

1 SENATE BILL 41

2 **52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015**

3 INTRODUCED BY

4 Gerald Ortiz y Pino

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7
8 FOR THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE

9
10 AN ACT

11 RELATING TO THE LEGISLATURE; AMENDING SECTIONS OF CHAPTER 2,
12 ARTICLE 13 NMSA 1978 TO ASSIGN MONITORING AND OVERSIGHT DUTIES
13 AND TO PROVIDE YEAR-ROUND, PERMANENT STAFF TO THE LEGISLATIVE
14 HEALTH AND HUMAN SERVICES COMMITTEE; ENACTING A NEW SECTION OF
15 CHAPTER 2, ARTICLE 13 NMSA 1978 TO REQUIRE COMPLIANCE WITH THE
16 LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE'S AND ITS
17 SUBCOMMITTEES' REQUESTS FOR INFORMATION AND TO PROVIDE THE
18 COMMITTEE AND ITS SUBCOMMITTEES WITH THE POWER TO ADMINISTER
19 OATHS AND ISSUE SUBPOENAS; MAKING AN APPROPRIATION.

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

22 SECTION 1. Section 2-13-2 NMSA 1978 (being Laws 1989,
23 Chapter 349, Section 2) is amended to read:

24 "2-13-2. DUTIES OF THE COMMITTEE.--The legislative health
25 and human services committee shall ~~[conduct a continuing study~~

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1 of] monitor and oversee the programs, agencies, policies,
2 issues and needs relating to health and human services,
3 including [~~review and study~~] monitoring and oversight of the
4 statutes, constitutional provisions, regulations and court
5 decisions governing such programs, agencies, policies and
6 issues. The committee shall also [~~study~~] monitor and oversee
7 the full continuum of programs and services available and
8 needed for children and families and the aging population. The
9 committee shall make an annual report of its findings and
10 recommendations and recommend any necessary legislation to each
11 session of the legislature."

12 SECTION 2. Section 2-13-5 NMSA 1978 (being Laws 1989,
13 Chapter 349, Section 5) is amended to read:

14 "2-13-5. STAFF.--The [~~staff for the~~] legislative health
15 and human services committee shall [~~be provided by the~~
16 ~~legislative council service~~] have a permanent, year-round staff
17 assigned exclusively to carrying out the duties of the
18 committee. The legislative council service shall provide the
19 staff for the legislative health and human services committee,
20 which shall include individuals with expertise in law, policy
21 or finance related to health care delivery or finance or to
22 human services matters."

23 SECTION 3. A new section of Chapter 2, Article 13 NMSA
24 1978 is enacted to read:

25 "[NEW MATERIAL] COMPLIANCE WITH REQUESTS FOR INFORMATION--

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underscored material = new
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1 POWER TO CONDUCT HEARINGS AND ADMINISTER OATHS--SUBPOENA
2 POWER.--

3 A. The human services department, the department of
4 health, the aging and long-term services department, the
5 corrections department, the children, youth and families
6 department, the workforce solutions department, the interagency
7 behavioral health purchasing collaborative and every other
8 state agency and political subdivision of the state shall, upon
9 request, furnish and make available to the legislative health
10 and human services committee, or any subcommittee of the
11 legislative health and human services committee consisting of
12 three members or more, documents, material or information
13 requested by the committee or any subcommittee of the committee
14 consisting of three members or more or the staff of the
15 committee or subcommittee.

16 B. The legislative health and human services
17 committee may conduct hearings and administer oaths. The
18 legislative health and human services committee or any
19 subcommittee of the legislative health and human services
20 committee consisting of three members or more may subpoena,
21 which may be enforced through any district court of the state.
22 Process of the legislative health and human services committee
23 or any of its subcommittees shall be served by any sheriff or
24 any member of the New Mexico state police and shall be served
25 without cost to the legislative health and human services

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1 committee or its subcommittees."

2 SECTION 4. APPROPRIATION.--Two hundred thousand dollars
3 (\$200,000) is appropriated from the general fund to the
4 legislative council service for expenditure in fiscal year 2016
5 to fund staffing for and the activities of the legislative
6 health and human services committee pursuant to Section 1 of
7 this act. Any unexpended or unencumbered balance remaining at
8 the end of fiscal year 2016 shall revert to the general fund.

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