

underscoring material = new
~~[bracketed material] = delete~~

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE BILL 63

55TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2022

INTRODUCED BY

Miguel P. Garcia

FOR THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE

AN ACT

RELATING TO THE LEGISLATURE; INCREASING THE NUMBER OF MEMBERS THAT COMPRISE THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE; ASSIGNING MONITORING AND OVERSIGHT DUTIES TO LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE MEMBERS; PROVIDING YEAR-ROUND STAFF TO THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE; REQUIRING STATE AGENCY COMPLIANCE WITH THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE'S AND ITS SUBCOMMITTEES' REQUESTS FOR INFORMATION; ESTABLISHING THE COMMITTEE'S AND SUBCOMMITTEES' POWER TO ADMINISTER OATHS AND ISSUE SUBPOENAS; MAKING AN APPROPRIATION.

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

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

"2-13-1. CREATION OF COMMITTEE--MEMBERS--APPOINTMENT--

.221420.2

underscored material = new
[bracketed material] = delete

1 TERMS.--

2 A. There is created a permanent joint interim
3 committee of the legislature to be called the "legislative
4 health and human services committee". The committee shall be
5 composed of [~~eight~~] twelve members. [~~The legislative council~~
6 ~~shall appoint four~~] Six members from the house of
7 representatives [~~and four~~] shall be appointed by the speaker of
8 the house of representatives. Six members from the senate [~~At~~
9 ~~the time of making the appointment, the legislative council~~
10 ~~shall designate the chairman and vice chairman of the~~
11 ~~committee.~~] shall be appointed by the committees' committee of
12 the senate or, if the senate appointments are made in the
13 interim, by the president pro tempore of the senate after
14 consultation with and agreement of a majority of the members of
15 the committees' committee. Members shall be appointed so as to
16 give the two major political parties in each house the same
17 proportionate representation on the committee as prevails in
18 each house; provided that in no event shall either of such
19 parties have less than one member from each house on the
20 committee. [~~Members may be removed from the committee by the~~
21 ~~legislative council, at the request of the committee chairman,~~
22 ~~for nonattendance according to council policy.~~] Vacancies on
23 the committee, however caused, may be filled [~~by the~~
24 ~~legislative council, or the council may reduce the size of the~~
25 ~~committee by not making replacement appointments and in such~~

.221420.2

underscoring material = new
[bracketed material] = delete

1 ~~case need not readjust party representation]~~ for the unexpired
2 term by appointment from the house or senate by the respective
3 appointing authority that makes the original appointments and
4 subject to the same recommendations; provided that the new
5 members shall be from the same house of the legislature and the
6 same party from which their predecessors were appointed. No
7 action shall be taken by the committee if a majority of the
8 total membership from either house on the committee rejects
9 such action.

10 B. The chair and vice chair shall be appointed for
11 terms coterminous with their membership on the committee. The
12 chair and vice chair shall alternate between the respective
13 houses every two years. For the terms beginning in 2023, the
14 chair shall be a house member, and the vice chair shall be a
15 senate member. The appointing authority of each house shall
16 exercise its appointing authority by naming the chair and vice
17 chair, respectively, on this alternating basis."

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

20 "2-13-2. DUTIES OF THE COMMITTEE.--The legislative health
21 and human services committee shall [~~conduct a continuing study~~
22 ~~of]~~ monitor and oversee the programs, agencies, policies,
23 issues and needs relating to health and human services,
24 including [~~review and study]~~ monitoring and oversight of the
25 statutes, constitutional provisions, regulations and court

.221420.2

underscoring material = new
[bracketed material] = delete

1 decisions governing such programs, agencies, policies and
2 issues. The committee shall also [~~study~~] monitor and oversee
3 the full continuum of programs and services available and
4 needed for children and families and the aging population. The
5 committee shall make an annual report of its findings and
6 recommendations and recommend any necessary legislation to each
7 session of the legislature."

8 SECTION 3. Section 2-13-5 NMSA 1978 (being Laws 1989,
9 Chapter 349, Section 5) is amended to read:

10 "2-13-5. STAFF.--The [~~staff for the~~] legislative health
11 and human services committee shall [~~be provided by the~~
12 ~~legislative council service~~] have a year-round staff assigned
13 exclusively to carrying out the duties of the committee. The
14 legislative council service shall provide the staff for the
15 legislative health and human services committee, which shall
16 include individuals with expertise in law, policy or finance
17 related to health care delivery or finance or to human services
18 matters."

19 SECTION 4. A new section of Chapter 2, Article 13 NMSA
20 1978 is enacted to read:

21 "[NEW MATERIAL] COMPLIANCE WITH REQUESTS FOR INFORMATION--
22 POWER TO CONDUCT HEARINGS AND ADMINISTER OATHS.--Each agency or
23 institution of the state and its political subdivisions shall
24 furnish and make available to the legislative health and human
25 services committee or any of its subcommittees such documents,

.221420.2

underscoring material = new
[bracketed material] = delete

1 material or information not made confidential by law and that
2 are requested by the committee or any of its subcommittees upon
3 a majority vote of the respective members of the committee or
4 its subcommittees."

5 SECTION 5. A new section of Chapter 2, Article 13 NMSA
6 1978 is enacted to read:

7 "[NEW MATERIAL] SUBPOENA POWER.--The legislative health
8 and human services committee shall have the power to conduct
9 hearings and to administer oaths. The legislative health and
10 human services committee may issue a subpoena upon a vote of a
11 majority of the members of the committee. The subpoena may be
12 enforced through any district court of the state. Process of
13 the committee shall be served by any sheriff or any member of
14 the New Mexico state police and shall be served without cost to
15 the committee or its subcommittees."

16 SECTION 6. APPROPRIATION.--Five hundred thousand dollars
17 (\$500,000) is appropriated from the general fund to the
18 legislative council service for expenditure in fiscal year 2023
19 to fund staffing for and the activities of the legislative
20 health and human services committee pursuant to this act. Any
21 unexpended or unencumbered balance remaining at the end of
22 fiscal year 2023 shall revert to the general fund.

23 SECTION 7. EFFECTIVE DATE.--The effective date of the
24 provisions of this act is April 1, 2023.