

1 SENATE BILL 263

2 **56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

3 INTRODUCED BY

4 Martin Hickey and Gerald Ortiz y Pino and

5 Elizabeth "Liz" Stefanics

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10 AN ACT

11 RELATING TO THE LEGISLATURE; PROVIDING YEAR-ROUND STAFF TO THE  
12 LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE; REQUIRING  
13 COMPLIANCE WITH THE LEGISLATIVE HEALTH AND HUMAN SERVICES  
14 COMMITTEE'S AND ITS SUBCOMMITTEES' REQUESTS FOR INFORMATION;  
15 PROVIDING POWERS AND DUTIES; AMENDING AND ENACTING SECTIONS OF  
16 THE NMSA 1978; MAKING AN APPROPRIATION.

17  
18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

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

21 "2-13-1. CREATION OF COMMITTEE--MEMBERS--APPOINTMENT--  
22 TERMS.--There is created a permanent joint interim committee of  
23 the legislature to be called the "legislative health and human  
24 services committee". The committee shall be composed of eight  
25 members. The New Mexico legislative council shall appoint four

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1 members from the house of representatives and four members from  
2 the senate. The house health and human services committee and  
3 the senate health and public affairs committee or future  
4 legislative standing committees that consider health and human  
5 services affairs shall be represented. At the time of making  
6 the appointment, the New Mexico 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 New Mexico legislative  
14 council, at 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 New Mexico  
17 legislative council, or the council may reduce the size of the  
18 committee by not making replacement appointments and in such  
19 case need not readjust party representation. No action shall  
20 be taken by the committee if a majority of the total membership  
21 from either 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]:

2 A. direct the director of the legislative health  
3 and human services committee in the director's work;

4 B. monitor and oversee the programs, agencies,  
5 policies, issues and needs relating to health and human  
6 services, including ~~[review and study]~~ monitoring and oversight  
7 of the statutes, constitutional provisions, regulations and  
8 court decisions governing such programs, agencies, policies and  
9 issues; ~~[The committee shall also study]~~

10 C. monitor and oversee the full continuum of  
11 programs and services available and needed for children and and  
12 families and the aging population; ~~[The committee shall]~~ and

13 D. make an annual report of its findings and  
14 recommendations and recommend any necessary legislation to each  
15 session of the legislature."

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

18 "2-13-5. COMMITTEE DIRECTOR AND STAFF.--

19 A. The position of "director of the legislative  
20 health and human services committee" is created. The director  
21 shall be hired by the legislative council service and shall  
22 serve at the pleasure of the legislative health and human  
23 services committee. The director shall be provided with the  
24 necessary office space, supplies, equipment and assistants by  
25 the legislative council service. The director's salary shall

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1 be set by the legislative council service.

2           B. The [staff for the] legislative health and human  
3 services committee shall [be provided by the legislative  
4 council service] have year-round staff assigned exclusively to  
5 carry out the duties of the committee. The legislative council  
6 service shall:

7                   (1) provide an associate director of the  
8 legislative health and human services committee; and

9                   (2) contract for the services of individuals  
10 with expertise in law, policy or finance related to health care  
11 delivery and financing, behavioral health care, health data  
12 information technology systems or grant writing, as needed."

13           SECTION 4. A new section of Chapter 2, Article 13 NMSA  
14 1978 is enacted to read:

15           "[NEW MATERIAL] POWER TO CONDUCT HEARINGS AND ADMINISTER  
16 OATHS--SUBPOENA POWER.--The legislative health and human  
17 services committee may conduct hearings and administer oaths.  
18 The legislative health and human services committee, or upon  
19 recommendation of a subcommittee of the legislative health and  
20 human services committee, shall have the power to subpoena,  
21 which may be enforced through any district court of the state.  
22 Process of the legislative health and human services committee  
23 shall be served by any sheriff or any member of the New Mexico  
24 state police and shall be served without cost to the  
25 legislative health and human services committee or its

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1 subcommittees."

2 SECTION 5. A new section of Chapter 2, Article 13 NMSA  
3 1978 is enacted to read:

4 "[NEW MATERIAL] COMPLIANCE WITH REQUESTS FOR  
5 INFORMATION.--The human services department; the department of  
6 health; the aging and long-term services department; the  
7 corrections department; the children, youth and families  
8 department; the early childhood education and care department;  
9 the workforce solutions department; the interagency behavioral  
10 health purchasing collaborative; and every other state agency  
11 and political subdivision of the state shall, upon request,  
12 furnish and make available to the legislative health and human  
13 services committee, or any subcommittee of the legislative  
14 health and human services committee consisting of three members  
15 or more, documents, material or information requested by the  
16 committee or any subcommittee of the committee consisting of  
17 three members or more or the staff of the committee or  
18 subcommittee."

19 SECTION 6. APPROPRIATION.--Three hundred fifty thousand  
20 dollars (\$350,000) is appropriated from the general fund to the  
21 legislative council service for expenditure in fiscal year 2024  
22 to fund staffing for and the activities of the legislative  
23 health and human services committee pursuant to this act. Any  
24 unexpended or unencumbered balance remaining at the end of  
25 fiscal year 2024 shall revert to the general fund.

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