



MINUTES
of the
THREE-HUNDRED-FIFTH MEETING
of the
LEGISLATIVE COUNCIL
December 18, 2006
Santa Fe

The three-hundred-fifth meeting of the Legislative Council was called to order on Monday, December 18, 2006, at 9:30 a.m. in Room 307 of the State Capitol by Representative Ben Lujan, Co-Chair.

Present

Senator Ben D. Altamirano, Co-Chair
Representative Ben Lujan, Co-Chair
Representative Ted Hobbs
Senator Stuart Ingle
Senator Timothy Z. Jennings
Representative W. Ken Martinez
Representative Rick Miera
Senator Leonard Lee Rawson
Representative Sheryl Williams Stapleton
Representative Jeannette O. Wallace
Representative Donald L. Whitaker

Special Advisory Members Present

Representative Donald E. Bratton
Senator Carlos R. Cisneros
Representative Patricia A. Lundstrom
Senator Steven P. Neville
Representative Al Park
Senator Lidio G. Rainaldi
Representative Debbie A. Rodella
Senator John Arthur Smith
Representative Joe M Stell
Representative Teresa A. Zanetti

Staff

Paula Tackett, Director, Legislative Council Service (LCS)
Raúl Burciaga, Assistant Director for Drafting Services, LCS
Kathy Pacheco-Dofflemeyer, Assistant Director for Administration, LCS
John Yaeger, Assistant Director for Legislative Affairs, LCS
Jeret Fleetwood, Locator Coordinator, LCS

Absent

Senator Pete Campos
Senator Kent L. Cravens
Representative Terry T. Marquardt
Senator Michael S. Sanchez

Special Advisory Members Absent

Representative Janice E. Arnold-Jones
Senator Dianna J. Duran
Representative Justine Fox-Young
Senator Mary Jane M. Garcia
Senator John T.L. Grubestic
Representative Irvin Harrison
Representative James Roger Madalena
Senator Cisco McSorley
Senator William H. Payne

The minutes of the September 25, 2006 meeting of the Legislative Council were amended to reflect that the Investments and Pensions Oversight Committee only requested a meeting in December rather than a meeting outside of the State Capitol.

On a motion made, seconded and unanimously approved, the amended minutes were approved.

Interim Committees

On a motion made, seconded and unanimously approved, an additional meeting day for the Indian Affairs Committee was approved. Staff noted that the committee would meet quickly following the Legislative Council meeting to approve legislation and pointed out that an additional meeting would not add to the committee's expenses since members were already in town for the Ethics Seminar.

The Public School Capital Outlay Oversight Task Force requested \$50,000 from the interim expenses account to fund a study that would identify potential funding sources for capital outlay for state charter schools. Paula Tackett explained that the task force needed to identify a funding stream in order to make recommendations to the legislature.

Representative Miera pointed out that passage of a constitutional amendment during the last general election made identifying a funding stream and passing some sort of legislation during the 2007 session a relatively urgent priority.

In response to a question from Speaker Lujan, Ms. Tackett explained that the money would be used for an architectural planning survey involving contractors visiting schools and making a quick assessment of deficiencies. She also noted that the best way to get it done quickly is to hire private contractors to do the work.

On a motion made, seconded and unanimously approved, the council authorized the use of \$50,000 from the interim expenses account for the study.

On a motion made, seconded and unanimously approved, an additional meeting day for the Indian Education Act Subcommittee was authorized.

Staff Reports

John Yaeger explained to the council that the 2007 Decision Makers Conference is scheduled for May 2007. He went on to note that New Mexico Institute of Mining and Technology (NMIMT), which hosts the conference, requests that the Legislative Council authorize per diem and mileage payments for those legislative members wishing to attend the conference.

Representative Stell pointed out that a number of large water issues are looming over New Mexico, particularly along the middle Rio Grande. He noted that NMIMT is a highly respected institution that usually brings in top people as presenters at its conferences.

Representative Stell suggested that every member of the legislature attend the 2007 conference, if possible.

Speaker Lujan noted that members will need to be reminded about the conference after the session concludes.

On a motion made, seconded and unanimously approved, the council authorized per diem and mileage for members wishing to attend the 2007 Decision Makers Conference.

On a motion made, seconded and unanimously approved, the council approved the use of the house chambers on New Year's Day for the governor's inauguration and use of the senate chambers for the inaugurations of the attorney general, state auditor and secretary of state.

Ms. Tackett provided the council with a request to include \$20,000 in the LCS session budget to film a documentary on the capital outlay process. She explained that the proposed documentary would cover the pre-session, session and post-session phases of the capital outlay process and would examine such items as training for the capital outlay staff; intake of requests and the sheer volume of requests; interaction with agencies; capital outlay request writing and proofing; management of the capital outlay database; the House Capital Outlay Subcommittee and Senate Finance Committee and floor action. Ms. Tackett noted that the Cultural Affairs Department had recommended a videographer who would be able to shoot the documentary footage. She also indicated that staff would come before the Legislative Council for decisions on the contents of the documentary.

Senator Altamirano noted that very few constituents understand the capital outlay process and that a documentary could be very educational.

On a motion made, seconded and unanimously approved, the council authorized the inclusion of \$20,000 in the LCS session budget for a documentary on the capital outlay process.

Ms. Tackett noted that Roxanne Knight has returned to the LCS.

Members of the council thanked Representatives Hobbs, Stell and Whitaker for their hard work on the council and for the legislature and wished each of them and their families well.

In response to a question from Speaker Lujan, Ms. Tackett explained that the card keys issued to members needed to be returned to staff so they could be reprogrammed to allow members access to both the underground parking lot and to members' individual offices.

In response to another question, Ms. Tackett noted that while the reprogrammed card keys would now work on the door to a member's private office, a traditional key would still be required to open the door to office suites from the main hallways of the State Capitol.

Steve Arias, house chief clerk, explained that his staff has been fixing members' card keys over the past few weeks, although there are still several members who need to bring their

cards back for reprogramming.

Margaret Larragoite, senate chief clerk, indicated that the same applies to senate members.

There being no further business, the council adjourned at 10:15 a.m.

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