIM FINAL REPORT

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## INTERIM SUMMARY



## **Military and Veterans' Affairs Committee 2015 Interim Summary**

The Military and Veterans' Affairs Committee (MVAC) was originally created by statute for the 2009 interim and then permanently reauthorized during the Forty-Ninth Legislature, Second Session. Pursuant to Section 2-20-2 NMSA 1978, the MVAC holds hearings in several geographically dispersed areas of the state and hears issues related to military issues and veterans. The MVAC is also tasked with making legislative recommendations to Congress and regulatory recommendations to the United States Department of Veterans Affairs and the United States Department of Defense.

In fulfillment of its statutory duties, the MVAC held six meetings during the 2015 interim in Santa Fe, Espanola, Truth or Consequences, Alamogordo and Clovis.

At its initial meeting, the MVAC developed a work plan, later approved by the New Mexico Legislative Council, that identified numerous military and veterans' issues of concern.

The committee devoted time at almost every meeting during the 2015 interim to address the issue of college credit for military training. Committee members expressed concern over the past several years about military training that rarely translates into college credit, which they explained could help veterans obtain degrees more quickly. The committee's August meeting, in Truth or Consequences, was almost entirely devoted to the issue, with the committee receiving testimony from out-of-state experts, the Higher Education Department, a New Mexico college veterans' administrator and military veterans who are current university students.

During the past several interims, the committee has heard from a number of parties regarding the various impacts of the proposed SunZia Southwest Transmission Project. The committee heard about disagreements over a portion of the route for two bi-directional extra-high-voltage electric transmission lines and about concerns raised regarding the portion of the route that crosses White Sands Missile Range (WSMR). A compromise was reached in 2014 to bury that portion of the line, but the commissioner of public lands suspended the project in early 2015. Representatives from both WSMR and the SunZia project briefed the committee about ongoing negotiations.

The committee also received testimony about a number of issues facing New Mexico veterans, including homelessness, access to health care services, criminal justice issues and job creation. The committee heard from a number of programs that help connect veterans with the services they need. The committee also received a presentation from the Second Judicial District regarding its veterans court treatment program.

The committee visited two military installations during the 2015 interim: WSMR and Cannon Air Force Base. Both installations provided the committee with briefings regarding their ongoing missions and how those missions fit into global conflicts. The committee also toured the New Mexico State Veterans Home in Truth or Consequences.

The Veterans' Services Department, led by Secretary Jack R. Fox and Deputy Secretary Alan Martinez, and the Office of Military Base Planning and Support, led by Erik Kivi, were instrumental in outlining critical issues and securing experts and stakeholders to make presentations before the committee.

Finally, the committee endorsed two pieces of legislation for the 2016 legislative session.

## WORK PLAN AND MEETING SCHEDULE



**2015 APPROVED  
WORK PLAN AND MEETING SCHEDULE  
for the  
MILITARY AND VETERANS' AFFAIRS COMMITTEE**

**Members**

Sen. Richard C. Martinez, Co-Chair  
Rep. Bob Wooley, Co-Chair  
Rep. Eliseo Lee Alcon  
Sen. Craig W. Brandt

Sen. William F. Burt  
Rep. George Dodge, Jr.  
Rep. Dianne Miller Hamilton  
Sen. Daniel A. Ivey-Soto

**Advisory Members**

Rep. David E. Adkins  
Rep. Cathrynn N. Brown  
Sen. Carlos R. Cisneros  
Rep. Randal S. Crowder  
Rep. Jim Dines  
Rep. Rick Little

Sen. Michael Padilla  
Sen. William H. Payne  
Sen. John Pinto  
Sen. William E. Sharer  
Rep. Jim R. Trujillo  
Rep. John L. Zimmerman

**Work Plan**

The Military and Veterans' Affairs Committee was first created by statute for the 2009 interim. The committee was permanently reauthorized by statute during the 2010 regular legislative session. The committee has various statutory duties, including making an annual report; recommending any necessary legislation to the next session of the legislature; and requesting necessary action to the United States 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 to conduct hearings relating to military issues and veterans' issues.

During the 2015 interim, as time permits, the Military and Veterans' Affairs Committee proposes to:

1. explore support and treatment options for veterans and military personnel with posttraumatic stress disorder and traumatic brain injury, including alternative treatment options and their availability in various areas of the state;
2. receive an update on the military base realignment and closure process;
3. examine requirements for veterans' cemeteries;
4. receive testimony pertaining to educational opportunities and outreach offered by state educational institutions and public community colleges to veteran students;
5. examine options for the prevention of homelessness and support for homeless veterans in areas throughout the state;

6. receive testimony regarding jobs and business opportunities for veterans;
7. study long-term care options for veterans;
8. study potential clarification of the veteran property tax exemption;
9. study transportation to and from medical providers for veterans, particularly those living in rural areas of the state;
10. study issues facing female veterans;
11. study home rehabilitation for veterans' programs and funding;
12. receive testimony regarding the SunZia transmission project; and
13. study home health care options for veterans.

**Military and Veterans' Affairs Committee  
2015 Approved Meeting Schedule**

<u>Date</u>	<u>Location</u>
June 17	Santa Fe
July 10	Espanola
August 18	Truth or Consequences
September 15-16	Alamogordo/White Sands Missile Range
October 23	Clovis
November 23	Santa Fe



# AGENDAS AND MINUTES







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

**June 17, 2015  
Room 307, State Capitol  
Santa Fe**

The first meeting of the Military and Veterans' Affairs Committee was called to order by Senator Richard C. Martinez, co-chair, on June 17, 2015 at 9:10 a.m. in Room 307 of the State Capitol in Santa Fe.

**Present**

Sen. Richard C. Martinez, Co-Chair  
Rep. Bob Wooley, Co-Chair  
Rep. Eliseo Lee Alcon  
Sen. Craig W. Brandt  
Sen. William F. Burt  
Rep. George Dodge, Jr.

**Absent**

Rep. Dianne Miller Hamilton  
Sen. Daniel A. Ivey-Soto

**Advisory Members**

Rep. Jim Dines  
Sen. John Pinto  
Rep. John L. Zimmerman

Rep. David E. Adkins  
Rep. Cathrynn N. Brown  
Sen. Carlos R. Cisneros  
Rep. Randal S. Crowder  
Rep. Rick Little  
Sen. Michael Padilla  
Sen. William H. Payne  
Sen. William E. Sharer  
Rep. Jim R. Trujillo

**Staff**

Jeret Fleetwood, Researcher, Legislative Council Service (LCS)  
Peter Kovnat, Staff Attorney, LCS  
Kathleen Dexter, Researcher, LCS

**Guests**

The guest list is in the meeting file.

**Handouts**

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

**Wednesday, June 17**

**Committee-Endorsed Legislation — 2015 Session**

Mr. Fleetwood summarized the legislation endorsed or discussed by the committee in the 2014 interim and how each fared in the 2015 regular and special sessions.

- An appropriation to the Veterans' Services Department (VSD) to purchase vehicles for outreach services in rural areas of the state did not pass.
- An appropriation to the Department of Military Affairs for outreach and education projects to promote the USS *New Mexico* and USS *Santa Fe* and to help retire the USS *Albuquerque* was included in the General Appropriation Act of 2015.
- An appropriation to the New Mexico Mortgage Finance Authority to rehabilitate homes occupied by low-income veterans whose income does not exceed 60 percent of the area median income, with a 10 percent cap on administrative fees, was not included in the General Appropriation Act of 2015.
- An appropriation to the State Parks Division of the Energy, Minerals and Natural Resources Department for repairs and upgrades at the Vietnam Veterans Memorial in Angel Fire was included in the capital outlay bill.
- A bill to revise the resident veteran business preference in the Procurement Code did not pass.
- A bill to clarify the application of a property tax exemption on property owned by a disabled veteran or surviving spouse who moves to a new residence during the tax year passed.
- A bill to exempt disabled veterans and their surviving spouses from special benefit assessments passed.

**Office of Military Base Planning and Support**

Eric Kivi, director, Office of Military Base Planning and Support (OMBPS), gave an update on OMBPS programs and issues relating to military bases in the state.

Of the various pieces of military-related legislation signed into law following the 2015 regular session, one extends the sunset dates for the OMBPS and the Military Base Planning Commission; another revises the membership of the commission; and a third extends the deduction from gross receipts taxes for certain military acquisition programs. Negotiations are under way in Congress over provisions in the National Defense Authorization Act for fiscal year 2016, which includes \$69 million for construction at New Mexico military bases. The OMBPS is working with the New Mexico congressional delegation to insert language into the act that would further support the missions at New Mexico military installations, notably Melrose Air Force Range and White Sands Missile Range. The president's budget proposes another round of base realignment and closures in 2017, but there is no support in either chamber of Congress for this proposal.

Mr. Kivi reported on a variety of military issues around the state, including:

- the fuel plume at Kirtland Air Force Base (AFB), where pumping to remove underground contaminants will begin by the end of the month;
- a recent conference at Kirtland AFB with tribal governors to discuss airspace, training routes and noise from low-flying aircraft;
- an anticipated increase to 6,000 active-duty personnel at Cannon AFB in the near future;
- the Melrose Air Force Range expansion and transition from a fighter/bomber range to a special operations range;
- negative community responses to low-altitude training flights in northern New Mexico;
- a shortage of active-duty personnel at White Sands Missile Range;
- meetings among commanders and staff from Holloman AFB, White Sands Missile Range and Fort Bliss to discuss common issues, including shared airspace;
- the SunZia renewable energy transmission line, the federal Department of Defense's continuing objection to the route and the lack of final approval for the route from the State Land Office; and
- the joint land use study under way in southern New Mexico and west Texas that would affect military operations and communities in the area.

On questioning, Mr. Kivi and committee members noted that:

- (1) while there is coordination between White Sands Missile Range and Spaceport America on use of airspace, there is no current coordination on military use of spaceport facilities;
- (2) New Mexico's terrain, including the length of unconstrained airspace at White Sands Missile Range, offers unique military training and weapons development opportunities;
- (3) some ranchers have expressed concerns over disruptions and damage caused by construction traffic while the SunZia transmission line is built;
- (4) access roads to the SunZia transmission line will remain after construction is complete to facilitate maintenance and repairs to the line should it be damaged in a military operation; and
- (5) Governor Martinez favors changing the SunZia route.

### **Veterans' Services Department — Overview**

Brigadier General Jack R. Fox, secretary, VSD, and Alan Martinez, deputy secretary, VSD, reported to the committee on recent changes and ongoing initiatives at the VSD. A major goal for the department is to address transportation needs for veterans trying to access health care through the federal Department of Veterans Affairs (VA) system. Other goals include addressing long-term care needs for veterans and challenges faced by female veterans.

The VSD has hired a full-time health care coordinator to develop a database of and alliances among the various federal, state and private health care facilities in the state to ensure

that veterans can fully access their health care benefits, whether locally or at major VA facilities. The VA hospital in Albuquerque is developing a transport system of vans and full-time drivers, and the VSD is developing transportation partnerships among state agencies, the VA and veterans' organizations to create a statewide network available to veterans who must travel long distances for their health care.

The VSD recently received two VA grants: \$2 million for a pilot project aimed at helping post-9/11 veterans in rural and underserved areas register for VA benefits and adjust to civilian life; and \$6 million, matched by \$600,000 in state funds, to build four state veterans cemeteries. Construction will begin for a cemetery in Fort Stanton on Veterans' Day in 2015 and for a cemetery in Gallup in 2016, with construction on cemeteries in Angel Fire and Carlsbad to follow.

On questioning, the presenters and committee members noted that:

- (1) there are approximately 95,000 elderly veterans in the state but only 192 long-term care beds available to veterans at state facilities;
- (2) home health care services are available through the VA;
- (3) private long-term care and assisted living facilities can contract with the VA to provide services to veterans, but only if the facilities meet VA standards; and
- (4) roads within the Fort Bayard facility, which is under General Services Department control and which includes a veterans cemetery, are in poor condition and causing a problem for funeral processions.

### **National Guard of New Mexico Update**

Brigadier General Juan L. Griego, deputy adjutant general, National Guard of New Mexico (Guard), provided an update on the Guard's current operations and recent legislative initiatives.

Guard members are deployed in two operations in Kuwait, with individuals also deployed for specialty positions in Greece, Afghanistan and Djibouti. The Guard continues its work with Costa Rica through the State Partnership Program and will renew the program's charter in July, and its counter-drug program is under way through the end of September. Though New Mexico's Army Guard has seen a higher-than-ideal attrition rate in the last year, its Air Guard has maintained strength at nearly 100 percent. To address recruitment and retention issues, the Guard recently opened a storefront office in Cottonwood Mall in Albuquerque. Full operational funding was restored in 2015 for the Guard's Roswell-based Youth ChalleNGe program, and the program's barracks are currently undergoing a major renovation with the help of both state and local funding.

In addition to securing full funding for the Youth ChalleNGe program, the Guard's other successful legislative efforts in the 2015 regular session include appropriations for the Civil Air Patrol and the Employer Support of the Guard and Reserve program; a benefits increase under

the servicemember's group life insurance program; and expanded eligibility for assistance through the Guard's Emergency Assistance Fund. Future legislative priorities will include state funding to address a backlog of maintenance, repairs and renovation necessary at Guard facilities statewide; funding to complete the Las Cruces Aviation Readiness Center; increased tuition assistance funding; and a statutory maximum age increase for the State Defense Force.

On questioning, General Griego and committee members noted that:

- (1) the Guard unit that used to be based in the Silver City Readiness Center has been moved to Las Cruces, and the Guard will probably divest itself of the center facility in a few years;
- (2) the readiness centers in Las Cruces and Rio Rancho need to be expanded; and
- (3) all readiness centers are built on a standard design with standard design costs unless a center has a specialized function.

### **Public Comment**

Chuck Howe, board president, David Westphall Veterans Foundation and the National Veterans Wellness and Healing Center of Angel Fire, Inc., thanked committee members for their support in securing capital outlay funds for repairs at the Vietnam Veterans Memorial and program funds for a posttraumatic stress disorder program for veterans and their spouses.

### **2015 Work Plan, Meeting Schedule and Itinerary**

On a motion by Representative Alcon, seconded by Senator Brandt, the work plan as presented by Mr. Fleetwood was unanimously adopted with the following additions:

- (1) an additional meeting day — September 15 — at the White Sands Missile Range, pending approval by the New Mexico Legislative Council;
- (2) a presentation on home health care issues for the August meeting at the New Mexico State Veterans' Home in Truth or Consequences; and
- (3) a presentation by the Realtors' Association of New Mexico on veterans' housing and property tax issues.

The committee's meeting dates and locations for the 2015 interim are:

June 17	Santa Fe
July 10	Espanola
August 18	Truth or Consequences
September 15-16	Alamogordo and White Sands Missile Range
October 23	Clovis
November 23	Santa Fe.

### **Adjournment**

The committee adjourned at 2:40 p.m.



Revised: July 9, 2015

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

**July 10, 2015  
Room 101/102  
Montoya Building  
Northern New Mexico College  
Española**

**Friday, July 10**

- 10:00 a.m.        **Call to Order**
- 10:05 a.m.        **Welcome**  
—Dr. Nancy "Rusty" Barceló, President, Northern New Mexico College
- 10:15 a.m.        (1) [\*\*Northern New Mexico College Veterans Resource Center\*\*](#)  
—Mark Rendon, Director, Veterans Resource Center, Northern New Mexico College
- 11:00 a.m.        (2) [\*\*Veterans' Services Department Update\*\*](#)  
—Brigadier General Jack R. Fox, Secretary, Veterans' Services Department
- 12:00 noon        **Lunch**
- 1:00 p.m.        (3) [\*\*Veterans' Justice Project\*\*](#)  
—Cathryn Abeyta, Program Manager, DNA-People's Legal Services, Inc.
- 2:00 p.m.        (4) [\*\*Goodwill Homeless Veteran Integration Program\*\*](#)  
—Terry Armstrong, Chief Services Officer, Goodwill Industries of New Mexico  
—Rebekah Pieniadz, Homeless Veteran Reintegration Program Manager, Goodwill Industries of New Mexico
- 3:00 p.m.        (5) [\*\*Veteran Upward Bound Program — University of New Mexico-Taos\*\*](#)  
—Randy Larry, Project Director, Veteran Upward Bound Program
- 4:00 p.m.        **Adjourn**



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

**July 10, 2015  
Room 101/102 Montoya Building  
Northern New Mexico College  
Española**

The second meeting of the Military and Veterans' Affairs Committee was called to order by Senator Richard C. Martinez, co-chair, on July 10, 2015 at 10:00 a.m. in Room 101/102 of the Montoya Building at Northern New Mexico College (NNMC) in Española.

**Present**

Sen. Richard C. Martinez, Co-Chair  
Rep. Bob Wooley, Co-Chair  
Rep. Eliseo Lee Alcon  
Sen. Craig W. Brandt  
Sen. William F. Burt

**Absent**

Rep. George Dodge, Jr.  
Rep. Dianne Miller Hamilton  
Sen. Daniel A. Ivey-Soto

**Advisory Members**

Rep. David E. Adkins  
Sen. Carlos R. Cisneros  
Rep. Randal S. Crowder  
Sen. Michael Padilla  
Sen. John Pinto  
Sen. William E. Sharer  
Rep. Jim R. Trujillo  
Rep. John L. Zimmerman

Rep. Cathrynn N. Brown  
Rep. Jim Dines  
Rep. Rick Little  
Sen. William H. Payne

**Guest Legislator**

Rep. Debbie A. Rodella

**Staff**

Jeret Fleetwood, Researcher, Legislative Council Service (LCS)  
Peter Kovnat, Staff Attorney, LCS  
Kathleen Dexter, Researcher, LCS

**Guests**

The guest list is in the meeting file.

**Handouts**

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

**Friday, July 10**

**Welcome**

Nancy "Rusty" Barceló, Ph.D., president, NNMC, welcomed the committee to the campus. She described programs at the college that are designed to directly benefit veterans, such as the Veterans Resource Center, and those that veterans tend to gravitate toward, including a Spanish colonial woodworking program in which 95 percent of enrolled students are veterans. The Española fiesta court also welcomed the committee and invited Senator Martinez to boogie for a bit.

**Veterans Resource Center**

Mark Rendon, director, NNMC Veterans Resource Center; Ricky Serna, NNMC vice president for institutional advancement; and Charlie Bracken, president, NNMC Student Veterans of America (SVA), gave a presentation on the mission of the college's Veterans Resource Center and its collaborative efforts with SVA. Both the center and the SVA serve more than 80 veterans enrolled at the college, providing services that include advisement, academic support and financial assistance and counseling. The organizations also help veterans access rehabilitation, health care and job placement services. The center currently has a full-time counselor on staff and plans to further expand its counseling and mentoring services. It also assists veterans as they transition from skilled military jobs to civilian work force jobs that require the same or similar skills. Both the center and SVA conduct outreach not only to veterans but also to their families and the community at large, hosting events such as an upcoming Veterans Day ceremony and an October posttraumatic stress disorder (PTSD) resiliency training workshop, both of which will be open to the public.

On questioning, the presenters and committee members noted that:

- (1) the October PTSD training will be the first of its kind hosted by the center; in addition to providing information, the trainers will gather feedback from area veterans on what services they and their families need but are unable to obtain;
- (2) SVA pressures industries to hire veterans, both directly and through job fairs;
- (3) Los Alamos National Laboratory has historically had an on-campus presence at NNMC, but fewer lab jobs will now be available as the lab shrinks its work force;
- (4) the state and its higher education institutions need to develop a system for certifying veterans in skills they acquired in the military and give veterans college credit for those skills; some law enforcement agencies in the state already acknowledge these skills when hiring veterans; and
- (5) the federal Department of Defense plans U.S. Army troop reductions of up to 60,000 in the next few years, which will suddenly increase the number of veterans in the job market and enrolled in higher education.

**Veterans' Services Department Update**

Brigadier General Jack R. Fox, secretary, Veterans' Services Department (VSD), and Tom Wagner, manager, VSD State Cemetery Program, gave an update on the department's

efforts to address three of its high-priority issues: female veterans, veterans' transportation and state veterans' cemeteries.

The VSD's "Women Veteran Project" is under way this summer, with three committee meetings already held and a survey soon to be distributed among the state's female veterans to assess their needs and issues. A videoconference with female New Mexico Reserve and National Guard units will take place in September, and a final report on findings will be available in mid-November. Female-specific issues already identified include the need for more female federal Department of Veterans Affairs (VA) health care providers to work with female veterans; the need for child care assistance as female veterans, many of them single mothers, transition into the civilian work force; and a higher denial rate for PTSD claims submitted by female versus male veterans to the VA, with many of the denied claims arising from military sexual trauma.

In its effort to develop better transportation options for veterans in the state, the VSD is establishing a call center and web site where veterans can get information on transportation resources. The department is working with San Juan College to establish, as part of a VA rural veterans outreach grant, a pilot program for veterans' transportation in northwest New Mexico. Another possible partnership is to work with the National Guard of New Mexico to use volunteers with the State Defense Force Division of the Department of Military Affairs as drivers.

Four new state veterans' cemeteries have been approved by the VA. There will be a groundbreaking ceremony on Veterans Day 2015 for the cemetery at Fort Stanton, with an opening planned for spring 2017; a possible groundbreaking in 2016 and opening in 2018 for the cemetery in Gallup; and groundbreaking for cemeteries in Angel Fire and Carlsbad as soon as VA funding is available.

On questioning, the presenters and committee members noted that:

- (1) of the 2,700 veterans in Rio Arriba County, approximately 270, or 10 percent, are female veterans;
- (2) families of those buried in the current Fort Stanton cemetery will be contacted by the VSD about new VA standards for placing items on graves when the cemetery is converted to a VA-approved veterans' cemetery and its management transitions from the Cultural Affairs Department to the VSD;
- (3) the VSD will be responsible for ongoing maintenance at the state veterans' cemeteries and will request maintenance funding through its annual department budget;
- (4) all of the state veterans' cemeteries will have kiosks tied to the VA's nationwide grave locator database;
- (5) the national cemetery in Santa Fe recently expanded and is not expected to reach capacity until 2040;
- (6) additional locations being considered for state veterans' cemeteries include Hobbs, Roswell, Alamogordo, Taos, Clovis, Farmington and Truth or Consequences;

(7) the state's \$600,000 appropriation for the state veterans' cemetery program is, essentially, a revolving fund: once the appropriation is expended, the VA will reimburse the entire amount, and those funds will then be used to start the next cemetery;

(8) the VSD, as a member of the Interagency Behavioral Health Purchasing Collaborative, is working to address the current shortage of behavioral health services in southern New Mexico, including arranging for pro bono services for veterans in the area;

(9) some of the traditional veterans' service organizations are having a difficult time attracting younger veterans; and

(10) the VSD and veterans' service organizations will host public service announcements regarding the open burn pit registry recently created in statute, and the VSD web site will include a link where veterans who worked near open burn pits during their military service can register.

### **Public Comment**

Floyd Garcia, former member of the National Guard of New Mexico, urged the committee to find a way to compensate and provide care for personnel who suffer from PTSD due to their service during the 1980 riot at the state penitentiary.

### **Minutes**

On a motion duly made, seconded and unanimously adopted, the minutes from the June 17, 2015 meeting were approved.

### **Veterans' Justice Project**

Cathryn Abeyta, program manager, DNA People's Legal Services, and Linda Shannon, veterans' justice outreach coordinator, VA, gave an update on the Veterans' Justice Project and the VA Veteran Services Collaborative, both of which operate in northwest New Mexico to improve veterans' access to VA and other benefits. Under the justice project, veterans get free legal services and assistance in navigating the VA system, with all assistance provided in the veteran's native language. Because transportation is a barrier for many veterans in the Navajo Nation, the project hosts periodic off-site "clinics" in remote areas of its service region. The services collaborative, which focuses on providers, brings together various state and federal agencies that serve veterans, such as the VA and the VSD, as well as community partners and higher education institutions to coordinate resources, referral processes and outreach activities.

On questioning, the presenters, committee members and Mr. Wagner, speaking on invitation of the chair, noted that:

(1) appeals of VA claim denials must be handled by a VA-certified attorney, and there is currently none in northwest New Mexico; the VA web site has a list of all VA-certified attorneys nationwide;

(2) the justice project receives state, federal and private grant funding;

(3) funding restrictions limit the service region for both organizations to San Juan and McKinley counties and certain areas of southern Colorado, though both presenters are willing to train organizations to develop similar programs elsewhere in the state; and

- (4) clinic facilities and attorney services are provided pro bono.

### **New Mexico Military Issues Update**

Speaking on invitation of the chair, Senator Burt reported to the committee that:

- (1) planned U.S. Army troop reductions will affect those stationed in New Mexico and could result in an estimated 17,000 layoffs among civilian employees nationwide;
- (2) Congress has shifted now toward considering a round of base realignments and closures;
- (3) Holloman Air Force Base will soon activate its second F-16 squadron;
- (4) extraction wells are now pulling contaminants from the underground plume near Kirtland Air Force Base; and
- (5) two former commanders of Holloman Air Force Base have been promoted in the U.S. Air Force command structure, and one plans to retire in New Mexico.

### **Goodwill Homeless Veterans Reintegration Program**

Rebekah Pieniadz and Terry Armstrong, Homeless Veterans Reintegration Program (HVRP) manager and chief services officer, respectively, Goodwill Industries of New Mexico (Goodwill), gave an overview of veteran-specific services provided by Goodwill. In addition to job development skills training, the HVRP provides rapid rehousing for homeless veterans and their families, as well as employment services and case management to help homeless veterans transition into long-term employment. The HVRP TrialWorks program trains veterans on site in retail, recycling, transportation and warehouse work, and participating veterans receive minimum wage during their training period. During 2014, the program's second year, the HVRP served 145 veterans, 104 of whom were placed in stable employment.

On questioning, the presenters clarified that Goodwill's operating revenue comes primarily from sales in its stores and that, contrary to a recent report in which the Goodwill national organization did not score highly on its use of funds, Goodwill Industries of New Mexico (independent from the national organization) spends 92 percent of its revenue on services.

### **Veteran Upward Bound Program**

Randy Larry, director, Veteran Upward Bound (VUB) Program, gave an overview of the services available to veterans through the VUB Program, a college preparation program for low-income veterans and veterans whose parents did not earn a college degree. Though the program is based at the University of New Mexico (UNM)-Taos campus, its service area also includes the UNM-Gallup campus, Luna Community College, New Mexico Highlands University, San Juan College, Diné College, Santa Fe Community College, Navajo Technical University, the Institute of American Indian Arts and NNMC. The program is in its third year of a five-year grant from the U.S. Department of Education, with approximately 120 veterans participating in each of its first two years of operation. Services available to veterans through the program include instruction and tutoring for completion of high school equivalency credentials; refresher courses

in core subject areas; mentoring and general academic support; financial aid counseling; and assistance in accessing services available through local veterans service organizations.

On questioning, Mr. Larry noted that a lack of funds prevents the VUB Program from expanding to Clovis Community College and the New Mexico State University-Alamogordo campus, both of which are interested in participating.

**City of Española Veterans Services Issues**

Kelly Duran, Española city manager, described to the committee the difficulties faced by the city in raising revenue necessary to provide public services in a region that includes multiple local governments.

**Adjournment**

The committee adjourned at 3:25 p.m.



3:30 p.m. **New Mexico State Veterans' Home Tour**

5:00 p.m. **Adjourn**

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

**August 18, 2015  
Ralph Edwards Auditorium — Civic Center  
Truth or Consequences**

The third meeting of the Military and Veterans' Affairs Committee was called to order by Representative Bob Wooley, co-chair, on August 18, 2015 at 10:15 a.m. in the Ralph Edwards Auditorium of the civic center in Truth or Consequences.

**Present**

Rep. Bob Wooley, Co-Chair  
Rep. Eliseo Lee Alcon  
Sen. Craig W. Brandt  
Sen. William F. Burt

**Absent**

Sen. Richard C. Martinez, Co-Chair  
Rep. George Dodge, Jr.  
Rep. Dianne Miller Hamilton  
Sen. Daniel A. Ivey-Soto

**Advisory Members**

Rep. David E. Adkins  
Rep. Randal S. Crowder  
Sen. Michael Padilla  
Sen. John Pinto  
Rep. John L. Zimmerman

Rep. Cathrynn N. Brown  
Sen. Carlos R. Cisneros  
Rep. Jim Dines  
Rep. Rick Little  
Sen. William H. Payne  
Sen. William E. Sharer  
Rep. Jim R. Trujillo

**Guest Legislator**

Sen. Cisco McSorley (appointed as voting member for the meeting)

**Staff**

Jeret Fleetwood, Researcher, Legislative Council Service (LCS)  
Peter Kovnat, Staff Attorney, LCS  
Kathleen Dexter, Researcher, LCS

**Guests**

The guest list is in the meeting file.

**Handouts**

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

**Tuesday, August 18**

**College Credit for Military Training — Approaches in Other States**

Suzanne Hultin, policy specialist, Education Program, National Conference of State Legislatures, gave a presentation on what other states are doing to provide veterans with college credits for their military experience and training.

Twenty states have passed legislation mandating that either their higher education systems or their higher education institutions adopt policies to accept "prior learning assessments", such as those developed by the American Council on Education, that might be used in assigning credit for military experience. The council has developed a partial database of military training and suggested correlations to college credit, though each state or institution has final discretion in what credit, if any, is assigned to a veteran student. While New Mexico does not have a statewide policy for accepting prior learning assessments, six of the state's higher education institutions assign credits for "life experiences", including military experience.

Prior learning assessments and transcript evaluations are currently inconsistent, not only across New Mexico institutions but also within each institution. Transcripts must be evaluated individually, and the process is hampered in part by the sudden increase in recent years of veterans leaving the service and enrolling in college. A study by the Council for Adult and Experiential Learning shows that students who are given prior learning assessments are 2.5 times more likely to graduate, yet many New Mexico veteran students are not getting these assessments and are at increased risk of dropping out.

On questioning, Ms. Hultin and committee members noted that:

- (1) most of the college credit assigned for military experience goes toward elective or physical education credits, not core degree credits; and
- (2) the American Council on Education is working with the federal Department of Defense to develop military transcripts.

**College Credit for Military Training — New Mexico**

Harrison Rommel, Ph.D., financial aid director, Higher Education Department (HED), and Alan Martinez, deputy secretary, Veterans' Services Department (VSD), continued the discussion by outlining the challenges faced by higher education institutions when trying to assign credit hours for military training and experience.

In addition to two veteran-specific scholarship programs administered by the state, veteran students have access to federal education benefits commonly referred to as the "GI Bill". Benefits under this program are limited and must be used within 15 years of leaving the military. When a veteran student receives credit for military training, those credits are deducted from the total benefits available under the veteran's GI Bill, thus reducing the benefits available to complete the veteran's degree. If legislation is signed into law that requires New Mexico institutions to adopt the guidelines developed by the American Council on Education — a

blanket requirement to grant credits for military training — many veterans will end up with too many credits that do not apply to their degrees and too few benefits remaining to pay for the courses they need. In addition, veteran students who receive military training credits from a New Mexico institution may not be able to transfer those credits to out-of-state institutions if they move, and they would not be able to recover the GI Bill benefits expended on those credits.

On questioning, the presenters and committee members noted that:

- (1) coordination on issuing credits for military experience is difficult because New Mexico has more than 30 higher education institutions, each with its own governing board and autonomy over its curriculum;
- (2) the State Approving Agency — an office within the VSD that approves higher education courses for GI Bill and other federal Department of Veterans Affairs (VA) benefits — is working to coordinate across institutions;
- (3) the common course numbering system required by the provisions of House Bill 282 (2015 regular session), with an implementation deadline of July 1, 2017, will help with the coordination efforts, but the system will have to involve deans and faculty, not just registrars;
- (4) the HED is developing a list of courses at each state institution for which a veteran can get credit based on military training;
- (5) GI Bill tuition benefits are paid directly to schools, while GI Bill stipend benefits are paid to students;
- (6) veterans who have exhausted their GI Bill benefits can qualify for assistance through the state's Military War Veterans Scholarship program; and
- (7) the Vietnam Veterans Scholarship program receives an annual appropriation of \$141,000 and does not need additional funds at this time.

### **College Credit for Military Training — Student Perspective**

Albert S. Gamiochipi and Polly Schaefer, vice president and public relations officer, respectively, of the Student Veterans Association of New Mexico State University (NMSU), gave a student perspective on the issue of credit for military training.

In what the presenters referred to as the "Goldilocks Paradox", veteran students often receive either too much military training credit that they cannot use toward their degrees or little to no credit that would be directly applicable to their degrees. In a case illustrating too much credit, a veteran student who transferred to NMSU was given 132 credit hours based on prior coursework and military training, but only 24 credits applied to the student's degree. The remaining credits served only to render the student ineligible for financial aid by the student's third year in college. In a case illustrating too little credit, a veteran whose eight years as a military computer technician included three overseas deployments was not given credit to offset either a required "Viewing the Wider World" course or a required "Introduction to Computers" course. The subject of both cases was the same veteran student.

The presenters urged the committee to pass legislation to require that higher education institutions only grant credits for military training that count toward a veteran student's degree.

On questioning, the presenters and committee members noted that:

- (1) GI Bill benefits are limited to 190 credits;
- (2) institutions do not get any funds for credits they award for military training;
- (3) a veteran student can protest the number of credits awarded, though most do not know they can do this; and an institution can adjust the credits deducted from a student's GI Bill benefits;
- (4) the State Approving Agency is working with certifying officials at each institution on aligning the credits for military training with what each veteran student needs for graduation; and
- (5) Texas' College Credit for Heroes pilot program was funded through the federal Workforce Investment Act of 1998.

### **Minutes**

On a motion duly made, seconded and unanimously adopted, the minutes from the July 10, 2015 meeting were approved.

### **New Mexico Institute of Mining and Technology Veterans Programs**

Luz Diaz Barreras, veterans' administrator, New Mexico Institute of Mining and Technology (NMIMT), reported on programs that she administers for veterans at the institute.

Participation in the school's veterans programs has doubled since 2008. The 46 veteran students currently participating access a variety of benefits under several federal programs that provide funding for tuition and fees, textbooks, housing stipends and monthly stipends. Resources at the school also extend beyond school and coursework to cover health and mental health issues, including assistance for veteran students who have posttraumatic stress disorder to an extent that it affects their ability to attend class. Some veterans at the school have exhausted their benefits but still interact with the veteran student community through the NMIMT Veterans Club, which was formed in 2014.

On questioning, Ms. Barreras and committee members noted that:

- (1) the male-to-female ratio among veteran students at NMIMT is approximately 2:1, which matches the ratio in the general student population;
- (2) the school cannot track success or graduation rates in veteran students who do not self-identify; those who choose not to come forward may have exceeded the 15-year time limit for accessing GI Bill benefits or exhausted their benefits prior to enrollment;
- (3) veteran students may use the lottery tuition scholarship and GI Bill benefits simultaneously, but tuition that is paid with scholarship funds is deducted from the student's available benefits through the GI Bill; and
- (4) the Veterans Club is developing a mentoring program for veteran students.

## **Aging and Long-Term Care Issues Facing Veterans**

Mitchell Lawrence, health care coordinator, VSD, and Carlos Moya, director, Consumer and Elder Rights Division, Aging and Long-Term Services Department, gave a presentation on projected needs for veterans' long-term care in New Mexico.

Of the state's 89,000 veterans who are 65 years or older, an estimated 16 percent will require long-term care of some kind. There are just over 200 long-term care beds available in three area facilities — the New Mexico State Veterans' Home in Truth or Consequences, the Fort Bayard Medical Center in Santa Clara and the Raymond G. Murphy VA Medical Center in Albuquerque — though projections show a need for 417 beds. The VA has a per diem program under which veterans can receive care in private long-term care facilities, but the facilities must meet VA standards, and the program's benefits vary depending on the era in which a veteran served in the armed forces. The VA's focus is to keep veterans in their homes as long as possible by preventing incidents, such as falls or medication imbalances, that might precipitate a move into residential care. The Consumer and Elder Rights Division also works to keep veterans in their homes through its Veterans Self-Directed Care program, a home- and community-based care program it administers in partnership with the VA. Under the program, which currently serves up to 35 veterans in the Taos and Pecos areas, a veteran has complete control over choosing and managing services and providers, and care is provided in the veteran's home.

On questioning, the presenters and committee members noted that:

- (1) the VSD is working to make all private nursing homes aware of the VA's per diem program and the standards they must meet in order to qualify;
- (2) under the Veterans Self-Directed Care program, a veteran contracts directly with providers and may hire family members as caregivers; under a similar care program in Medicaid, care is contracted through provider agencies;
- (3) the Veterans Self-Directed Care program includes an incident report system and both scheduled and unscheduled site visits;
- (4) if a veteran's needs expand beyond services available in the Veterans Self-Directed Care program, the veteran is moved out of the home;
- (5) a veteran must liquidate all assets prior to moving into the New Mexico State Veterans' Home; and
- (6) most of the facilities and resources available to veterans in New Mexico are clustered along the Rio Grande corridor, with little available to veterans in the state's rural areas.

## **New Mexico State Veterans' Home Update**

Jeremy Averella, chief facilities officer, Department of Health (DOH), Stephen Dorman, M.D., chief medical officer, DOH, Michael Browne, facilities manager, DOH, and Donna Deason, interim administrator, New Mexico State Veterans' Home, gave a presentation on the mission of the New Mexico State Veterans' Home and its current initiatives.

The New Mexico State Veterans' Home, housed in what was originally the Carrie Tingley Children's Hospital facility, provides residential long-term care not only to veterans but also to

veterans' spouses and parents of armed service members killed in action, or "Gold Star" parents. The home receives minimal operational funding through the state; the majority of its funding comes through Medicaid, Medicare, the VA, private insurance and private payments. The home currently serves 128 residents, with capacity for 135, and offers assisted living, intermediate care and skilled nursing care. Capacity will increase to nearly 200 when a new Alzheimer's unit is complete in 2017.

Other initiatives that the New Mexico State Veterans' Home has under way include a new tele-psychiatry program, with providers based in Albuquerque, and an intensive outpatient chemical dependency program, which is also available in Roswell, Fort Bayard and Albuquerque.

On questioning, the presenters and committee members noted that:

- (1) the chemical dependency program requires specialized staff and has been set up only in areas where trained staff and adequate facilities are already available;
- (2) the state has provided \$12 million to construct the Alzheimer's unit; the balance — 65% of the project total — comes from the VA;
- (3) the architectural firm for the facilities expansion is based in Las Cruces; and
- (4) the new facilities will be Leadership in Energy and Environmental Design, or LEED, certified.

#### **Tour of New Mexico State Veterans' Home**

Committee members toured the New Mexico State Veterans' Home facilities and grounds.

#### **Adjournment**

The committee adjourned at 4:15 p.m.

Revised: September 10, 2015

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

**September 15, 2015  
Alamogordo  
September 16, 2015  
White Sands Missile Range**

**Tuesday, September 15 — Conference Room, Sgt. Willie Estrada Memorial Civic Center,  
800 East First Street, Alamogordo**

- 10:00 a.m.           **Call to Order**
- 10:05 a.m.           **Welcome**  
—Susie Galea, Mayor, Alamogordo
- 10:15 a.m.       (1)   **[Update on SunZia Southwest Transmission Project](#)**  
—Tom Wray, Project Manager, SunZia Southwest Transmission Project  
—Daniel C. Hicks, Former Chief of Staff, White Sands Missile Range
- 11:30 a.m.       (2)   **[Jicarilla Apache Nation Veterans Group](#)**  
—Lyle Atole, Commander, Jicarilla Apache Nation Veterans Group
- 12:15 p.m.           **Lunch**
- 1:30 p.m.       (3)   **[Veterans Integration Centers](#)**  
—Elinor Reiners, Program Director/Chief Executive Officer, Veterans  
Integration Centers
- 2:30 p.m.       (4)   **[Veterans' Services Department \(VSD\) — Update](#)**  
—Alan Martinez, Deputy Secretary, VSD
- 3:30 p.m.       (5)   **[Low-Income Veteran Home Repair and Home Modification](#)**  
—Rose Garcia, Executive Director, Tierra del Sol Housing Corporation
- 4:30 p.m.           **Public Comment**
- 5:00 p.m.           **Recess**

**Wednesday, September 16 — White Sands Missile Range, Las Cruces Gate**

9:00 a.m.           **Tour of White Sands Missile Range**

12:00 noon       **Adjourn**

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

**September 15, 2015  
Alamogordo  
September 16, 2015  
White Sands Missile Range**

The fourth meeting of the Military and Veterans' Affairs Committee was called to order by Representative Bob Wooley, co-chair, on September 15, 2015 at 10:00 a.m. at the Willie Estrada Memorial Civic Center in Alamogordo.

**Present**

Sen. Richard C. Martinez, Co-Chair  
Rep. Bob Wooley, Co-Chair  
Rep. Eliseo Lee Alcon (9/15)  
Sen. Craig W. Brandt  
Sen. William F. Burt (9/15)

**Absent**

Rep. George Dodge, Jr.  
Rep. Dianne Miller Hamilton  
Sen. Daniel A. Ivey-Soto

**Advisory Members**

Rep. Randal S. Crowder  
Rep. Jim Dines  
Rep. Rick Little  
Rep. John L. Zimmerman

Rep. David E. Adkins  
Rep. Cathrynn N. Brown  
Sen. Carlos R. Cisneros  
Sen. Michael Padilla  
Sen. William H. Payne  
Sen. John Pinto  
Sen. William E. Sharer  
Rep. Jim R. Trujillo

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

**Staff**

Jeret Fleetwood, Researcher, Legislative Council Service (LCS)  
Peter Kovnat, Staff Attorney, LCS  
Erin Bond, Intern, LCS

**Guests**

The guest list is in the meeting file.

**Handouts**

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

**Tuesday, September 15**

**Welcome**

Susie Galea, mayor, Alamogordo, welcomed the committee and provided a brief overview of Alamogordo's relationship with the military. She noted that Alamogordo is close to three major military installations — Holloman Air Force Base (HAFB), White Sands Missile Range (WSMR) and Fort Bliss — and that there is also a National Guard armory in town. There are approximately 7,500 veterans in the community, and Alamogordo would like to see meaningful employment for them, as well as for the guard reservists.

Mayor Galea also stated that Alamogordo supports the SunZia Southwest Transmission Project (SunZia).

**SunZia Southwest Transmission Project**

Tom Wray, project manager for SunZia, and Daniel C. Hicks, former chief of staff, WSMR, updated the committee on SunZia's progress.

Mr. Wray informed the committee that SunZia is a 515-mile transmission project in New Mexico and Arizona designed to bring high-quality renewable energy to western markets. With commercial operation expected by 2020, the total capital cost of the project is estimated at \$2 billion. A declaratory order was obtained from the Federal Energy Regulatory Commission in May 2011, and First Wind, currently owned by SunEdison, signed a letter of intent for up to 1,500 megawatts of transmission capacity. The federal Bureau of Land Management (BLM) issued a record of decision on January 23, 2015.

Prior to the BLM's decision, Mr. Wray informed the committee, a variety of route alternatives were studied between 2009 and 2014. The BLM-approved route, which can be seen in the posted handouts, was reached with the cooperation of many agencies. These include the U.S. Army Corps of Engineers; U.S. Department of Defense (DOD) Energy Siting Clearinghouse, Office of the Deputy Under Secretary of Defense (Installations and Environment); U.S. Department of the Army, WSMR; U.S. Air Force, HAFB; U.S. Fish and Wildlife Service; Bureau of Indian Affairs; and State Land Office.

The federal permitting process began in September 2008 with the submission of a BLM SF-299 right-of-way (ROW) application, although the concept emerged in the regional planning process starting in 2006. In May 2009, SunZia initiated scoping. The environmental impact statement was finalized in June 2013, while the environmental assessment with a finding of no new significant impacts was completed in December 2014. As previously mentioned, the record of decision was issued by the BLM in January 2015.

The record of decision was reached after SunZia agreed to terms set by the DOD. Under a hold harmless clause, SunZia will hold the United States government harmless against any tort claims should the transmission facility be damaged by military testing performed in the Northern

Call-Up Area. In a memorandum of agreement currently being drafted, SunZia also agreed to a micro-siting provision that allows the WSMR to review the final design and location of the project facilities within the Northern Call-Up Area, as well as noninterference and close coordination with WSMR testing activities and undergrounding up to three segments of line, accumulating to a total of five miles. The DOD states that these provisions will allow the WSMR to continue with current and known future test activities for the foreseeable future.

Currently, SunZia is working on state permitting in Arizona and New Mexico. The final design, ROW acquisition, procurement and construction will occur from 2016 to 2020. The project is expected to have its financial close in either 2017 or 2018, and cash on delivery should be achieved by 2020.

Mr. Hicks added that while the WSMR is interested in renewable resources and SunZia, there is concern that the flexibility to execute missions could be impaired. The WSMR understands that the compromise was reached at the highest federal levels and that some of the options given are expensive, but it wants to see the endeavor succeed.

On questioning, the presenters and committee members noted that:

- (1) SunZia's path could harm the WSMR's ability to do business, as well as interfere with ranching activities on private property, which in turn could affect the economies of surrounding communities and the state;
- (2) the path was selected at a federal level by the BLM and the DOD, which overshadows much of the state's authority; and
- (3) approximately half of the transmission line's capacity is spoken for and would go to Arizona and California.

### **Jicarilla Apache Nation Veterans Group**

Lyle Atole, commander, and Adrian Julien, vice commander, Jicarilla Apache Nation Veterans Group, presented to the committee on the projects and concerns of veterans in the Jicarilla Apache Nation and surrounding communities.

Mr. Atole stated that the Jicarilla Apache Nation Veterans Group is a nonprofit service organization devoted to caring for and empowering Jicarilla Apache Nation veterans and their families. The group provides case management, advocacy, community outreach and education, as well as support and gratitude, with the vision of improving, preserving and defending the quality of life of all Jicarilla Apache Nation veterans and their families living in and around Dulce, New Mexico.

To increase awareness and give thanks to all who have honorably served, the Jicarilla Apache Nation has designated the third Friday of July as "Jicarilla Warriors Day". A free luncheon is provided to all veterans and their families, and the five oldest living veterans are given a Pendleton blanket with the group's logo and a plaque as a token of appreciation. Veteran

benefit coordinators from New Mexico, Arizona and Colorado are invited to set up booths and communicate with veterans. Attendance for the group has been growing every year, and it is considered a success.

Health care is one of the first concerns for the Jicarilla Apache Nation Veterans Group, Mr. Atole stated. While the Indian Health Service has done outreach to local veterans, many veterans will not communicate any physical or mental health needs. Inside the community, resources such as counseling are lacking; outside the community, services are more than an hour's drive away. Because of these issues, the group is looking for resources, such as transportation and counseling aids, to be brought back to the community.

Housing is also of great concern to the Jicarilla Apache Nation Veterans Group. The Jicarilla Apache Nation does have a memorandum of understanding with the U.S. Department of Veterans Affairs (VA) that would allow VA loans to be used to purchase a mobile home to be transported onto the reservation or to build a mobile home on a designated site. The group is currently researching businesses that would work with this type of loan, as well as researching what could help veterans obtain a loan for home renovations.

Mr. Atole also informed the committee that the Jicarilla Apache Nation Veterans Group would like to find funding for a veterans' center in Dulce. The group would like a multi-use building that could host monthly meetings, counseling sessions and community events, as well as display memorabilia from veterans' times of service.

On questioning, the presenters and committee members noted that:

- (1) legislation was introduced last session addressing the issue of home rehabilitation for veterans, with special language for Native Americans, since the processes are very different, but it failed to pass;
- (2) finding lenders willing to lend on reservations can be difficult because of uncertainty about the foreclosure process; and
- (3) the meetings are open to all veterans, regardless of race.

### **Veterans Integration Centers**

Elinor Reiners, program director and chief executive director, Veterans Integration Centers (VIC), gave an overview of the VIC and its programs, as well as the future of the organization.

Of the 170,000 veterans residing in New Mexico, between 1,000 and 1,700 of them are homeless. Predictions indicate that the number will rise due to the economic slowdown awaiting returning troops from Iraq and Afghanistan. Ms. Reiners reports that issues the VIC most often sees include substance abuse problems, alienation from friends and family, mental and physical health problems (including heart disease, diabetes, arthritis, posttraumatic stress disorder and military sexual trauma) and employability.

Over the past five years, the VIC has served an average of 140 veterans annually. The first program the VIC established was a transitional housing grant per diem (GPD), which provides single veterans with food, clothing, transportation and temporary housing in a caring environment with structure and discipline. Through the GPD program, the VIC coordinates with community partners to assist homeless veterans, or veterans at risk of becoming homeless, with medical care, housing, free legal aid and employment. The average number of people in a house is 42, with a maximum of 50; the average stay is six months; and the success rate is 70%.

To be admitted into the program, a variety of conditions must be met. A veteran's discharge from any branch of the armed services must be other than dishonorably discharged. The veteran must be clean and sober for at least 28 days and submit to a drug test, although Ms. Reiners stated that exceptions could be made in extreme circumstances. The veteran must comply with the VIC's alcohol-free and drug-free environment. If applicable, the veteran must enroll in a plan that includes weekly attendance at drug and/or alcohol outpatient support groups. The veteran must also lack fixed or permanent housing; be medically and mentally stable enough to live in a community setting; be willing to follow program goals and requirements, including actively searching for employment within the first 30 days of residency, if applicable; be able to transition to independent living in less than two years; be willing to engage in constructive daily activities; and provide proof of car insurance and registration and a valid driver's license, as applicable.

Transitional housing is located at the Value Place across from the VIC office in Albuquerque, where 50 efficiency apartment-type rooms are rented out to veterans. The rooms are checked twice a week, and participants must perform community service. Ms. Reiners said that the program was looking into a five- to 10-bed program in Santa Fe.

Also highlighted was Supportive Services for Veteran Families Program, which serves more than 240 families by assisting them with obtaining VA and other public benefits; providing case management for seeking employment, health care, housing, etc.; and supplying temporary financial assistance, such as time-limited payments for rent, utilities, moving expenses, security or utility deposits, transportation, child care and emergency services. Other programs include an emergency shelter, a food program, a thrift shop and a behavioral health support division.

Ms. Reiners identified several issues that the VIC has seen recently. Elderly veterans with mental health issues such as dementia, and thus who are too unstable for homeless programs provided by the VIC, are discharged from hospitals with nowhere to go and no family to help. VA protocol does not enroll them into medical facilities unless they have medical issues, so a VA social worker executive and Ms. Reiners have been working to develop a strategy. Additionally, veterans dealing with significant mental health issues who choose not to participate in VA programs by their own preference are released from the VA without a plan and often end up homeless. Because of these and other problems, Ms. Reiners informed the committee, Albuquerque needs a veterans home.

In the future, the VIC hopes to expand the number of people served from 50 to 200 and obtain its own facilities. The facilities, which have already been designed by an architect, would have academic classrooms, tutoring areas, a cafeteria, a common area for residents to cook, grooming areas, transportation and apartments.

Ms. Reiners also stated that the VIC could always use support, including donations of food, clothing, toiletries and miscellaneous kitchen and cleaning supplies. Monetary donations are also appreciated.

On questioning, Ms. Reiners and the committee members noted that:

- (1) due to the rural nature of most of the state, providing services to all veterans can be difficult, but organizations work together to reach as much of the state as possible;
- (2) when veterans leave transitional housing, they should have their own income and pay their own rent. The VIC may pay a security deposit and occasionally five to nine months of rent, but the VIC will try to wean veterans off of support;
- (3) the VIC, as well as many similar organizations, are federally restricted from repackaging donated foods because they lack the facilities required to do so. In the planned new building, the VIC will have the necessary facilities; and
- (4) the VIC does not have a place for veterans to "dry out", but many of their partners do, and the VIC will work with veterans to bring them into the program.

#### **Veterans' Services Department (VSD) Update**

Alan Martinez, deputy secretary, VSD, reported to the committee on current projects at the VSD.

The VSD, in a joint initiative with the Aging and Long-Term Services Department (ALTSD) and the VA Medical Center (VAMC) in Albuquerque, is working to identify available beds for aging veterans under the federal Veterans Access, Choice, and Accountability Act of 2014 and ALTSD programs. The VSD is also working with the VAMC to move along contracts for local providers. Currently, the VAMC has 100 veterans in both hospice care and rehabilitation who are placed in community long-term care. Of the 240 veterans currently enrolled in home-based primary care, 97 are located in rural communities. Nineteen veterans have been placed in medical foster homes. Overall, there are 353 approved, paid caregivers in the state, 233 general caregivers and 24 applications pending in the caregivers support program.

The VSD is working through the Rural Veterans Coordination Pilot grant program to establish a call center to provide information and referrals for veterans across New Mexico seeking information on transportation, mental health services and medical services, as well as other services available to veterans. The department hopes to implement the plan by January 1, 2016.

Female veteran issues are also of concern to the VSD. A female veteran working group composed of both active duty servicewomen and veterans has been instituted. A survey to identify needs has also been developed and implemented.

On questioning, Deputy Secretary Martinez and the committee noted that:

(1) given that the average age to retire from the military is in the early forties and the average pension is approximately \$24,000 a year, having a military tax incentive could attract retirees who wish to join the work force or start businesses and keep those who retired in-state from moving elsewhere;

(2) female veterans often have more trouble obtaining many services and simple solutions, such as offering an alternative door to VA women's clinics, that could help alleviate some of the stress;

(3) the call center is designed to be an information-giving center, not an information-taking center, and businesses potentially being contracted with will provide a guarantee that a phone call would be answered in the first 10 seconds; and

(4) transportation for veterans can be difficult to find because volunteer drivers are in short supply, and state programs that stop at the border cannot go to the VA hospital in El Paso. The VSD is looking for private contractors who will carry both the veteran and the caregiver. The VA has purchased vans and will pay its own drivers.

#### **Low-Income Veteran Home Repair and Home Modification**

Rose Garcia and Mike Rudloff, executive director and housing rehabilitation program manager, respectively, of Tierra del Sol Housing Corporation, spoke to the committee on work done by Tierra del Sol on veterans' homes in southern New Mexico.

Tierra del Sol works in 21 counties in southern New Mexico and repairs homes, sewers and apartments for its clientele, many of whom are veterans. The organization would like to continue working for aging veterans who are retiring or are retired and own a home in need of maintenance. Senate Bill 109 from the 2015 regular session would have established a fund run by the New Mexico Mortgage Finance Authority (MFA) to provide necessary rehabilitation for homes occupied by low-income, honorably discharged veterans in New Mexico whose income does not exceed 60% of the area median income. Tierra del Sol and similar businesses would be able to compete for the money to rehabilitate homes as specified in the bill.

On questioning, the presenters and the committee members noted that:

(1) rehabilitations could include bathroom modification for handicapped individuals, door widening, ramp construction and roof construction, as well as new appliances, cabinets or countertops, on a case-by-case basis;

(2) while the program from Senate Bill 109 would allow for up to \$20,000 per house, other sources of funding would also be used, such as grants from the Home Depot and bank loans;

(3) Tierra Del Sol is a 501(c)(3) corporation that would contract out the work to New Mexico-licensed and -insured subcontractors, who would find an advertisement requesting bids in a newspaper;

(4) approximately 14 other agencies would compete for the funds from Senate Bill 109, and the fund would be administered by the MFA, which would approve an application package; and

(5) while there are funds that veterans could currently access at the MFA, they must compete with the general public for them.

### **Minutes**

On a motion duly made and seconded and unanimously adopted, the minutes from the August 18, 2015 meeting were approved.

### **Public Comment**

Darron Williams spoke to the committee on Foxhole Homes, a not-for-profit corporation looking to develop low-carbon, sustainable earthships with a community approach for homeless veterans. Foxhole Homes would use a 100-acre plot to house 40 to 60 veterans with a professional staff that would help residents develop skills and teach them about sustainable agriculture.

Billy Armijo spoke to the committee on the need for transportation for the 70,000 veterans in the southern half of New Mexico. Volunteer programs require long hours of driving for the volunteers, who are often retirees themselves, and require a significant investment in gas money. He also invited the committee to listen to his radio program, "Legacy Watch Veterans Hour", for more information on current concerns for veterans.

### **Recess**

The meeting recessed at 5:00 p.m. Mr. Fleetwood reminded members that the committee meeting would reconvene the following day at the WSMR entry gate.

### **Wednesday, September 16**

#### **Tour of WSMR**

The committee toured the WSMR.

#### **Adjournment**

There being no further business, the committee adjourned at 1:00 p.m.

Revised: October 21, 2015

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

**October 23, 2015  
Clovis Civic Center  
801 Schepps Blvd., Clovis**

**Friday, October 23**

- 9:00 a.m.           **Call to Order**
- 9:05 a.m.           **Welcome**  
—David Lansford, Mayor, City of Clovis
- 9:15 a.m.       (1) **Veterans' Treatment Court Program**  
—Ginger Varcoe, Veterans Court Coordinator, Second Judicial District  
Court (invited)
- 10:00 a.m.       (2) **Veterans' Services Department (VSD) Update**  
—Brigadier General Jack R. Fox, Secretary, VSD
- 10:45 a.m.       (3) **Military Spouse Employment Opportunities**  
—Anna Blanch Rabe, Military Spouse J.D. Network
- 11:30 a.m.       (4) **U.S. Department of Veterans Affairs (VA) Health Care in New Mexico  
— Update**  
—Andrew Welch, Director, New Mexico VA Health Care System
- 12:15 p.m.       **Lunch**
- 1:15 p.m.       (5) **New Mexico Workforce Connection Veterans' Program**  
—Dale Allenberg, New Mexico Workforce Connection
- 2:00 p.m.       **Depart for Cannon Air Force Base**
- 2:30 p.m.       **Tour of Cannon Air Force Base**
- 5:00 p.m.       **Adjourn**



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

**October 23, 2015  
Clovis Civic Center  
Clovis**

The fifth meeting of the Military and Veterans' Affairs Committee was called to order by Representative Bob Wooley, co-chair, on October 23, 2015 at 9:10 a.m. in the Clovis Civic Center in Clovis.

**Present**

Sen. Richard C. Martinez, Co-Chair  
Rep. Bob Wooley, Co-Chair  
Rep. George Dodge, Jr.

**Absent**

Rep. Eliseo Lee Alcon  
Sen. Craig W. Brandt  
Sen. William F. Burt  
Rep. Dianne Miller Hamilton  
Sen. Daniel A. Ivey-Soto

**Advisory Members**

Rep. Randal S. Crowder  
Rep. Jim Dines  
Sen. John Pinto  
Rep. John L. Zimmerman

Rep. David E. Adkins  
Rep. Cathrynn N. Brown  
Sen. Carlos R. Cisneros  
Rep. Rick Little  
Sen. Michael Padilla  
Sen. William H. Payne  
Sen. William E. Sharer  
Rep. Jim R. Trujillo

**Guest Legislators**

Rep. Dennis J. Roch  
Sen. Pat Woods

**Staff**

Jeret Fleetwood, Researcher, Legislative Council Service (LCS)  
Peter Kovnat, Staff Attorney, LCS  
Kathleen Dexter, Researcher, LCS

**Guests**

The guest list is in the meeting file.

**Handouts**

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

## **Friday, October 23**

### **Welcome**

David Lansford, mayor, City of Clovis, welcomed the committee and described Clovis as not only an agricultural center but also a military community, with close ties to neighboring Cannon Air Force Base.

### **Veterans' Services Department Update**

Brigadier General Jack R. Fox, secretary, Veterans' Services Department (VSD), gave an update on initiatives within the VSD that address veterans' health and transportation issues. Current initiatives include:

- (1) a "veterans' network of care portal", which is an online service directory created in partnership with the Interagency Behavioral Health Purchasing Collaborative to provide information on health, employment and housing benefits and services for veterans;
- (2) the women veterans initiative, which found in a recent survey that nearly 70 percent of female veteran respondents were not aware that they qualify for federal Department of Veterans Affairs (VA) benefits, while an equal percentage stated that they have mental health concerns;
- (3) the federally funded Rural Veterans Coordination Pilot Program, which is now fully operational and has regional offices in Las Vegas, Shiprock, Roswell, Silver City and Albuquerque to coordinate outreach and education for veterans in rural areas;
- (4) the relocation and grand opening of a field office in Roswell, as well as a new office to open in Gallup before the end of the year; and
- (5) a groundbreaking, scheduled for Veterans Day, for the new state veterans cemetery in Fort Stanton.

Lack of transportation to VA health services continues to be the top complaint received by the VSD. In response, the department is working with the Department of Transportation, the Mid-Region Council of Governments and the VA hospital in Albuquerque to create a statewide transportation network using five vans funded by the VA and using paid drivers, in contrast to transportation provided by veterans' service organizations, which rely on volunteer drivers. The network will have a centralized call center that will coordinate transportation services.

Secretary Fox reported that the VSD budget request for fiscal year 2017 includes an increase to cover additional staff, including a licensed social worker for the department.

On questioning, Secretary Fox and committee members noted that:

- (1) the network of care portal will direct inquiries to providers as well as to the veteran service officer in the VSD's regional office closest to the veteran who needs services;
- (2) the VSD continues to hold Stand Down events to identify homeless veterans and connect them with available services;

(3) while the Veterans Integration Center in Albuquerque requires that an incoming resident be drug- and alcohol-free for 30 days prior to admission, there are temporary housing programs, such as one through Goodwill Industries of New Mexico (Goodwill), that do not have this entry requirement;

(4) VSD staff at its regional offices are directed to spend four days per week in the field doing outreach in rural areas;

(5) the VA's Veterans Choice Program does not currently have an expiration date, though there are rumors that the program may be discontinued;

(6) the five vans in the veterans transportation initiative will be based in Deming, Las Vegas, Gallup, the East Mountain area of Bernalillo County and Roswell, though the Roswell van may be moved to another area;

(7) the VA has established a van in the Clayton area for veterans who receive health care services at the VA facility in Amarillo, Texas, and is considering a van for veterans there who receive services in Albuquerque; and

(8) VA outreach programs aim to identify veterans from all eras who are not receiving services, not just the post-9/11 veterans; many of these unserved veterans are women who are less likely than men to identify as veterans.

### **Veterans Treatment Court Program**

Ginger Varcoe, veterans court coordinator, Second Judicial District Court; Christina Argyres, veterans court judge, Second Judicial District Court; Camilla Lopez, director, Veterans Justice Outreach, VSD; and Mr. Radar, service dog in training, gave a presentation on the veterans treatment court, a pre-sentence treatment program available to certain veterans in the criminal justice system as an alternative to incarceration.

Participation in the treatment program is voluntary, and eligibility is restricted to veterans with either substance abuse or mental health issues whose criminal history does not include certain violent crimes, such as sex offenses or crimes against children. Participants are paired with veterans who have already completed the program, and these mentors guide the participants through an 18-month regimen of treatment, court appearances, progress assessments and community support meetings. A recent addition to the participants' range of treatment options is the Warrior Canine Connection, a six-month program in which participants train service dogs to assist veterans suffering from service-connected disabilities and mental health issues.

Two courts in Bernalillo County participate in the treatment program, as well as one magistrate court in Valencia County. Valencia County also has a "veterans track" in its drug court, and the Bernalillo County Metropolitan Court has a veterans track for domestic violence first-time offenders. Court personnel in Eddy County have undergone training to set up a veterans treatment court but have not yet launched the program, and the Mescalero Apache Tribe has applied for training to establish a program.

On questioning, the presenters and committee members noted that:

(1) the veterans treatment court program needs funding for additional staff, though perhaps not for more judges; funding for the program does not come from the Administrative Office of the Courts but, rather, from the Behavioral Health Services Division of the Human Services Department;

(2) participants are tracked for three years after graduating to monitor recidivism and to follow through with VA treatment;

(3) a participant who relapses while enrolled in the program is subject to sanctions, such as community service; and

(4) the New Mexico Supreme Court is in favor of the program but has not yet officially recognized it as a treatment court.

### **Military Spouse Employment Opportunities**

Anna Blanche Rabe, Military Spouse J.D. Network, gave a presentation on the obstacles faced by military spouses living in New Mexico when trying to obtain employment within their professions.

Because military families move often, military spouses have a difficult time building careers. Across professions, military spouses have a 26 percent unemployment rate and a 90 percent underemployment rate, due in large part to states' failure to recognize out-of-state licensure. In 2013, New Mexico enacted provisions to expedite professional licensure for military spouses licensed in other states; however, the law does not cover those who are licensed in other countries, nor does it prevent imposition of requirements that military spouses cannot meet, such as preliminary supervised practice for a period that might exceed the time a military family is stationed in-state.

A spouse's ability to find work can affect a servicemember's preference for assignment location. Ms. Rabe reported that, in her experience, New Mexico assignments rank low among military families on this point. She urged the committee to consider statutory changes to improve the situation for all military spouses and to support a proposed State Bar of New Mexico rule change to help attorney military spouses.

On questioning, Ms. Rabe and committee members noted that:

(1) the proposed rule change for bar admission in New Mexico would not lower standards set at either the state or national level;

(2) New Mexico's current reciprocity program for attorney licensure requires four years of practice in a New Mexico jurisdiction prior to receiving reciprocity, which is longer than many military families reside in the state; and

(3) in contrast to military families' anecdotal reluctance to be stationed in New Mexico, Cannon Air Force Base has been ranked as one of the U.S. Air Force's top-10 facilities, and the area includes many retired military servicemembers.

## **VA Health Care in New Mexico Update**

Andrew Welch, director, New Mexico VA Health Care System, gave an overview of the VA system in New Mexico and an update on issues that the committee discussed at prior meetings.

New Mexico's VA system, based in Albuquerque, serves 60,000 veterans in New Mexico and southern Colorado. This represents nearly 40 percent of the veterans living in the area, with an estimated 60 percent of veterans projected to receive health care through the system by 2025. The level of care required by that time is also projected to increase as the veteran population ages. The VA has an extensive telehealth system aimed at improving health care access for veterans in rural areas. It also partners with various public and private entities, including the VSD, the University of New Mexico, the Indian Health Service, the U.S. Department of Housing and Urban Development and veterans' service organizations, to ensure that veterans fully access their VA benefits. VA research programs in posttraumatic stress disorder, women's health and cancer have resulted in treatment improvements that benefit not only veterans but also patients in the general health care system.

The Veterans Choice Program has proven to be a challenge for the VA. Veterans with choice cards are authorized to receive certain health care services at non-VA facilities due to scheduling delays or distance issues. As initially implemented, veterans who live more than 40 miles "as the crow flies" from a VA facility could be treated at non-VA facilities, but this requirement did not reflect the terrain and road conditions in New Mexico and has now been revised to 40 "road miles". Some veterans are eligible for travel reimbursement through the VA Travel Pay program, which issued \$10 million in travel reimbursements last year to veterans receiving care at the Albuquerque VA hospital.

Under the VA's newly reorganized structure, the New Mexico VA system is now combined with the VA's western group of facilities. Veterans in the Clovis, Hobbs and Las Cruces areas, however, will continue to receive care at VA facilities in Texas.

On questioning, Mr. Welch clarified that:

(1) primary care and telehealth mental health care are available at the VA's community-based outpatient clinics around the state, but specialty care is provided at the Albuquerque VA hospital;

(2) 93 percent of VA appointments are scheduled within 30 days of a veteran's desired appointment date; many of the delayed appointments are concentrated in eye care and mental health care due to a shortage of providers; and

(3) veterans who have questions about the Veterans Choice Program can call the VA Choice Hotline at (800) 465-8262; Julie Drake, chief of the VA Business Office, at (866) 606-8198; or Mr. Welch at (505) 256-2889.

### **New Mexico Workforce Connection Veterans' Program**

Dale Allenberg, veterans' representative, New Mexico Workforce Connection, reported on Workforce Solutions Department (WSD) programs based in Clovis that serve veterans in southeast New Mexico, as well as a private organization that is working to house homeless veterans in the area.

With both state and federal funding, the Clovis Workforce Connection Office conducts outreach and hosts job fairs at local colleges to help veterans, including those with disabilities, find employment. The office also provides help with job searches and résumé preparation and, if necessary, assists veterans in finding housing, food and medical care.

Housing for homeless veterans is a critical need in Clovis. The area's homeless shelter has a three-day stay limit, and housing available through a Goodwill program has a waiting list. To address the problem, Mr. Allenberg has formed a nonprofit entity to build a 22-room facility to house otherwise homeless veterans, with VA health services available on-site. The nonprofit is still awaiting its federal 501(c)(3) designation but is otherwise ready to break ground for the facility. A subsequent phase of the project includes construction of apartments for veterans on land that has been donated to the organization.

On questioning, Mr. Allenberg and committee members noted that:

- (1) there are 18 unemployed veterans on the New Mexico Workforce Connection caseload in the Clovis area, ranging from 24 years old to 80 years old;
- (2) WSD administers the "work keys" test to determine reemployment readiness in three categories: reading for information, locating information and mathematical skills; and
- (3) one challenge for veterans who hold commercial driver's licenses can be to convince insurance companies to give credit for their military experience as truck drivers.

### **Announcement**

Representative Dines announced that Jim Quick will appear at the committee's November 18 meeting to explain the Folds of Honor scholarship program.

### **Tour of Cannon Air Force Base**

Committee members and staff toured Cannon Air Force Base and received a mission briefing from Colonel Benjamin R. Maitre, commander of the 27th Special Operations Wing.

### **Adjournment**

The committee adjourned at 4:15 p.m.





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

**November 18, 2015  
Room 317, State Capitol  
Santa Fe**

The sixth meeting of the Military and Veterans' Affairs Committee was called to order by Representative Bob Wooley, co-chair, on, Wednesday, November 18, 2015, at 10:05 a.m. in Room 317 of the State Capitol.

**Present**

Sen. Richard C. Martinez, Co-Chair  
Rep. Bob Wooley, Co-Chair  
Rep. Eliseo Lee Alcon  
Sen. Craig W. Brandt

**Absent**

Sen. William F. Burt  
Rep. George Dodge, Jr.  
Rep. Dianne Miller Hamilton  
Sen. Daniel A. Ivey-Soto

**Advisory Members**

Rep. David E. Adkins  
Rep. Randal S. Crowder  
Rep. Jim Dines  
Sen. John Pinto  
Rep. Jim R. Trujillo  
Rep. John L. Zimmerman

Rep. Cathrynn N. Brown  
Sen. Carlos R. Cisneros  
Rep. Rick Little  
Sen. Michael Padilla  
Sen. William H. Payne  
Sen. William E. Sharer

**Membership Note**

Representative Trujillo was appointed a voting member for purposes of the meeting.

**Minutes Approval**

Because the committee will not meet again this year, the minutes for this meeting have not been officially approved by the committee.

**Staff**

Jeret Fleetwood, Researcher, Legislative Council Service (LCS)  
Peter Kovnat, Staff Attorney, LCS  
Kathleen Dexter, Researcher, LCS

**Guests**

The guest list is in the meeting file.

**Handouts**

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

**Wednesday, November 18**

**Vietnam Veterans Memorial and Posttraumatic Stress Disorder Program Update**

Chuck Howe, president, David Westphall Veterans Foundation, thanked committee members for their part in securing capital outlay funding in the 2015 special session for improvements at the Vietnam Veterans Memorial in Angel Fire, New Mexico. The funding was sufficient to cover much, though not all, of the upgrades necessary at the memorial, and he presented \$280,000 in new funding requests to be considered in the 2016 session. These include a shelter for the vendor area; a vault toilet for the parking area; maintenance and repainting on the Huey helicopter; a sign at the entrance to the grounds; and upgrades to exhibits and the movie-viewing area. A veteran who owns land contiguous to the current memorial has pledged a donation of 14 acres so that the memorial can be expanded to include facilities honoring veterans of post-Vietnam conflicts.

Mr. Howe also noted that the National Veterans Wellness and Healing Center of Angel Fire, Inc., is in its third year of a four-year recurring appropriation from the Department of Health to provide retreats for military service members diagnosed with posttraumatic stress disorder (PTSD). The program, which also accommodates spouses of those with PTSD, has served 248 couples to date. In addition to the retreats, the center will host its second annual Military Winterfest of outdoor winter recreation in February 2016.

On questioning, Mr. Howe clarified that repainting the Huey helicopter is the top funding priority in 2016, followed, in subsequent order of priority, by the vendor area shelter; parking lot vault toilet; exhibit upgrades; movie-viewing area upgrades; and sign.

**Folds of Honor Program**

Colonel Jim Quick, U.S. Air Force, retired, gave a presentation on the Folds of Honor program, which provides scholarships to children and spouses of military service members who are either killed or disabled or who are prisoners of war or missing in action. Since it was founded in 2007, the program has awarded more than 10,000 scholarships of up to \$5,000 each; in 2014, scholarships totaled more than \$10 million.

Eighty-seven percent of funds raised by the Folds of Honor Foundation and its local chapters go directly to scholarships. Funds raised by local chapters must go to scholarships within their states, and local funds must be exhausted before a chapter taps into the foundation's general fund. As of 2014, the New Mexico Folds of Honor chapter raised \$80,000 and granted \$100,000 in scholarships. Fundraising activities include golf tournaments around the state and an annual Patriot Gala. The next gala is scheduled for September 2016 at the Sandia Resort and Casino, and Colonel Quick invited committee members to attend.

On questioning, Colonel Quick clarified that:

- (1) there is no foundation chapter in the Roswell area; and

(2) eligibility for the program includes dependents and spouses of those killed or injured on active duty, not just those killed or injured in action.

### **U.S. Department of Defense State Liaison Office**

Dale Vande Hey, south central region state liaison, State Liaison Office, U.S. Department of Defense, gave an overview of military- and veteran-related issues around the country that the State Liaison Office monitors and facilitates. The office does not lobby for specific legislation but it does educate legislators and provides "best practice language" for proposed legislation upon request.

The committee heard testimony at its October 23, 2015 meeting on three of the issues being monitored by the State Liaison Office: 1) professional licensure portability for military spouses; 2) academic credit for training and experience gained while in the military; and 3) veterans' treatment courts. Other issues identified by Mr. Vande Hey include priority for Medicaid home- and community-based care waivers; identifiers for military children in education data systems; employment protection for National Guard members during state-sponsored activation; child advocacy standardization; private sector hiring preferences for veterans; and pro bono legal representation for military families.

On questioning, Mr. Vande Hey and committee members noted that:

(1) the American Council on Education translates all military skills into suggested college credits, but it is each institution's responsibility to assign the credits;

(2) some states impose statutory requirements that either mandate that credits be assigned or, as in Louisiana, mandate reporting on efforts to do so, but New Mexico does neither;

(3) the 2013 statute regarding military spouse professional licensure, which covers some but not all professions, does not force licensing boards to grant licensure; rather, each board is authorized to determine if a skill gained in the military is "substantially equivalent" to licensure requirements;

(4) in some states, military spouses are granted temporary licenses or licenses by endorsement;

(5) there is no statewide policy on veterans' treatment courts; each jurisdiction must establish its own program, and all staff members in a program must be trained; and

(6) the Administrative Office of the Courts (AOC) did not include funding for veterans' treatment courts in its fiscal year (FY) 2017 budget request.

★ Alan Martinez, deputy secretary, Veterans' Services Department (VSD), will discuss funding for veterans' treatment court programs with the AOC.

### **Veterans' Services Department Update**

Deputy Secretary Martinez outlined the VSD's top priorities for the coming year, one of which — an income tax exemption for military retirement pay — requires legislative action.

The tax measure is aimed at luring more military retirees to the state by exempting up to \$25,000 of their retirement pay — also referred to as "retainer pay" — from state income tax. Deputy Secretary Martinez noted that New Mexico consistently appears near the bottom of *Military Magazine's* annual ranking of places to retire, in part because the state lacks such a military retirement tax incentive. Neighboring states either have such incentives in varying forms (Arizona, Colorado, Utah and Oklahoma) or have no income tax at all (Texas).

Other priorities for the VSD include:

- (1) veterans' transportation — the VSD is working with the Department of Veterans Affairs (VA) to launch a new VA program with five vans around the state;
- (2) long-term care for veterans — the VA, the Aging and Long-Term Services Department and the State Veterans Home are working to increase the number of long-term beds available to New Mexico veterans, including issuing VA contracts with private facilities; and
- (3) female veterans' issues — the VSD held a Women Veteran Conference in October and has established a Women Veteran Work Group to address issues noted in a recent survey of female veterans.

On questioning, Deputy Secretary Martinez, committee members and Tom Wagner, manager, VSD state cemetery program, who spoke from the audience on invitation of the chair, noted that:

- (1) under the VA's new van program, the VA will synchronize appointment times for all who are riding the van on a given day to shorten the time spent at the VA facility;
- (2) under a provision in the Constitution of New Mexico, \$4,000 of the value of a veteran's property is exempt from taxation, which averages to an annual tax savings of \$100 per veteran; a resolution proposing a constitutional amendment to increase the exemption to \$10,000 did not get a committee hearing during the 2015 session;
- (3) flying from Silver City to Albuquerque and to El Paso via Boutique Air service might be a less expensive way to transport veterans to VA facilities than using vans;
- (4) the VSD's Rio Rancho field office has not closed but has temporarily relocated to the VSD's Eagle Rock location until another Rio Rancho location can be established;
- (5) certain VSD field office personnel have not been able to answer questions regarding certain VA benefits; all field office staff are now required to attend training twice a year on all VA benefits;
- (6) VA benefits include a certain amount of in-home health care for veterans, and Medicaid will cover all costs of in-home health care if a veteran has no assets; the VA will pay all costs associated with health care for a veteran's service-connected disability;
- (7) an organization that owns several nursing homes in the state has met the VA's standards for such facilities and will soon sign a VA contract to provide services to veterans;
- (8) a new fiscal impact report will be available prior to the 2016 session on the economic impact to the state of providing an income tax exemption for military retirement pay; one unofficial estimate cites the impact at \$500,000 per year;

(9) because military retirement pay is structured as retainer pay rather than as a pension, income tax exemptions in other states have passed constitutional muster; and

(10) vans driven by senior programs in the state have drivers that are paid by local councils of governments.

★ Deputy Secretary Martinez will:

(1) provide information to Representative Dines on the fiscal impact of Arizona's income tax exemption for military retirement pay; and

(2) get information from Representative Trujillo on how councils of governments might be able to pay drivers who drive veterans to health care appointments from rural areas.

### **Low-Income Veteran Home Repair and Modification Program**

Izzy Hernandez, deputy director of programs, New Mexico Mortgage Finance Authority (MFA), and Mike Rudloff, program manager, Tierra del Sol Housing Corporation, presented a request for \$2 million to continue an MFA program to repair and modify homes for low-income veterans. The funds would be sufficient to make improvements to 100 homes at an average cost of \$20,000 per unit and would also be used to leverage federal funds if needed repairs exceed that amount. Eligibility for the program is restricted to veterans whose income is below the median income in their areas.

Speaking from the audience on invitation of the chair, Rudy Clarke of Habitat for Humanity emphasized the need for home rehabilitation among low-income veterans in southern New Mexico.

On questioning, the presenters and committee members noted that:

(1) while the current request for \$2 million would be used exclusively on veterans' homes, the MFA's full home rehabilitation program, for which it received \$2.4 million in FY 2015, is not restricted to veterans' homes;

(2) a similar request for \$2 million for the program was introduced in the 2015 regular session but got stuck in the Senate Finance Committee; and

(3) veterans who apply for home rehabilitation funding must present a valid DD-214 to qualify.

★ On motions duly made, seconded and unanimously adopted:

(1) the committee endorsed the \$2 million appropriation request (.202256.2) with an amendment on line 22 to insert "taxable" before "income"; and

(2) committee staff was directed to draft a letter from the committee co-chairs to Senator John Arthur Smith requesting that the Senate Finance Committee consider the \$2 million appropriation, as amended, for the MFA low-income veteran housing rehabilitation program.

- ★ Mr. Hernandez will provide information on how much of the \$2.4 million spent by the MFA home rehabilitation program in FY 2015 was used on veterans' homes.

### **State Use Act**

Mike Kivitz, chief executive officer, Adelante Development Center, Inc. (Adelante), summarized the State Use Act procurement program that provides work for New Mexicans who have disabilities. Pursuant to the act, the New Mexico Council for Purchasing from Persons with Disabilities (council) develops a list of services currently available from persons with disabilities. If state agencies or local public bodies need services that are included on the list, they must contract for those services from the providers listed. Nearly 600 New Mexicans with disabilities have been employed under State Use Act service contracts, which may be granted to both nonprofit and for-profit entities. The contracts require that 75 percent of the labor be provided by persons with disabilities. The procurement program is administered by Horizons of New Mexico, a nonprofit organization that also works to market the program and monitors legislative action affecting the program.

On questioning, Mr. Kivitz and committee members noted that:

(1) Adelante currently employs approximately 450 persons with disabilities, including 18 veterans, under state contracts for document processing, facilities maintenance and rest area maintenance, among other services;

(2) Tresco, Inc., also hires persons with disabilities under State Use Act contracts;  
and

(3) certain professional services are not included in the council's list because they are not appropriate for a mandatory purchasing program.

### **Minutes**

On a motion duly made, seconded and unanimously adopted, the minutes from the meetings on September 15-16, 2015 and October 23, 2015 were approved.

### **Endorsement of Legislation**

The committee discussed the following legislation for possible endorsement.

**195598.3** — a bill concerning degree program credit for military coursework or military service.

- ★ On a motion duly made, seconded and unanimously adopted, the committee endorsed the bill with an amendment on line 22 to delete "may" and insert in lieu thereof "shall".

**House Joint Memorial 1 (2010)** — a joint memorial concerning uniform standards for accepting military credit and articulation among all higher education institutions in the state.

- ★ Committee members requested that committee staff draft a bill that combines the elements of House Joint Memorial 1 (2010) with requirements that the Legislative Education Study Committee and higher education institutions report to the Military and

Veterans' Affairs Committee and the legislature on progress toward a system of granting college credit for military training and experience.

- ★ On a motion duly made, seconded and unanimously adopted, committee staff was directed to draft a letter from the committee co-chairs to the governor requesting that the proclamation for the 2016 session include a message to allow consideration of a bill concerning college credit given for military training and experience.
- ★ Mr. Vande Hey will provide committee staff with a copy of Louisiana's House Bill 500 concerning college credit given for military training and experience.

Senator Pinto proposed that the committee endorse a \$1 million appropriation for a Codetalkers Museum near Gallup; however, the committee was unable to make an endorsement because a bill with the appropriation was not presented to the body.

Similarly, the committee discussed but was unable to endorse a "military retirement incentive bill" because no bill was presented to the body.

Representative Wooley noted that he will introduce a bill based on House Bill 557 (2015 regular session), concerning amendments to the veteran business procurement preference, and will request that the governor include the topic in her proclamation.

### **Announcements**

Representative Zimmerman announced that ground was broken at the Fort Stanton Veterans Cemetery on Veterans Day and that the Fort Bayard National Cemetery is now under the management of the Santa Fe National Cemetery. Deputy Secretary Martinez noted that inquiries about burial at the Fort Stanton National Cemetery may be directed to the VSD.

### **Adjournment**

The committee adjourned at 3:15 p.m.



## ENDORSED LEGISLATION



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SENATE BILL

**52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016**

INTRODUCED BY

FOR THE MILITARY AND VETERANS' AFFAIRS COMMITTEE

AN ACT

MAKING AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND  
ADMINISTRATION FOR THE NEW MEXICO MORTGAGE FINANCE AUTHORITY TO  
REHABILITATE HOMES OCCUPIED BY LOW-INCOME HONORABLY DISCHARGED  
VETERANS.

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

**SECTION 1. APPROPRIATION.--**Two million dollars  
(\$2,000,000) is appropriated from the general fund to the  
department of finance and administration for expenditure in  
fiscal year 2017 for the New Mexico mortgage finance authority  
to provide necessary rehabilitation for homes occupied by  
honorably discharged veterans in New Mexico whose taxable  
income does not exceed sixty percent of the area median income.  
All expenditures shall be made in accordance with the  
Affordable Housing Act. Rehabilitation includes repairs

.202256.3

underscored material = new  
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1 necessitated by structural damage due to natural decay or  
2 disasters, replacement of utility appliances and repairs  
3 necessary to comply with housing health and safety code  
4 requirements and accessibility modifications for physically  
5 impaired veterans. No more than ten percent of this  
6 appropriation shall be used for administrative expenses. Any  
7 unexpended or unencumbered balance remaining at the end of  
8 fiscal year 2017 shall revert to the general fund.

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SENATE BILL

52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016

INTRODUCED BY

FOR THE MILITARY AND VETERANS' AFFAIRS COMMITTEE

AN ACT

RELATING TO HIGHER EDUCATION; PROVIDING FOR DEGREE PROGRAM  
CREDIT FOR MILITARY COURSEWORK OR MILITARY SERVICE.

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

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

"[NEW MATERIAL] DEGREE PROGRAM CREDITS FOR MILITARY  
COURSEWORK OR MILITARY SERVICE.--A board of regents or  
governing body of a public post-secondary educational  
institution and a governing body of a private post-secondary  
educational institution organized and operating pursuant to  
Chapter 21 NMSA 1978 shall determine the credit hours for  
military coursework or military service relevant and  
transferable for a degree program requirement for a student who  
provides an armed forces joint services transcript, marine

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1 corps joint services transcript, navy joint services  
2 transcript, community college of the air force transcript,  
3 coast guard institute transcript or joint services transcript  
4 or another military transcript approved by the higher education  
5 department indicating completion of military coursework or  
6 military service by the student."

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