

1 HOUSE BILL 452

2 **54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

3 INTRODUCED BY

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5 and Elizabeth "Liz" Thomson
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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 STAFF TO THE LEGISLATIVE HEALTH AND
14 HUMAN SERVICES COMMITTEE; ENACTING A NEW SECTION OF CHAPTER 2,
15 ARTICLE 13 NMSA 1978 TO REQUIRE COMPLIANCE WITH THE LEGISLATIVE
16 HEALTH AND HUMAN SERVICES COMMITTEE'S AND ITS SUBCOMMITTEES'
17 REQUESTS FOR INFORMATION AND TO PROVIDE THE COMMITTEE AND ITS
18 SUBCOMMITTEES WITH THE POWER TO ADMINISTER OATHS AND ISSUE
19 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 2-13-1 NMSA 1978 (being Laws 1989,
23 Chapter 349, Section 1) is amended to read:

24 "2-13-1. CREATION OF COMMITTEE--MEMBERS--APPOINTMENT--
25 TERMS.--There is created a permanent joint interim committee of

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1 the legislature to be called the "legislative health and human
2 services committee". The committee shall be composed of
3 ~~[eight]~~ twelve members. The New Mexico legislative council
4 shall appoint ~~[four]~~ six members from the house of
5 representatives and ~~[four]~~ six members from the senate. At the
6 time of making the appointment, the legislative council shall
7 designate the ~~[chairman]~~ chair and vice ~~[chairman]~~ chair of the
8 committee. Members shall be appointed so as to give the two
9 major political parties in each house the same proportionate
10 representation on the committee as prevails in each house;
11 provided, in no event shall either of such parties have less
12 than one member from each house on the committee. Members may
13 be removed from the committee by the legislative council, at
14 the request of the committee ~~[chairman]~~ chair, for
15 nonattendance according to council policy. Vacancies on the
16 committee, however caused, may be filled by the legislative
17 council, or the council may reduce the size of the committee by
18 not making replacement appointments and in such case need not
19 readjust party representation. No action shall be taken by the
20 committee if a majority of the total membership from either
21 house on the committee rejects such action."

22 SECTION 2. 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 3. 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 year-round staff assigned
17 exclusively to carrying out the duties of the committee. The
18 legislative council service shall provide the staff for the
19 legislative health and human services committee, which shall
20 include individuals with expertise in law, policy or finance
21 related to health care delivery or finance or to human services
22 matters."

23 SECTION 4. 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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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 upon
19 recommendation of a subcommittee of the legislative health and
20 human services committee, may subpoena, which may be enforced
21 through any district court of the state. Process of the
22 legislative health and human services committee shall be served
23 by any sheriff or any member of the New Mexico state police and
24 shall be served without cost to the legislative health and
25 human services committee or its subcommittees."

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