



NEW MEXICO LEGISLATURE

**MILITARY AND
VETERANS' AFFAIRS
COMMITTEE**

2016 INTERIM FINAL REPORT

LEGISLATIVE COUNCIL SERVICE
411 STATE CAPITOL
SANTA FE, NEW MEXICO 87501
(505) 986-4600
WWW.NMLEGIS.GOV

TABLE OF CONTENTS

INTERIM SUMMARY

WORK PLAN AND MEETING SCHEDULE

AGENDAS AND MINUTES

ENDORSED LEGISLATION

INTERIM SUMMARY

Military and Veterans' Affairs Committee 2016 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 the military 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 planned to hold six meetings during the 2016 interim — in Santa Fe, Farmington, Albuquerque, Carlsbad and Santa Rosa. However, the committee had to cancel its meeting in Santa Rosa as the legislature was meeting in special session at the time.

At its initial meeting, the MVAC developed a work plan, later approved by the New Mexico Legislative Council, that identified numerous areas of concern to New Mexico's veterans and military installations, including education, issues unique to female veterans, transportation of veterans to and from medical services and development and growth issues that could threaten the missions of several military installations.

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

Also, Andrew E. Salas, adjutant general, National Guard of New Mexico, or a representative from his staff, appeared before the committee at each meeting in 2016, helping the committee identify issues of concern to the national guard, as well as highlighting some of the national guard's successes.

One of the issues that the committee has paid particular attention to is educational opportunities for veterans. The committee received testimony regarding programs available to veterans and veterans' resource centers at San Juan College in Farmington, Central New Mexico Community College (CNM) in Albuquerque and Eastern New Mexico University in Roswell. The committee was able to tour the veterans' resource center at CNM. While in Carlsbad, the committee also received testimony from New Mexico Military Institute.

During the 2015 interim, the committee spent time at each meeting discussing college credit for military training. At its November 2015 meeting, the committee endorsed a bill requiring university and college boards of regents to determine credit hours for military training. While that bill failed in the 2016 session, another similar bill passed and was signed by the governor. The passed version also required a report from the Higher Education Department (HED) to the committee. Staff from the HED explained that efforts are underway to develop a

statewide course numbering system, which should help translate both military training and credit transfers from other schools more accurately.

Another area identified by the DVS early in the interim was the sale of "pull-tabs" by veteran service organizations such as the Veterans of Foreign Wars. A recent review of internal operations by the Gaming Control Board revealed that there is no authorization for a stand-alone license for the sale of pull-tabs. As a result, the board has taken the stance that pull-tabs can only be sold as part of a bingo event. Hence, veteran service organizations were informed that they would have to establish bingo events (with an event manager present) in order to sell pull-tabs or licenses would not be renewed. The Gaming Control Board also cautioned that passing a statute allowing for stand-alone pull-tab licenses could violate the tribal gaming compacts. The committee heard testimony from both veteran service organizations and Gaming Control Board staff at its August meeting. To clarify some of the issues raised, the committee requested an opinion from the Office of the Attorney General.

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. There were disagreements over a portion of the route for two bi-directional extra-high voltage electric transmission lines, and concerns were raised regarding the portion of the route that crosses White Sands Missile Range. The committee heard from the commissioner of public lands and representatives from the SunZia project as ongoing issues continue to be resolved.

The committee received testimony about a number of issues facing New Mexico veterans. Transportation to and from medical services has been a concern for some time. The committee heard from a group in southeastern New Mexico that has formed a transportation network without help from the federal government.

The committee also heard testimony from representatives from two separate programs that treat veterans for posttraumatic stress disorder. One program uses fly fishing and horseback riding; the other is an expanding organic farming operation for veterans.

Finally, the committee endorsed two pieces of legislation for the 2017 legislative session. One provides employment protection for out-of-state national guard members. The other is an appropriation to the Native American Veterans' Income Tax Settlement fund.

WORK PLAN AND MEETING SCHEDULE

2016 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. Randal S. Crowder
Rep. George Dodge, Jr.
Sen. Daniel A. Ivey-Soto

Advisory Members

Rep. David E. Adkins
Rep. Cathrynn N. Brown
Sen. Carlos R. Cisneros
Rep. Jim Dines
Rep. Dianne Miller Hamilton
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 2016 interim, as time permits, the Military and Veterans' Affairs Committee proposes to:

1. receive updates from New Mexico's military installations;
2. receive an update on the military base realignment and closure process;
3. study issues related to female veterans;
4. study funding for veterans' scholarships;
5. receive updates regarding college credit for military service from the Higher Education Department and Veterans' Services Department;
6. receive testimony regarding jobs and business opportunities for veterans;

7. study long-term care options for veterans;
8. study transportation to and from medical providers for veterans, particularly those living in rural areas of the state;
9. receive an update on new regulations for veterans' service organizations that rely on "pull tabs" for fundraising;
10. receive testimony pertaining to educational opportunities and outreach to veteran students offered by state educational institutions and public community colleges;
11. examine options for the prevention of homelessness and for support for homeless veterans in areas throughout the state;
12. receive testimony regarding the SunZia Southwest Transmission project;
13. examine requirements for veterans' cemeteries;
14. receive testimony regarding the Museum of the American Military Family;
15. receive testimony regarding the Army OneSource program; and
16. study potential legislation regarding land use and development that may affect the operation of New Mexico's military installations.

**Military and Veterans' Affairs Committee
2016 Approved Meeting Schedule**

<u>Date</u>	<u>Location</u>
June 2	Santa Fe
July 21-22	Farmington
August 31	Albuquerque
September 19	Carlsbad
October 6	Santa Rosa
November 1	Santa Fe

AGENDAS AND MINUTES

Revised: June 1, 2016

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

**June 2, 2016
Room 307, State Capitol
Santa Fe**

Thursday, June 2

- | | |
|------------|--|
| 10:00 a.m. | Call to Order |
| 10:05 a.m. | Military and Veterans' Affairs Committee — 2016 Session
—Jeret Fleetwood, Researcher, Legislative Council Service |
| 10:15 a.m. | (1) <u>Office of Military Base Planning and Support</u>
—Eric Kivi, Director, Office of Military Base Planning and Support |
| 10:40 a.m. | (2) <u>Kirtland Air Force Base (KAFB) Mission Update</u>
—Colonel Dagvin R.M. Anderson, Commander, 58th Special Operations Wing, KAFB |
| 11:15 a.m. | (3) <u>National Guard of New Mexico Update</u>
—Brigadier General Andrew E. Salas, Adjutant General, National Guard of New Mexico |
| 12:00 noon | Lunch |
| 1:00 p.m. | (4) <u>Veterans' Services Department (VSD) — Overview</u>
—Brigadier General Jack R. Fox, Secretary, VSD
—Alan Martinez, Deputy Secretary, VSD |
| 2:00 p.m. | (5) <u>2016 Work Plan, Meeting Schedule and Itinerary</u>
—Committee Members |
| 2:30 p.m. | Adjourn |

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

**June 2, 2016
Room 307, State Capitol
Santa Fe**

The first meeting of the Military and Veterans' Affairs Committee (MVAC) was called to order by Representative Bob Wooley, co-chair, on June 2, 2016 at 10:10 a.m. in Room 307 of the State Capitol in Santa Fe.

Present

Rep. Bob Wooley, Co-Chair
Rep. Eliseo Lee Alcon
Sen. Craig W. Brandt
Rep. George Dodge, Jr.

Absent

Sen. Richard C. Martinez, Co-Chair
Sen. William F. Burt
Rep. Randal S. Crowder
Sen. Daniel A. Ivey-Soto

Advisory Members

Rep. David E. Adkins
Rep. Cathrynn N. Brown
Sen. Carlos R. Cisneros
Rep. Jim Dines
Sen. Michael Padilla
Rep. Jim R. Trujillo
Rep. John L. Zimmerman

Rep. Diane Miller Hamilton
Rep. Rick Little
Sen. William H. Payne
Sen. John Pinto
Sen. William E. Sharer

Staff

Jeret Fleetwood, Researcher, Legislative Council Service (LCS)
Diego Jimenez, Research Assistant, LCS

Guests

The guest list is in the meeting file.

Handouts

Copies of handouts and other written testimony are in the meeting file or on the New Mexico Legislature's website at www.nmlegis.gov.

Thursday, June 2

MVAC — 2016 Session

Mr. Fleetwood provided the committee with a review of military and veterans' affairs-related legislation considered by the legislature during the 2016 session. He noted that the

MVAC had endorsed two bills: an appropriation to the New Mexico Mortgage Finance Authority to rehabilitate homes occupied by low-income veterans, which was not included in the General Appropriation Act of 2016, and a bill directing colleges and universities to determine credit hours for military coursework or military training, which also did not pass.

Mr. Fleetwood also noted four bills that were not endorsed by the committee but were passed by the legislature and signed by the governor:

- House Bill (HB) 93, which made changes to preferences for veteran-owned businesses in the Procurement Code;
- HB 156, which created additional military service awards;
- HB 185, which made changes to the name and distribution of the Veterans' Cemetery Fund; and
- Senate Bill (SB) 153, which, similar to the bill endorsed by the committee, directed colleges and universities to develop a framework for awarding college credit for military service. (Mr. Fleetwood pointed out that a component of the bill is for the Higher Education Department to report to the committee some time during the 2016 interim.)

Mr. Fleetwood went on to discuss two other bills considered during the 2016 session, neither of which passed, but that the committee had addressed in some manner during the 2015 interim:

- SB 16, which would have created the uniformed service retiree tax credit. Mr. Fleetwood noted that the Veterans' Services Department (VSD) had made at least one presentation to the committee regarding the creation of such a tax credit during the 2015 interim; and
- SB 273, which would have established a Navajo code talker museum and veteran center. Mr. Fleetwood noted that the committee had discussed endorsing such a bill at its November 2015 meeting but ultimately could not because the bill had not yet been drafted.

Office of Military Base Planning and Support (OMBPS)

Eric Kivi, director, OMBPS, gave an update on the OMBPS programs and issues relating to military bases in the state. He began by discussing the current defense budget as it relates to New Mexico, noting that it contains almost \$40 million for new construction projects at Cannon, Holloman and Kirtland air force bases. Mr. Kivi went on to note that Congress will not support a round of base realignment and closure (BRAC) in 2017, but he pointed out that the Military Base Planning Commission believes there is still a chance for a BRAC in 2019. He said this is important because the U.S. Department of Defense report on excess infrastructure lists some areas, such as small aircraft and test and evaluation laboratories, which could include New Mexico facilities.

Mr. Kivi went on to explain that New Mexico's military bases enjoy relatively high military value because of the vast expanses of protected land around them, favorable climate and low population density. However, he cautioned that there are still threats to protected areas that could diminish the military value of New Mexico's installations, including:

- renewable energy generation and transmission structures, such as wind turbines and the SunZia transmission line; and
- designation of the Valle de Oro National Wildlife Refuge near Kirtland Air Force Base (KAFB).

Mr. Kivi noted that the military is by no means opposed to development of renewable energy resources. He explained that, in many cases, consultation with the military during planning phases allows affected parties to work out mutually agreeable solutions.

Mr. Kivi went on to summarize military base issues around New Mexico. He discussed:

- the decision by the German air force to terminate its agreement with Holloman Air Force Base and vacate the base by the end of 2019;
- ongoing issues with cleanup of the jet fuel spill plume at KAFB;
- efforts by KAFB to coexist with neighbors despite encroachment from wind energy, urban growth, electromagnetic spectrum management and the Valle de Oro National Wildlife Refuge, which, Mr. Kivi noted, is located very close to a final approach vector on one of the base's runways;
- options for use of some remaining severance tax bonding funds that were appropriated to Cannon Air Force Base to aid its transition from a fighter base to a special operations base, which include purchases of land or restrictive easements;
- the initial decision by the U.S. Army to subordinate the garrison at White Sands Missile Range (WSMR) to Fort Bliss, from which the U.S. Army backed off after intervention by United States Senators Martin Heinrich and Tom Udall and Representative Steve Pearce; and
- the need to keep existing WSMR land and hopefully expand it to protect the range's mission.

KAFB Mission Update

Colonel Dagvin R.M. Anderson, commander, 58th Special Operations Wing, KAFB, provided the committee with an update on KAFB. He explained that the base conducts operations that involve flying all over New Mexico, noting that the state is one of the best places to train for high-desert, low-level mountain and nighttime flying. Colonel Anderson went on to discuss KAFB's efforts to improve its relationship with private citizens, noting that a CV-22 Osprey aircraft recently had to make an emergency landing on a private ranch in New Mexico, causing some damage that was repaired by the base. He also discussed public outreach efforts by the base, such as improving its relationship with pueblo and tribal governments. Colonel Anderson said that KAFB had recently made an agreement with several pueblos not to fly

training missions north of U.S. Highway 550, which appears to have eliminated noise complaints from some pueblos. He also discussed development of a memorandum of understanding with the Indian Affairs Department to create a single point of contact for all pueblo and tribal military complaints. Colonel Anderson also discussed encroachment issues for KAFB, noting that wind turbines can create problems for low-level flight training. He also noted that neither KAFB nor the Albuquerque International Sunport were contacted about the Valle de Oro National Wildlife Refuge. Colonel Anderson emphasized that, while KAFB is not opposed to the refuge, it would be helpful to the base's mission to move it.

Questions and comments from the committee included:

- that the United States Fish and Wildlife Service, Bernalillo County and the State of New Mexico all had input in developing the Valle de Oro refuge;
- that KAFB is not opposed to development of renewable energy in New Mexico, but the base would like input on location of generation and transmission structures;
- the current status of the SunZia Southwest Transmission Project;
- that wind farms near Cannon Air Force Base could threaten low-level flight training missions for the base;
- that meteorological evaluation towers, which do not require a permit if they are under 200 feet tall, also pose a threat to low-level flight;
- permitting agencies for wind farms;
- development of legislation to require involvement of military installations as early as possible in planning structures that might affect their mission; and
- Public Regulation Commission procedures for permitting wind turbines.

National Guard of New Mexico Update

Brigadier General Andrew E. Salas, adjutant general, National Guard of New Mexico, provided the committee with an update regarding the National Guard of New Mexico. He began by discussing the mission of the national guard and the lines of effort in support of that mission, which include promotion of New Mexico and its national guard and support of other efforts to maintain New Mexico's safety and security. General Salas also discussed efforts by the national guard to protect New Mexican lives and property, such as deployment of about 250 national guard personnel around southeastern New Mexico during a massive snowstorm in February 2016 and various search and rescue efforts. He went on to update the committee on work being done with the Air National Guard and Army National Guard, as well as partnerships both with United States armed services and armed services with other countries, including Costa Rica and the Mexican State of Chihuahua. General Salas also discussed synergies with other state agencies, including the VSD, Indian Affairs Department and the Homeland Security and Emergency Management Department, which include participation in joint exercises. He also discussed New Mexico's civil air patrol division, the defense force division and the National Guard Youth ChalleNGe Academy.

Questions and comments from the committee included:

- the national guard's plans to work with the VSD as well as the U.S. Department of Veterans' Affairs (VA) and New Mexico hospitals in establishing a "one-stop shop" for New Mexico veterans; and
- help provided by the national guard in response to the February snowstorm, including communicating with area legislators.

VSD

Brigadier General Jack R. Fox, secretary, VSD, and Alan Martinez, deputy secretary, VSD, provided the committee with an overview of the department. Secretary Fox began by acknowledging a Legislative Finance Committee report discussing the department's fiduciary program, which oversees and manages the financial assets of veterans and is responsible for ensuring the proper application of those assets. He explained that the VSD is currently phasing out the program, in part because 10 veterans were still enrolled in the program despite being deceased. Secretary Fox explained that all of the program's financial assets were accounted for, but the department had not yet closed out the 10 accounts. He noted that the VSD had been working closely with the state auditor, who is satisfied with the department's work.

Secretary Fox also discussed efforts by the VSD to reduce its budget for fiscal year (FY) 2016 after state agency budgets were trimmed by five percent during the 2016 legislative session. He noted that the VSD has curtailed travel and outreach, left three positions vacant and delayed other hires and salary adjustments. Secretary Fox also discussed the department's FY 2017 budget, noting that staff will not travel out of state or receive training and that the department will not be able to support some veteran-related conferences.

Secretary Fox went on to discuss the department's priorities for FY 2017 and beyond, including:

- creation of a program for female veterans;
- a transportation summit to develop workable solutions for the transportation of veterans to benefit providers;
- partnerships with other state departments for long-term care of veterans;
- extension of the Rural Veterans Coordination Program;
- opening and continued staffing of the Fort Stanton State Veterans' Cemetery;
- continued phase-out of the fiduciary program;
- restoration of the department's budget to realistic levels; and
- ongoing staffing needs.

Mitchell Lawrence, healthcare coordination program manager, VSD, provided the committee with a brief overview of the program. He discussed planning for a transportation summit to address the ongoing issue of transportation of veterans from their residences to

providers, particularly medical services. Mr. Lawrence explained that the summit should allow the VSD to help connect veterans with available transportation services.

Tom Wagner, director, State Veterans' Cemetery Program, VSD, provided the committee with a brief overview of the State Veterans' Cemetery Program. He explained that the VA has approved four cemetery sites in New Mexico: Fort Stanton, Gallup, Angel Fire and Carlsbad. He discussed the progress and estimated time frame for opening each site.

Questions and comments from the committee included:

- the number of homeless veterans and how they are defined makes it difficult to calculate the actual number of homeless veterans in the Albuquerque area;
- the VSD has closed the Rio Rancho office while the department works on a better location for its office;
- even though most New Mexico veterans live between Belen and Espanola, there are still not sufficient resources to cover delivery of services to them, much less for veterans outside of that area;
- planning is under way for a July summit on transportation for veterans;
- cutting contracts and services is a difficult decision for legislators and agencies alike during difficult financial times;
- the Fort Bayard National Cemetery is under the control of the Santa Fe National Cemetery;
- plans are under way to plant and maintain grass at the veterans cemetery in Gallup;
- the VSD will work with the Aging and Long-Term Services Department, among other agencies, to develop transportation options for veterans seeking medical treatment;
- states are moving away from the fiduciary program, but the VA is assigning other entities to the program, so veterans will not be left without services;
- the need exists across the state for veteran transportation services, but Silver City has the fewest entities offering transportation services; and
- preparations for events acknowledging the fiftieth anniversary of the Vietnam War are under way in several New Mexico communities.

2016 Work Plan, Meeting Schedule and Itinerary

Committee members developed a work plan and itinerary. The committee decided on the following meeting schedule:

- July 21-22 in Farmington;
- August 31 at Central New Mexico Community College in Albuquerque;
- September 19 in Carlsbad;
- October 6 in Santa Rosa; and
- November 1 in Santa Fe.

Adjournment

There being no further business, the committee adjourned at 2:10 p.m.

Revised: July 20, 2016

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

**July 21, 2016
Merrion Room
San Juan College School of Energy
Farmington**

Thursday, July 21

- 10:00 a.m. **Call to Order**
- 10:05 a.m. **Welcome**
 —Dr. Toni Hopper Pendergrass, President, San Juan College
- 10:30 a.m. (1) **Veterans' Services Department (VSD) Update**
 —Brigadier General Jack R. Fox, Secretary, VSD
- 11:15 a.m. (2) **New Mexico National Guard Update**
 —Brigadier General Andrew E. Salas, Adjutant General, New Mexico
 National Guard
- 12:30 p.m. **Lunch**
- 1:30 p.m. (3) **White Sands Missile Range Update**
 —Brigadier General Timothy R. Coffin, Commanding General, White
 Sands Missile Range
- 2:30 p.m. (4) **San Juan College Veteran Center**
 —David P. Eppich, Vice President for Student Services, San Juan College
- 3:00 p.m. (5) **Navajo Nation Veterans' Issues**
 —Marie Zwierlein, Veteran Service Officer, Eastern Agency, Department of
 Navajo Veterans Affairs
- 4:00 p.m. (6) **Blue Star Mothers of America, Inc.**
 —Karen Stevens
- 4:45 p.m. **Adjourn**

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

**July 21, 2016
Merrion Room
San Juan College School of Energy
Farmington**

The second meeting of the Military and Veterans' Affairs Committee was called to order by Representative Bob Wooley, co-chair, on July 21, 2016 at 10:00 a.m. in the San Juan College School of Energy in Farmington. Representative Wooley asked the members and staff to introduce themselves, which they did.

Present

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

Absent

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

Advisory Members

Sen. Michael Padilla
Rep. John L. Zimmerman

Rep. David E. Adkins
Rep. Cathrynn N. Brown
Sen. Carlos R. Cisneros
Rep. Jim Dines
Rep. Dianne Miller Hamilton
Rep. Rick Little
Sen. William H. Payne
Sen. John Pinto
Sen. William E. Sharer
Rep. Jim R. Trujillo

Staff

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

Guests

The guest list is in the meeting file.

Handouts

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

Thursday, July 21

Welcome

Dr. Toni Hopper Pendergrass, president, San Juan College, welcomed the committee and described the student body of San Juan College. The average student is 32 years old, and the student body is 61% female and 39% male. Dr. Pendergrass noted that San Juan College is a minority-majority institution and that the college is ranked number two, and hopes to become number one, in terms of colleges that graduate the highest number of Native American students. Dr. Pendergrass also stated that the college has about 1,000 employees.

The rest of Dr. Pendergrass's presentation tracked closely with her PowerPoint presentation (see handout). She focused in particular on the Veteran Center, the Native American Center and the Herencia Latina Center.

Dr. Edward DesPlas, vice president of administrative services, San Juan College, discussed the expansion of the veterinarian technician program and a potential new helicopter flight training program to be offered at the college. He said there are a number of challenges in the helicopter program, including the high cost of flight time and the upkeep of the helicopters. Currently, the college is seeking local faculty and an instructional partner. Dr. DesPlas said that the instructional partner will essentially rent the helicopters for the program and will also be in charge of upkeep of the machines. In fact, he said, the college will not buy or maintain a helicopter or a simulator; the college will just lease the machines and pay for flight time.

A committee member noted that the flight program can, at a maximum, have 85% of its students be veterans, unless the program gets a waiver. Dr. DesPlas said that San Juan College is seeking a waiver. According to Dr. DesPlas, the national and international job markets, more so than the local market, provide ample work opportunities for helicopter pilots. He hopes to leverage students' military training and perhaps expand into a helicopter maintenance program in the future.

Amid some uncertainty about what the GI Bill will and will not reimburse, Alan Martinez, deputy secretary, Veterans' Services Department (VSD), said that under the Post-9/11 GI Bill, flight schools can get reimbursed up to \$177,000, which includes tuition, books and housing.

Veterans' Services Department Update

Deputy Secretary Martinez spoke of the department's current and ongoing initiatives. The VSD recently hired Melanie Suazo, Women Veterans Program coordinator, to serve female veterans in the state. Deputy Secretary Martinez said that female veterans often do not sign up with the United States Department of Veterans Affairs (VA) because they do not see themselves as veterans. He said much work is to be done to educate, sign up and serve female veterans.

The VSD is hosting a transportation fair to help veterans and to overcome gaps in service. In particular, crossing state lines for health care is an ongoing issue. To address this, Deputy Secretary Martinez said vehicles have been purchased to get sick veterans to health care facilities. In addition, there are 13 community-based outpatient clinics in New Mexico and 18 service officers around the state. A veteran in crisis can call and talk to another veteran, one of the service officers, to air out his or her problems. These "warm lines" are an additional type of mental health outreach being done by the VSD to address veteran mental health and suicide issues.

Deputy Secretary Martinez said the department took a 13% cut, or \$400,000, to its budget, which translates into a drop in services provided. The cuts also mean that current employees are spread thin. A committee member urged Deputy Secretary Martinez to seek additional funding for the VSD during any special session that occurs this year.

A committee member noted that no legislators in New Mexico are on the National Conference of State Legislatures (NCSL) Standing Committee on Labor and Economic Development, which considers military base realignment and closing.

Upon a motion, seconded and without opposition, the committee requested that a letter be drafted asking that one or more New Mexico legislators be assigned to that NCSL committee.

New Mexico National Guard Update

Larry Montano, chief financial officer, Department of Military Affairs, and Lieutenant Colonel John Scott, deputy commander of the New Mexico Air National Guard's 150th Maintenance Group, joined Brigadier General Andrew E. Salas, adjutant general, New Mexico National Guard.

General Salas said that the guard's mandate includes guarding against encroachment, as with the SunZia Southwest Transmission Project. To prevent a similar situation from emerging, he said, communication is paramount. The New Mexico National Guard also provides support to first responders, as it did in response to the Dog Head Fire.

The National Guard operates in all 431 zip codes in the state, and all but 23 zip codes house a New Mexico National Guard member. While recruitment is hard, keeping guard members in, and keeping the rest of their families happy, is the most difficult thing.

Regarding equipment, General Salas said that the hand-me-down equipment is making the guard less and less relevant. However, there are areas where New Mexico is leading, such as short-range air defense and directed energy technology. Directed energy translates into jobs in the state, too, as it requires 200 people per battalion.

White Sands Missile Range Update

Brigadier General Timothy R. Coffin, commanding general, White Sands Missile Range (WSMR), and Dan Hicks, G5 director of plans, WSMR, presented on behalf of WSMR. General Coffin said half of WSMR's operating budget comes from appropriations and the other half comes from charging businesses to use its facilities for testing and other uses. He described the Major Range and Test Facility Base, which provides unique opportunities to test new military technologies.

General Coffin said that the secretary of the Army, the secretary of the Air Force and others all come to visit WSMR because of how critical it is to the nation's security. WSMR is massive in size, and the protected airspace is important.

Next, General Coffin went through his handout, "The Third Offset Strategy" (see handout). After World War II, the United States had to prepare all planes to carry a nuclear payload. However, once the Union of Soviet Socialist Republics obtained nuclear capability, the United States military went to the second offset strategy, the precision strike capability.

Now, the United States military is in its third offset strategy, which includes the use of predator drones, swarms of autonomous unmanned aerial vehicles, directed energy and non-line-of-sight communications. The hope is that these technologies will be effective over the next 30 years.

In response to a committee member's inquiry, General Coffin said that WSMR has some amenities that are critical to the quality of life for personnel. For example, the golf course has been criticized because it loses money, but as one of the few green spaces with shade trees, it is used for archery, running trails and other recreational activities. So, while it loses money, it still improves quality of life and provides value in other ways than financial.

San Juan College Veteran Center

David P. Eppich, vice president for student services, San Juan College, went through his handout (see handout). He focused on history of the Veteran Center, the services it provides and its various programs.

While only four years old, the Veteran Center has three staff members and has become a hub for active duty military, veterans and their dependents. Visitors, who numbered almost 2,200 during the 2014-2015 school year, can get assistance in obtaining scholarships, grants, academic and career planning and a host of other help at the center.

Veteran Center programs are a vital aspect of the services provided. The Veterans Upward Bound Program supports veterans in areas where they are weak academically to overcome educational challenges they face. The Rural Veteran Collaborative Program deals with transportation issues and improving outreach to female veterans and trains staff to help veterans in higher education.

Navajo Nation Veterans' Issues

Marie Zwierlein, veteran service officer, Eastern Agency, Navajo Nation Veterans Administration, who is a retired Marine Corps veteran, said Navajo veterans face the same issues as other veterans. She said that outreach requires a lot, there are great distances to travel and often the outreach is best done by a Diné speaker. However, she has noticed that newer veterans are seeking out services.

Ms. Zwierlein covered her handout (see handout) and focused on seven areas: veterans' benefits, housing, health care, facilities improvements, education, recognition of Navajo code talkers and senior centers.

Committee members recommended options for the Navajo Nation Veterans Administration to find both paid and volunteer drivers to transport veterans to service providers. One committee member recommend that Ms. Zwierlein seek a highly rural transportation grant to help veterans in highly rural areas travel to VA or VA-authorized health care facilities.

Blue Star Mothers of America, Inc.

Karen Stevens, past national president, Blue Star Mothers of America, Inc. (BSM), went over the history of BSM. Founded in 1942, BSM is made up of mothers of children who are serving or have served in the United States military. BSM has more than 6,000 members from more than 200 chapters throughout the nation.

Over its history, BSM has spent over \$2.6 million providing care packages and letters to members of the armed forces and hosting veterans' events in this country. BSM also gives generously to the Fisher House Foundation, which provides free or low-cost lodging to veterans and military families of those veterans receiving treatment at military medical centers.

Committee members expressed gratitude for the work being done by BSM and thanked Ms. Stevens for her dedication to veterans. Ms. Stevens said, "Help one veteran's mother, help them all".

Adjournment

There being no further business before the committee, the meeting adjourned at 4:30 p.m.

Revised: August 19, 2016

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

**August 31, 2016
Richard Barr Room
Central New Mexico Community College
Albuquerque**

Wednesday, August 31

- 9:00 a.m. **Call to Order**
- 9:05 a.m. (1) [New Mexico National Guard Update](#)
 —Brigadier General Andrew E. Salas, Adjutant General, New Mexico
 National Guard
- 9:45 a.m. (2) [Veterans' Services Department \(VSD\) Update](#)
 —Brigadier General Jack R. Fox, Cabinet Secretary, VSD
- 10:30 a.m. (3) [Central New Mexico Community College \(CNM\) Ingenuity Program](#)
 —Samantha Sengel, Chief Advancement and Community Engagement
 Officer, CNM
- 11:00 a.m. (4) [CNM Veterans' Resource Center](#)
 —David Walker, CNM
- 11:45 a.m. **Tour of CNM Campus and Veterans' Resource Center**
- 12:15 p.m. **Lunch**
- 1:00 p.m. (5) [Sale of Pull Tabs by Veteran Service Organizations](#)
 —Donovan Lieurance, Acting Executive Director, Gaming Control Board
 —B.J. Lawrence, National Junior Vice Commander-in-Chief, Veterans of
 Foreign Wars
- 2:00 p.m. (6) [City of Albuquerque Veterans' Services Office](#)
 —Roger D. Newall, Veteran's Affairs Liaison, City of Albuquerque

- 2:45 p.m. (7) [Army OneSource Program](#)
—Toni Martorelli, Senior Level Analyst, Army OneSource
—Lilly Coniglio, Managing Partner, The Strategic Organization
- 3:30 p.m. (8) [Museum of the American Military Family](#)
—Dr. Circe Olson Woessner, Executive Director, Museum of the American
Military Family
- 4:15 p.m. (9) [Warrior Farmer Project](#)
—Victor Versace, Executive Director, Desert Forge Foundation
- 4:45 p.m. **Adjourn**

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

**August 31, 2016
Richard Barr Room
Central New Mexico Community College
Albuquerque**

The third meeting of the Military and Veterans' Affairs Committee was called to order by Representative Bob Wooley, co-chair, on August 31, 2016 at 9:00 a.m. in the Richard Barr Room at Central New Mexico Community College (CNM) in Albuquerque.

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. Randal S. Crowder
Rep. George Dodge, Jr.

Absent

Sen. Daniel A. Ivey-Soto

Advisory Members

Rep. David E. Adkins
Rep. Jim Dines
Sen. Michael Padilla
Rep. Jim R. Trujillo
Rep. John L. Zimmerman

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

Staff

Jeret Fleetwood, Researcher, Legislative Council Service (LCS)
Anna Martin, 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.

Wednesday, August 31

Welcome

Dr. Phillip A. Bustos, vice president for student services, CNM, welcomed the committee on behalf of CNM President Katherine W. Winograd. Dr. Bustos thanked the committee members for their service in the legislature. He briefly described the CNM student body, explaining that the school has more than 30,000 students enrolled at seven different campuses.

New Mexico National Guard Update

Colonel Ken Nava, chief of staff, New Mexico National Guard; Colonel Mike Lee, commander, Civil Air Patrol; and Major Tom Griego, New Mexico State Defense Force (NMSDF), gave an update on the New Mexico National Guard's various activities and programs.

Colonel Nava gave an update on the guard's current efforts and numbers, explaining that there are currently 126 soldiers deployed with the guard who are set to return home in October. Colonel Nava provided a brief overview of the guard's current counterdrug efforts, explaining that the guard has seized \$50 million in illegal drugs as part of a recent drug task force effort. The guard is also focused on re-stationing its workforce with the impending closure of a guard transportation company in fiscal year 2017. While the guard promised to re-station workers so they would not lose their jobs due to this, the guard is generally concerned with the state and national trends of downsizing the military. Lastly, Colonel Nava debriefed the committee on recent policy changes to include females in combat arms as well as efforts to accommodate transgender soldiers.

Colonel Lee continued the guard's presentation with an overview of the federally mandated Civil Air Patrol program, outlining the program's emergency services and annual hours flown, current aerospace education efforts and various cadet programs. The Civil Air Patrol also hosts New Mexico's Group 800 School Enrichment Program, an aerospace school elective class offered to New Mexico middle school students. The Civil Air Patrol celebrates its seventy-fifth anniversary this year.

Major Griego continued with an overview of the NMSDF, a program authorized by both the federal and New Mexico constitutions and that exists, in part, to supplement the New Mexico National Guard's efforts, as well as to carry out its own mission of aiding local law enforcement agencies, communities and veteran organizations. Due to a decision from the governor to temporarily halt NMSDF operations several years ago, the program now seeks to rebuild and enhance the NMSDF. To do this, the NMSDF seeks to amend statutes to add discretionary language that allows the governor the authority to utilize the personnel and assets of the NMSDF at his or her discretion. Secondly, the NMSDF proposes to amend existing statutory language to increase the maximum age limit from 64 to 75, as the NMSDF believes the organization will benefit from opening the program to experienced participants over age 64.

Colonel Nava wrapped up the presentation with an overview of the New Mexico Employer Support of the Guard and Reserve (NM ESGR) organization, explaining that the NM ESGR has 120 volunteers and six paid employees. However, due to a shift at the national level, it will be losing two-thirds of its paid staff in November 2016. Colonel Nava also reviewed the NM ESGR budget, outlined its employment and volunteer statistics and reported on the NM ESGR's recent awards and accomplishments. Theresa Martinez, director, New Mexico State Programs, Department of Military Affairs, concluded the New Mexico National Guard's presentation by thanking the legislators for their service and support.

On questioning, Colonel Nava, Colonel Lee, Major Griego and committee members noted that:

(1) with the 2017 closure of two northern New Mexico transportation companies, the New Mexico National Guard will be moving and rehiring all 168 employees who worked in those locations;

(2) the New Mexico Group 800 School Enrichment Program is currently operating in middle and high schools across the state, including in Albuquerque, Belen, Bernalillo, Espanola, Las Cruces and a few other locations, with plans to expand;

(3) the NMSDF currently has 25 volunteers, with a goal of expanding to 250 volunteers, including increased numbers of information technology (IT) and medical volunteers;

(4) due to the fact that the NMSDF is mostly made up of volunteers, it operates on an annual budget of \$8,000, mostly to pay for uniforms and equipment; and

(5) Colonel Nava and the New Mexico National Guard will support the National Guard monument dedication event to be held at the Glorieta Pass Battlefield, Pecos National Historic Park, in Santa Fe County.

Public Comment

Bob Anderson, Vietnam veteran, expressed concern regarding increased state spending on military programs such as the NMSDF. He urged the committee to consider creating a "Department of Peace" rather than focusing on military efforts.

Veterans' Services Department (VSD) Update

Brigadier General Jack R. Fox, secretary, VSD; Mitchell Lawrence, healthcare coordination program manager, VSD; and Tom Wagner, manager, VSD State Cemetery Program, gave an update on the department's efforts to address four priority issues: coordination with the federal Substance Abuse and Mental Health Services Administration (SAMHSA); veterans' transportation; female veterans; and state veterans' cemeteries.

The VSD is currently working with the SAMHSA and the U.S. Department of Veterans Affairs (VA) to ensure that all New Mexico veterans have seamless access to mental health services. There is a specific focus on ensuring that any veteran being released from jail receive an immediate, warm hand-off to the appropriate mental health services. Under a SAMHSA

initiative, the VSD is working with New Mexico State University and veteran nonprofit agencies to create a peer network to address veterans' mental health in New Mexico.

In an effort to streamline veterans' transportation services, the VSD worked with the Veterans' Transportation and Community Living Initiative to host a "Transportation Summit". The organizations met to begin synchronization and to eliminate duplication of VA van routes and to ensure that all veterans have access to transportation to medical appointments, grocery stores and other services. The organizations are also working to advertise VA van services to educate veterans on the existing transportation services.

General Fox provided an update on the new "Women Veteran Program", explaining that the VSD has begun meeting with female veterans' groups and individual women to increase awareness and utilization of veteran resources. After meeting with various groups, the VSD has identified a need for daycare and child care services for VA patients and employees at VA hospitals. Due to the realization that it has not always taken care of the specific needs of female veterans, the VSD is coordinating with various entities to reach out to all female veterans to spread awareness of available programs and resources.

In 2015, the VA approved four state veterans' cemetery sites in Fort Stanton, Gallup, Angel Fire and Carlsbad. While the Fort Stanton site construction is about 70 percent complete, the other cemetery sites are still in the planning and design phases. The VSD outlined its long-term state cemetery plan that will keep the department on track for completing these projects.

General Fox concluded the presentation with an update of the department's budget, explaining that the VSD has experienced a 13 percent cut to the fiscal year 2016 budget. While the VSD hopes to maintain its quality of care and services, the department will have to delay or eliminate various veteran outreach services due to lack of funding.

On questioning, General Fox, Mr. Lawrence, Mr. Wagner and committee members noted that:

- (1) the proposed VA daycare services are not yet funded and do not yet have an implementation plan or time line; and
- (2) there are or will be two full-time employees at each cemetery site.

CNM Ingenuity Program

Samantha Sengel, chief advancement and community engagement officer, CNM, and Sionna Grassbaugh, academic affairs director, CNM Business and Information Technology, gave an overview of the various CNM Ingenuity workforce training programs geared toward student veterans. The four non-credit programs approved for student veterans are the Deep Dive Coding Bootcamp, IT professional series, network associate series and Deep Dive .NET Bootcamp. The program staff explained that the short-term, fast-track, easy enrollment and low-cost nature of the non-credit programs allow for affordable education options that result in national, regional or

CNM Ingenuity certification upon completion. Student veterans who participate in the non-credit programs also have access to various CNM veterans' resources, support services and career coaching.

On questioning, Ms. Sengel, Ms. Grassbaugh and committee members noted that:

(1) the FUSE Makerspace at CNM allows for physical work space and equipment for trade training and entrepreneurial use;

(2) the CNM Ingenuity program recruits students of all ages, students living in rural areas and low-income students and offers incentives such as reduced tuition and child care; and

(3) student veterans have the opportunity to work with career coaches and to meet with potential employers who visit and recruit at the CNM campus.

CNM Veterans' Resource Center

David Walker, administrative coordinator, CNM Veterans' Resource Center (VRC), and Dr. Rudy Garcia, dean of students, CNM, gave an overview of the VRC, which provides resources and services to veterans and their families who currently attend or plan to attend CNM. The VRC, having served 2,228 veterans in the 2015 academic year and 2,478 veterans already in 2016, provides supportive personal and academic services such as tutoring, peer-to-peer mentoring, counseling, resource referral, assistance in applying for VA benefits and access to additional academic resources. The VRC provides additional support programs such as a reading circle, the Sky Warriors Program, Upward Bound, VA work-study positions, an on-site emergency food pantry, school supply donations and a textbook loan program. Mr. Walker and Dr. Garcia concluded their presentation with a video highlighting the Sky Warriors initiative, a program aimed at helping veteran students with posttraumatic stress disorder cope with post-military life by working with a team to fly hot air balloons.

Upon concluding the presentation and taking questions from the committee, Mr. Walker, Dr. Garcia and various veteran students led the committee on a tour of the VRC.

On questioning, Mr. Walker, Dr. Garcia and committee members noted that the VRC works with Goodwill Industries to provide clothing to student veterans, especially those in need of professional clothes for job interviews.

Sale of Pull-Tabs by Veterans Service Organizations

Donovan Lieurance, acting executive director, Gaming Control Board (GCB), and B.J. Lawrence, national junior vice-commander-in-chief, Veterans of Foreign Wars (VFW), presented on their respective agencies' perspectives on the issuance of licenses for the sale of pull-tabs.

In 2014, the GCB appointed Mr. Lieurance as acting executive director. In reviewing the New Mexico Bingo and Raffle Act, the new director and staff noted inconsistencies between the act itself and the practices of the previous executive director. While the previous executive director issued stand-alone pull-tab licenses, the statute only allows for the sale of pull-tabs at

bingo occasions overseen by a licensed bingo manager. Further, no record exists of the board delegating authority to the executive director to issue stand-alone pull-tab licenses. As such, organizations with expiring pull-tab licenses, which may have been issued in error, were notified that they would have to apply for bingo licenses and could only sell pull-tabs at bingo occasions. GCB staff also advised that they would recommend denial of licenses to those organizations applying to sell pull-tabs only. The GCB believes that in order to allow stand-alone pull-tab sales and licensure outside of bingo occasions, the legislature would need to amend the act, which the GCB believes could run the risk of violating state-tribal gaming compacts.

However, Mr. Lawrence and other representatives from the VFW believe that the GCB has the authority to issue stand-alone pull-tab licenses, as they believe pull-tab sales are not considered Class III gaming and, thus, would not be a violation of the gaming compacts. The VFW expressed concern that veteran nonprofits rely heavily on pull-tab sales revenue to continue daily organizational operations. Furthermore, the VFW representatives expressed concern that veteran nonprofits have invested significant capital into pull-tab sales equipment, and the majority of nonprofits that serve veterans would not be able to afford the equipment and infrastructure necessary to become operational for bingo occasions.

On questioning, Mr. Lieurance, Mr. Lawrence and the committee noted that:

(1) the VFW requests that if the GCB is unable to use its authority to change pull-tab licensing restrictions, the legislature assist in passing legislation to allow for this licensing change; and

(2) it would be prudent to ask the Attorney General's Office whether stand-alone pull-tab sales are a violation of the gaming compacts.

★ On a motion duly made, seconded and unanimously adopted, committee staff was directed to draft a letter from the committee to the attorney general requesting responses to the following three questions.

(1) Is the sale of pull-tabs considered Class II gaming?

(2) Can the GCB currently issue stand-alone licenses for the sale of pull-tabs, rather than as part of a bingo occasion?

(3) Would changing the statute to allow the GCB to issue stand-alone licenses for the sale of pull-tabs be considered an expansion of gaming and, therefore, violate the state-tribal gaming compacts?

Minutes

On a motion duly made and seconded and unanimously adopted, the minutes from the June 2, 2016 and July 21, 2016 meetings were approved.

City of Albuquerque Veterans' Services Office

Roger D. Newall, veterans' affairs liaison, City of Albuquerque, gave an overview of the city's current veteran activities and services. The city has placed an increased priority on hiring qualified veterans, with 10 percent of the city's positions filled by veterans. In recent years, both the Albuquerque Police Department and Albuquerque Fire Department have won national awards for their efforts to prioritize hiring veterans. Mr. Newall also gave a general update on the city's efforts to reach out to homeless veterans, explaining that the mayor's office and some nonprofits are carrying out various homeless outreach programs across the city. Additionally, the office has recently worked on converting the VA medical card to function also as a bus and Rail Runner train pass to increase transportation access to veterans. Lastly, Mr. Newall described the office's other various projects to identify, recognize and award Albuquerque veterans for their service.

Army OneSource (AOS) Program

Toni Martorelli, senior level analyst, AOS, and Lilly Coniglio, managing partner, The Strategic Organization, presented on AOS, a program that aims to provide community support, data tools, best-practice recommendations, national web events, continuing education and a variety of services to veterans' organizations, veterans and veterans' families across the United States. AOS is focused on supporting states in supporting veterans, specifically within behavioral health, finance/employment, legal services and faith-based considerations. AOS collaborates with various local, state and national organizations to bring culturally sensitive and comprehensive services to veterans and their families.

Ms. Martorelli and Ms. Coniglio provided the committee with AOS data on the demographics, age, education level, occupation, current salary, family size and years of service of New Mexico veterans. The presenters urged the committee and the legislature to utilize AOS services and the AOS Resource Center to more effectively and comprehensively reach out to and serve New Mexico veterans and their families.

On questioning, Ms. Martorelli, Ms. Coniglio and the committee noted that:

- (1) AOS keeps deployment data for each state from September 11, 2001 through 2016;
- (2) the National Guard Reserve deploys units based upon the unit's speciality, and AOS believes income level and geographic location are not factors in deployment; and
- (3) AOS will work with military spouses to seek employment, professional licensing and other needed services.

★ Ms. Coniglio will put Representative Dines in contact with the National Military Spouse Network to provide further information on support for military spouses.

Museum of the American Military Family

Dr. Circe Olson Woessner and Dr. Allen Dale Olson, executive director and public affairs official, respectively, Museum of the American Military Family, gave an overview of the museum and its efforts as the first museum to recognize military families in the United States.

Dr. Olson Woessner began the presentation with a video describing the history that led to the 2011 founding of the all-volunteer, 501(c)(3) nonprofit museum located in Tijeras, New Mexico. The museum collects military family belongings, artifacts and stories to display the intricate details of military family life. While museums across the nation focus on specific wars or on the lives of service members, this museum pays special tribute to army spouses and children and the home life when a service member is away. With financial support from grants and community organizations, all of the museum exhibits are free and open to the public. The museum is currently launching its fourth major exhibit since 2011, and the museum board members hope to see the 20,000 annual visitors that their previous exhibits have attracted.

On questioning, Dr. Olson Woessner, Dr. Olson and the committee noted that:

- (1) the museum has taken on "Operation Footlocker", a project in which military families send artifacts and memories to one another, which will be housed at the museum; and
- (2) the museum is partnering with other agencies to address issues such as nonviolent communication, LGTBQ military families and military mental health.

Warrior Farmer Project

Victor Versace and Richard Baca II, executive director and project organizer, respectively, Desert Forge Foundation, gave an overview of the organization's Warrior Farmer Project, an effort aimed at restoring the mental, physical and emotional health of returning veterans through the arts and farming. By growing organic green chile and other fresh produce in Albuquerque's South Valley neighborhood since 2010, the project trains combat and other veterans to cultivate, grow, harvest and sell the farm's produce. Through donations of land, water and utilities from neighbors and with grant funding from various organizations, the foundation plans to continue reaching out to veterans through various arts programs. Mr. Versace explained that he hopes the Warrior Farmer Project will be self-sustaining within five years.

On questioning, Mr. Versace, Mr. Baca and the committee noted that:

- (1) project organizers should look into selling green chile to local restaurants;
- (2) the legislature appropriated funds to New Mexico State University for the purchase of Los Luceros farms, which might be used to help expand the project;
- (3) funding from either the legislature or elsewhere would help the program expand, particularly by allowing organizers to pay for up-front capital needs next spring;
- (4) organizers hope to expand the project to include other crops, livestock and eventually a commercial kitchen;
- (5) crops are grown without chemicals and use a drip watering system to save water; and
- (6) green chile is sold at the downtown Albuquerque farmers' market for a \$10.00 donation to the project, which buys a one-pound bag of chile.

Adjournment

There being no further business before the committee, the meeting adjourned at 4:30 p.m.

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

**September 19, 2016
Carlsbad Museum and Art Center
418 West Fox Street
Carlsbad**

Monday, September 19

- 9:00 a.m. **Call to Order**
- 9:15 a.m. (1) **New Mexico State University Military and Veterans Programs**
 —Hector Sanchez, Director, New Mexico State University Military and
 Veterans Programs
- 10:00 a.m. (2) **New Mexico Military Institute Update**
 —Major General Jerry Grizzle, President/Superintendent, New Mexico
 Military Institute
- 10:45 a.m. (3) **New Mexico National Guard Update**
 —Brigadier General Andrew E. Salas, Adjutant General, New Mexico
 National Guard
- 11:30 a.m. (4) **Eastern New Mexico University-Roswell Veterans' Programs**
 —Dr. John Madden, President, Eastern New Mexico University-Roswell
- 12:15 p.m. **Lunch**
- 1:15 p.m. (5) **Southeast New Mexico Veteran's Transportation Network**
 —Magil Duran, President, Southeast New Mexico Veteran's Transportation
 Network
- 2:00 p.m. (6) **Roswell Veterans' Cemetery**
 —Ruben Esquivel, Grounds Supervisor, Roswell Veterans' Cemetery
- 2:45 p.m. (7) **Helicopter Installation at Las Cruces Vietnam Veterans Memorial**
 —Representative John L. Zimmerman
- 3:15 p.m. **Adjourn**

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

**September 19, 2016
Carlsbad Museum and Art Center
418 West Fox Street
Carlsbad**

The fourth meeting of the Military and Veterans' Affairs Committee (MVAC) was called to order by Senator Richard C. Martinez, co-chair, on September 19, 2016 at 9:15 a.m. at the Carlsbad Museum and Art Center.

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. Randal S. Crowder

Absent

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

Advisory Members

Rep. Harry Garcia
Sen. Michael Padilla
Rep. John L. Zimmerman

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

Staff

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

Guests

The guest list is in the meeting file.

Handouts

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

Monday, September 19

Call to Order

Senator Martinez called the meeting to order at 9:15 a.m. and asked members and staff to introduce themselves.

New Mexico State University Military and Veterans Programs

Hector Sanchez, director, New Mexico State University (NMSU) Military and Veterans Programs, was unable to attend, but Dr. John Gratton, president, NMSU Carlsbad, presented on his behalf. Dr. Gratton said that NMSU Carlsbad is focused on training its students to be ready to work right away after graduating and cited successful programs in potash mining, oil and gas production and nursing.

In response to a question, Dr. Gratton said that there are 25 to 50 veterans enrolled at NMSU Carlsbad, and the school has designated a person in the financial aid office to help veterans. Vicente Vargas, state director, NMSU Government Affairs, said that there are 880 veterans enrolled within the NMSU system and that the school has veteran programs at all of its satellite campuses. Dr. Gratton said that the biggest hurdle is not getting veterans to enroll, but all of the associated services required to keep veterans in school. Those services include health services, including mental health; financial aid; academic counseling; and academic intervention.

A committee member noted that the NMSU Carlsbad veteran program is hard to find on the website and suggested that a link be more visible. In response to a comment about outreach by NMSU and its satellite campuses to attract veterans to the school, a committee member asked about outreach to rural areas and noted that there are veterans in the member's district that live 100 miles away from any satellite campus. Dr. Gratton said that he would be interested in expanding NMSU's outreach, but that it is expensive and, currently, the funding is not sufficient.

Helicopter Installation at the Vietnam Veterans War Memorial Monument in Las Cruces

Representative Zimmerman showed five videos depicting the installation of an authentic Vietnam-era Huey helicopter. Representative Zimmerman said that the entire project was done with volunteer labor.

New Mexico Military Institute Update

Major General Jerry Grizzle, president/superintendent, New Mexico Military Institute (NMMI), provided an overview of the school. Because junior college students get financial aid, he said, schools compete for those students. NMMI has a 97 percent fill rate and much of that is due to the retention of high school students at NMMI who then enroll in the NMMI junior college. Retention, according to General Grizzle, is much easier than recruitment. There has also been an emphasis on increasing the number of female cadets at the school. General Grizzle said that women are better in leadership roles and in class, and they pay their bills more steadily.

NMMI has an impressive great international presence. General Grizzle said that parents around the world are looking for a great educational opportunity for their children in a safe environment. NMMI provides both. To conclude, General Grizzle discussed the high school and junior college football teams and said that Roger Staubach played at the school and will be speaking to the team at its next game.

A committee member asked how the school is able to maintain a 96 percent attendance rate. General Grizzle said that NMMI is a mandatory boarding school, and the biggest reason for the high attendance rate is that the school makes sure to get buy-in on the importance of being in class from each student and his or her parents before enrolling the student. Also, NMMI has an early warning system in place, so when an issue arises, the school can intervene quickly. If a student misses class, it is probably because the student did not do the homework. General Grizzle said that if the issue is dealt with right away, the student does not get too far behind and is able to catch up. That way, the problem does not persist.

Next, General Grizzle discussed NMMI's plans for construction. Because the school buildings are on state and national registries, NMMI cannot demolish and rebuild; rather, it must remodel the buildings, which is not always cost-efficient. Since the buildings were constructed before the school was coeducational, the women's areas, i.e., restrooms and locker rooms, are just separated out and repurposed spaces. Compliance with the federal Americans with Disabilities Act of 1990 is also a challenge.

The school has its construction plans ready to go, and the only unknown is the displacement cost, which is the amount needed to lease facilities for use during construction. The displacement funding will come from NMMI's own \$5 million contribution to the project. If the construction bond passes in the November election, NMMI will start right away with the project.

Legislators lauded the school for the opportunities it provides for graduates and for the legislative scholarship, which pays for 50 percent of all costs for four years, not just tuition costs. General Grizzle said that currently there are 19 NMMI students on legislative scholarships. Legislators did mention that they would like some follow-up correspondence from the recipients of legislative scholarships, and General Grizzle said he would bring that to the attention of the appropriate staff member at NMMI.

New Mexico National Guard Update

Brigadier General Andrew E. Salas, adjutant general, New Mexico National Guard, said that budget cuts are affecting the New Mexico National Guard. In response, the guard is looking at divesting its operation in Tucumcari or Clayton. Those communities do not want that to happen, nor does the guard, but there is not enough money to keep operating in those locations.

General Salas said that the National Guard brings great value to the state, and that \$7 million from the state's General Fund actually leverages \$121 million in federal money.

The guard has also teamed with federal Department of Defense and Department of Energy facilities in the state to test new technologies, including radar that can see through dust and clouds, for example, to see changes in terrain as minor as a footprint.

Responding to a question, General Salas said that a lot of outreach is provided, both before and after deployment of personnel, to assist with preparation and readjustment for veterans. That outreach includes the families and the employers of the deployed.

General Salas noted that the New Mexico National Guard is the state's militia and its primary mission is to protect local citizenry. Law enforcement is first, with the national guard serving as backup. The presentation closed with a brief discussion of the Carlsbad Armory, which is owned by the State Armory Board of the Department of Military Affairs but leased to the New Mexico State Police Division of the Department of Public Safety.

Eastern New Mexico University-Roswell Veterans' Programs

Dr. John Madden, president, Eastern New Mexico University-Roswell (ENMUR), provided the committee with an overview of ENMUR, noting the school's population and makeup. He added that enrollment at the school is up.

Dr. Madden went on to discuss the school's Youth Challenge Program, which is conducted through a partnership with the New Mexico National Guard.

Dr. Madden said that ENMUR is using Walker Air Force Base, which was decommissioned in the 1960s, to involve the school in airplane and helicopter pilot training programs and helicopter mechanic training.

Jim Engelhard, grant activity director, ENMUR, talked about the school's Career Success Center and its Veteran Success Center. While the centers do not offer counseling, they do provide referrals to assist with housing, financial aid, post-9/11 G.I. benefits and non-degree program benefits, among other things. The Veteran Success Center is unfunded, but the school has used other resources and some replaced technology to keep it in operation.

Dr. Madden highlighted the school's program to train pilots. There are three levels of pilot training, private pilot training, instrument training and commercial training. Currently, private pilot training is in place at ENMUR. However, the obstacle to the other two types of training is not expertise, but a lack of planes. Currently, the school has no planes with retractable wheels, which all commercial planes use. The school is aggressively looking to purchase or lease such a plane.

According to Dr. Madden, the waiting list of students is so long that a new place, or even two, would be fully scheduled immediately upon acquisition. When asked about proprietary schools, and their cost versus the instruction they provide, Dr. Madden said that proprietary schools charge more than ENMUR and have a poor success rate.

Legislators' comments covered issues about improving the school's website usability, possible leads on available aircraft and job placement for pilots. Dr. Madden said that, on average, ENMUR flight students have three job offers by the time they graduate.

Upon a motion by Representative Alcon, seconded by Representative Wooley, and without objection, the minutes of the August 31 MVAC meeting were approved.

Southeast New Mexico Veteran's Transportation Network

Magil Duran, president, Southeast New Mexico Veteran's Transportation Network, said that the network started in 2008 when it paid a man with a van to drive Vietnam veterans to the Department of Veterans Affairs (VA) hospital in Albuquerque. The network grew and grew, first providing service to all veterans, not just Vietnam veterans, and currently serves all veterans with a medical appointment at any VA or community-based outpatient clinic.

Now the network is a 501(c)(3) organization and has several vans, including a handicap-accessible van that can accommodate three passengers. Nobody at Southeast New Mexico Veteran's Transportation Network gets paid, but the drivers that go to Albuquerque get \$10.00 to pay for their lunch. Often, one driver said, they end up buying lunch for the passengers out of the driver's own pocket. Mr. Duran said that the men and women who drive are proud to do so. Local organizations have been generous to the network, which functions purely from donations. Mr. Duran said that it does not seek, nor would it accept, government money, as it would likely have to sacrifice some of its autonomy.

In response to a committee member's question, Mr. Duran said that it takes \$60,000 to \$70,000 to purchase a van and handicap-retrofit it. Mr. Duran closed by saying that, while the network has a schedule to run vans between Roswell and Albuquerque, if a veteran needs to go on another day or to a different location, the network will transport the veteran.

Veterans' Cemetery

Alan Martinez, deputy secretary, Veterans' Services Department, and Tom Wagner, director, State Veterans' Cemetery Program, Veterans' Services Department, presented on the progress on the state's veterans' cemeteries. In Fort Stanton, the project is 80 percent done, and the target finish date is April, 2017.

In Carlsbad, the process to create a veterans' cemetery is stalled because the state does not own the property, and that is a requirement by the VA.

Roswell Veterans' Cemetery

Ruben Esquivel, grounds supervisor, Roswell Veterans' Cemetery, said that the project in Roswell started in 2014 with 20 acres next to another cemetery. After some tree removal and overcoming some flooding issues, the project to create the Roswell Veterans' Cemetery has progressed with volunteer labor and funding. Mr. Esquivel discussed burial options, the burial process and requirements for burial as a veteran's spouse.

A committee member noted that a veteran must have been separated from service with an other than dishonorable discharge in order to be buried, or have a spouse buried, in a veterans' cemetery. When a veteran's spouse predeceases the veteran, the spouse is still entitled to burial, but the VA does not purchase the headstone until the veteran dies, so the spouse gets a plaque until then.

One legislator mentioned that some funeral homes are having a problem getting flags provided by the VA for Native American veterans who choose to be buried on tribal land.

Adjournment

There being no further business, the committee adjourned at 2:00 p.m.

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

Tuesday, November 1

4:15 p.m. **Recess**

Wednesday, November 2

- 9:00 a.m. (8) **National Guard of New Mexico Update**
—Andrew E. Salas, Adjutant General, National Guard of New Mexico
- 10:00 a.m. (9) **Report on Senate Bill 153 (2016): College Credit for Military Training**
—Harrison Rommel, Ph.D., Financial Aid Director, Higher Education
Department
- 10:45 a.m. (10) **Consideration of Legislation for Endorsement**
- 12:00 noon **Adjourn**

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

**November 1-2, 2016
Room 307, State Capitol
Santa Fe**

The fifth meeting of the Military and Veterans' Affairs Committee was called to order by Senator Richard C. Martinez, co-chair, on November 1, 2016 at 9:00 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. Randal S. Crowder
Rep. George Dodge, Jr. (11/1)

Absent

Sen. Daniel A. Ivey-Soto

Advisory Members

Sen. Carlos R. Cisneros
Rep. Harry Garcia
Sen. Michael Padilla
Sen. John Pinto
Rep. Jim R. Trujillo (11/2)

Rep. David E. Adkins
Rep. Cathrynn N. Brown
Rep. Jim Dines
Rep. Rick Little
Sen. William H. Payne
Sen. William E. Sharer
Rep. John L. Zimmerman

Guest Legislators

Sen. Nancy Rodriguez
Rep. Debbie A. Rodella

(Attendance dates are noted for those members who were not present for the entire 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

Guests

The guest list is in the meeting file.

Handouts

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

Tuesday, November 1**Welcome and Introductions**

Senator Martinez called the meeting to order at 9:00 a.m. and asked committee members and staff to introduce themselves.

Update on SunZia Southwest Transmission Project

Tom Wray, project manager, SunZia Southwest Transmission Project, gave the committee an overview of the project. He provided a summary of the 515-mile-long electric transmission project that extends from New Mexico into Arizona. Current projections include a construction start date in early 2018 with commercial operation set to begin by the end of 2020.

Mr. Wray and Aubrey Dunn, commissioner of public lands, discussed the location approval process for the project and the various types of land ownership, each of which presents certain hurdles that must be overcome in order to get SunZia up and running.

Mr. Wray discussed the interconnections needed to transfer various types of power to make the project work. Those interconnections are located primarily in Arizona, he said. Mr. Wray said that Wyoming has set up a similar multistate wind power transmission project to get wind power from Wyoming to California.

Commissioner Dunn said that he had agreed that the state would charge \$165 per acre of right-of-way land used over state land, with a discount if the right of way is alongside existing high-voltage power lines or highways. Commissioner Dunn said that the final right of way should be approved in mid-November 2016, and he noted that transmission lines cannot be closer than one mile from a residence on state trust land unless the owner of the residence approves it.

In response to a question from a committee member, Mr. Wray said that the required permit would have to be issued by the Public Regulation Commission and that there will be an opportunity for public comment regarding the project.

Another legislator asked about restoration of affected lands to the pre-construction conditions. Mr. Wray said that land restoration is required by the lease with the federal Bureau of Land Management, and the lease with the state is expected to include a similar requirement. In addition, Commissioner Dunn said that the State Land Office will ask that any land with a lot of pinon and juniper on it be masticated and not bulldozed to preserve it as best possible.

A committee member asked if private landowners along the power lines will be able to tap into the lines. Mr. Wray said that it depends on the disposition of the power owners. The reason the project is so useful in California, Mr. Wray explained, is that the wind provides power just at the time when air conditioners are blasting in California. Instead of burning gas or coal, he explained, wind is the source of the power used by the air conditioners.

Amid some concerns about land use for wind farms, Mr. Wray said that the footprint for an individual windmill tower is 300 by 300 feet. A legislator asked if Lincoln County or the Corona Public School District will benefit from the 330 construction jobs that are estimated to be created over three years. Mr. Wray said that New Mexico State University has studied the economic benefits of the SunZia project, and the results are broken down by county.

Veterans' Services Department Update

Jack R. Fox, secretary of veterans' services, introduced Tom Wagner, manager, State Cemetery Program, Veterans' Services Department (VSD), who said that the federal Department of Veterans Affairs (VA) has approved state veteran cemeteries in Fort Stanton, Gallup, Angel Fire and Carlsbad. Construction has started in Fort Stanton, and the plan is to have an opening on Veterans Day of 2017.

In Gallup, the land is state-owned, which is a requirement for VA involvement, and the VA is working to approve the current plan. The hope is that by the summer of 2017, all planning will be done, and the groundbreaking can occur toward the end of 2017. The same process will be followed in Carlsbad and Angel Fire.

Despite the fiscal crisis, the VSD is committed to the maintenance and upkeep of the state veteran cemeteries and the gravesites. Secretary Fox said that the department is determined to fix up the cemeteries to respect those who are interred there.

In response to a question, Mr. Wagner said that it will cost about \$70,000 for the first year to bring the Fort Stanton cemetery to where it needs to be and that the money will come out of the VSD's operating budget. Secretary Fox said that the cemeteries are reimbursed by the VA at \$730 per burial, but that money has to come up-front from the VSD, and that will figure into the VSD request to the Legislative Finance Committee.

Further discussion revealed that the rule still exists whereby veterans have the option of being buried in a veteran cemetery within 75 miles of where they resided immediately prior to death. Mr. Wagner said that the goal is to keep expanding the number of state veteran cemeteries, but currently, there are only four new state veteran cemeteries approved. The hope is that those four will be operating by 2025, he said, and as they fill up, the planning process will begin for more cemeteries as needed.

Sergeant Major Melanie Suazo, retired, coordinator, Women Veteran Program, VSD, said that the female veteran population will increase by 18% over the next 10 years. The VSD is

currently doing outreach and creating a network for women veterans across the state. This effort, and the sharing of data that it will enable, is critical to providing important services to this often overlooked community, she said. In addition, the VA Office of Rural Health is dedicating \$10 million in grants to support veterans and their families residing in rural and/or underserved areas of the country. That effort will assist in the identification of female veterans nationwide.

Secretary Fox said that he is more concerned with non-registered female veterans than their male counterparts, in part because of stereotyping problems, but also because female veterans often do not consider themselves to be veterans. Sergeant Major Suazo said that there may be about 2,000 unregistered female veterans in New Mexico. She clarified that this is an estimate based on the information she has. A committee member asked about state efforts at rural outreach. Secretary Fox said that the VSD can deliver services when veterans are identified, but that work requires funding, which has been scarce.

Regarding the impact of posttraumatic stress disorder on female veterans, Sergeant Major Suazo said that the data are not accurate because people are not self-reporting. Sergeant Major Suazo informed the committee that she is working with the Albuquerque Veterans Integration Center (VIC) and the YWCA Henderson House in Albuquerque to prevent homelessness for female veterans. A big hurdle for homeless veterans is finding their records to assess whether they qualify for benefits. This became clear at the 2016 VIC Albuquerque Stand Down event.

A member raised the issue of suicide in veterans and said that family members who are left behind should be entitled to benefits, and outreach to those family members needs to be a priority.

Secretary Fox said that the most common complaint that the VSD fields is a lack of transportation for veterans. A legislator posited that the Blue Bus of the North Central Regional Transit District may solve some of the transportation hurdles, noting that the buses travel great distances and often have empty seats.

Joseph C. Long, director of the Veterans Business Outreach Center (VBOC), said that the center is funded by a federal grant through the United States Small Business Administration (SBA). Mr. Long, who is retiring, has been instrumental in helping veterans gain skills and transition into the business world. In fact, the SBA gave the New Mexico VBOC the award for being the nation's best VBOC. As evidence of its success, the VBOC aided 15 new businesses in starting up in the state in 2015, and is on track to help 21 new businesses start in 2016.

Kirtland Air Force Base Update

Colonel Eric H. Froehlich, 377th Air Base Wing and installation commander, Kirtland Air Force Base, told the committee that he oversees the 2,100 personnel at the base. Colonel Froehlich said that Kirtland Air Force Base has a \$7.6 billion-a-year economic impact, and that about half of that money stays in New Mexico. Kirtland Air Force Base, he said, accounts for 10% of Albuquerque's economic activity.

In 2016, Kirtland Air Force Base celebrated its seventy-fifth anniversary and part of that celebration was a well-attended air show and activities sponsored by its community engagement program. Colonel Froehlich said that the base has a memorandum of understanding with Albuquerque to ensure communication between the base and the city. Colonel Froehlich said that open lines of communication are critical to the base's operation, so the more that process is codified, the better. He said that one of the main challenges is encroachment, which works both ways, and that he is committed to working on solutions. Other issues include alerting developers before Kirtland Air Force Base spends money on projects; water usage on the base, which is heavy, and much of which is provided by the base's own wells; and fuel spill remediation, which is under way and is improving.

Regarding the fuel spill, the remediation project is on track with additional monitoring wells going in, which will provide a more complete picture of the location of several different chemicals. Colonel Froehlich said that Kirtland Air Force Base is committed to fully funding the remediation and that there is also an ongoing community engagement effort.

Base Realignment and Closure Update

Colonel Eric Kivi, retired, director, Office of Military Base Planning and Support, said that while Congress has not passed its military budget bill for the upcoming year, it is expected to provide \$38.9 million in construction money for New Mexico. Colonel Kivi said that no base realignment and closure are currently planned for 2017.

Colonel Kivi said that two squadrons are being moved from Utah's Hill Air Force Base, and one of the potential destinations is Holloman Air Force Base. The move should happen quickly, and New Mexico's congressional delegation is actively promoting the move to Holloman Air Force Base.

For its part, Cannon Air Force Base's highest priority is the purchase of restrictive easements near the Melrose Test Range so that testing is not hindered. The U.S. Army is looking at consolidating White Sands Missile Range and Fort Bliss, but New Mexico's congressional delegation is opposed to that, he said.

The ensuing discussion included issues regarding the Valle de Oro National Wildlife Refuge and the SunZia Southwest Transmission Project and covered the perspective of groups, including local residents, state and local officials and the federal Department of Defense (DOD) and Department of the Interior. Committee members agreed that federal investment in the state is important and that the legislature should work to protect and maintain that investment.

Upon a motion made and seconded and without opposition, the Military and Veterans' Affairs Committee endorsed sending a letter of support to get the two squadrons being moved from Hill Air Force Base to be relocated at Holloman Air Force Base.

U.S. Department of Defense State Liaison Office

Dale Vande Hey, south central region state liaison, State Liaison Office, DOD, gave an update on the DOD's carryover issues from last year and new issues for this year.

Those issues include:

1. a state policy to support identification and reporting of child abuse and neglect;
2. National Guard employment protections during state-sponsored activation;
3. allowing private sector employers to offer a hiring preference to veterans;
4. allowing service members to retain their earned priority for receiving Medicaid home- and community-care waivers;
5. facilitating service members receiving academic credit for military education, training and experience;
6. pro-bono legal representation for military families;
7. licensing compacts that recognize separating service members and military spouses;
8. facilitating military spouse teacher certification;
9. increasing protection under the federal Servicemembers Civil Relief Act; and
10. facilitating military representation on certain state boards and councils.

Regarding the first item, Mr. Vande Hey said that he is coordinating with the Children, Youth and Families Department (CYFD). He said that if there is an alleged child abuse incident on base, the CYFD goes on the base to investigate, but the opposite is not true — the military does not investigate off-base abuse in military families.

A committee member asked about the investigation process, beginning from when allegations of child abuse arise. While the law requires a report of incidences of child abuse, the legislator asked what constitutes an incident. The concern the member raised was that false allegations can happen in contested custody cases, which can destroy a person's military career. The legislator said that there needs to be a threshold for a substantiated claim before the base commander is informed.

When asked about the third item, Mr. Vande Hey said that it is up to the state to pass laws to protect employers from violating federal law by establishing a hiring preference for veterans.

Fort Bayard National Cemetery

Richard Bauch, mayor, Village of Santa Clara, said that the Fort Bayard National Cemetery has thousands of visitors each year. Despite that, the cemetery is currently a construction site where the work has stopped. Mayor Bauch said that it is sad that people see it in that condition and that a deceased veteran's final mile is full of construction materials and orange tape. He said that efforts are being made to get the property transferred to the Village of Santa Clara.

The mayor detailed the challenges faced in making improvements to restore the Fort Bayard National Cemetery to the extent that it merits as a historic landmark. Mayor Bauch showed the committee the construction plans, which, he said, can only be commenced once the land is transferred to the village.

Committee members agreed with the mayor that efforts should be made to "make veterans' last mile as they deserve".

Healing America's Heroes Program

Edward Crain, founder and board member, Healing America's Heroes, discussed the program for veterans that he started in northern New Mexico. The program welcomes 10 veterans at a time and, at no cost to the veteran, provides a therapeutic environment where veterans spend a week fishing, horseback riding and in group therapy sessions.

Mr. Crain said he would like to expand the program, both by offering it year round and by treating first responders in addition to veterans. Mr. Crain recently got certified by the Professional Association of Therapeutic Horsemanship, which allows the program to be offered as a service available to the VA.

The cost of the program falls on the program itself, and while donations have kept it afloat to this point, more funding and volunteers always help. Legislators offered their support in helping Mr. Crain put together a presentation to appear before the Legislative Finance Committee.

Recess

The committee recessed for the day.

Wednesday, November 2

The second day of the fifth meeting of the Military and Veterans' Affairs Committee was reconvened by Senator Martinez, on November 2, 2016 at 9:00 a.m. in Room 307 of the State Capitol in Santa Fe. Senator Martinez asked committee members and staff to introduce themselves.

National Guard of New Mexico Update

Andrew E. Salas, adjutant general, National Guard of New Mexico, began by discussing recent developments regarding the State of California seeking repayment of re-enlistment bonuses paid to some members. He said that the New Mexico National Guard will fight to protect its guard members from having to face the same situation. He noted that California is performing an audit to find out what happened.

General Salas talked about the two squadrons of F-16s being divested from Hill Air Force Base in Utah and how the squadron's relocation to Holloman Air Force base would be good for the people and the economy of Alamogordo.

The general said that there is an effort to gather all available resources so that veterans can better understand what resources exist in order to better access them. He said, "happier guardsmember and family, better New Mexico". General Salas said that New Mexico is a pilot state in this initiative. Susie Galea, former mayor of Alamogordo, is coordinating this effort for the National Guard of New Mexico.

The committee thanked General Salas and Secretary Fox and their staffs for all of the work they do.

Report on Senate Bill 153 (2016): College Credit for Military Training

Harrison Rommel, Ph.D., financial aid director, Higher Education Department (HED), said that the challenge of articulation consistency is a 60-year-old issue. He said that the states that have consistent articulation have centralized organization and leadership in higher education. States like New Mexico, where the institutions of higher education have 32 governing boards, make a consistent articulation agreement difficult.

Dr. Rommel said that New Mexico is doing its best to roll out its articulation agreement in a manner that is done well, quickly and inexpensively. He said that the old classification of course requirements is outdated, and a steering committee has been created to identify a new classification system to create a system of meta-majors. The HED is on schedule to have all of the articulation and transfer work done by August 1, 2017.

A committee member clarified that the proposed agreement will apply to all campuses, including satellite campuses. Dr. Rommel said that the University of New Mexico is progressing quickly through the process and that New Mexico State University is working toward the same goal, but it is not as far along in the process.

Upon a motion made and seconded and without objection, the Military and Veterans' Committee approved the minutes of the September 19, 2016 meeting.

Consideration of Legislation for Committee Endorsement

The committee considered a bill appropriating \$400,000 to the Native American Veterans' Income Tax Settlement Fund and removing the time limit for filing an application for a settlement claim. After some discussion of the appropriate amount of money to place in the fund, a motion was made, seconded and without opposition passed to endorse the bill. Representative Alcon, the sponsor of the bill, will introduce and carry the bill in the 2017 session.

Next, upon a motion made and seconded and without objection, the committee endorsed a bill requested the previous day that would provide employment protection to out-of-state national guard members in the same manner enjoyed by in-state national guard members.

Adjournment

There being no further business before the committee, the committee adjourned at 12:10 p.m.

ENDORSED LEGISLATION

HOUSE BILL

53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017

INTRODUCED BY

DISCUSSION DRAFT

AN ACT

MAKING AN APPROPRIATION TO THE NATIVE AMERICAN VETERANS' INCOME TAX SETTLEMENT FUND TO REFUND TO NATIVE AMERICAN VETERANS ANY STATE PERSONAL INCOME TAXES THAT WERE WITHHELD FROM MILITARY INCOME WHILE THEY WERE DOMICILED WITHIN THE BOUNDARIES OF THEIR TRIBAL LANDS OR THEIR SPOUSE'S TRIBAL LANDS DURING THE PERIOD OF THEIR ACTIVE MILITARY DUTY.

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

SECTION 1. APPROPRIATION.--Four hundred thousand dollars (\$400,000) is appropriated from the general fund to the Native American veterans' income tax settlement fund for expenditure in fiscal year 2018 and subsequent fiscal years to refund to Native American veterans any state personal income taxes that were withheld from military income while they were domiciled within the boundaries of their tribal lands or their spouse's

.205051.1

1 tribal lands during the period of their active military duty.
2 Any unexpended or unencumbered balance remaining at the end of
3 a fiscal year shall not revert to the general fund.

4 - 2 -
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

underscored material = new
[bracketed material] = delete

HOUSE BILL

53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017

INTRODUCED BY

FOR THE MILITARY AND VETERANS' AFFAIRS COMMITTEE

AN ACT

RELATING TO THE NATIONAL GUARD; PROVIDING EMPLOYMENT PROTECTION
FOR OUT-OF-STATE NATIONAL GUARD MEMBERS.

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

SECTION 1. Section 28-15-1 NMSA 1978 (being Laws 1941,
Chapter 10, Section 1, as amended) is amended to read:

"28-15-1. REEMPLOYMENT OF PERSONS IN ARMED FORCES.--Any
person who, since July 1, 1940, has left or leaves a position
[he] the person has held, other than a temporary position, in
the employ of any employer to enter the armed forces of the
United States, [~~national guard or~~] an organized reserve or the
national guard of this state or any other state or territory of
the United States and who serves on active duty and is
honorably discharged or released from active duty to complete
[his] the person's remaining service in a reserve component or

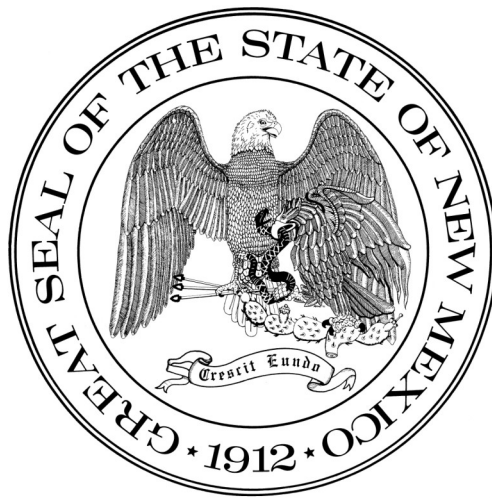
.205061.1

1 is entitled to a certificate of service, or who terminates
2 [his] service without dishonor if an officer, and is still
3 qualified to perform the duties of [~~such~~] that position and
4 makes application for reemployment within ninety days after
5 [he] the person is relieved from [~~such~~] training and service,
6 or from hospitalization continuing after discharge for a period
7 of not more than one year, shall be reemployed as follows:

8 A. if the person's position was in the employ of a
9 private employer, the employer shall restore [him] the person
10 to [~~such~~] that position or to a position of like seniority,
11 status and pay unless the employer's circumstances have so
12 changed as to make it impossible or unreasonable to do so; or

13 B. if the person's position was in the employ of
14 the state [~~of New Mexico~~] or any political subdivision thereof,
15 [he] the person shall be deemed to meet all the requirements of
16 the Personnel Act as well as all residency requirements or
17 other provisions of law and shall be restored to [~~such~~] that
18 position or to a position of like seniority, status and pay."

19 SECTION 2. EFFECTIVE DATE.--The effective date of the
20 provisions of this act is July 1, 2017.



LEGISLATIVE COUNCIL SERVICE
SANTA FE, NEW MEXICO