



**MINUTES  
of the  
THREE-HUNDRED-SECOND MEETING  
of the  
LEGISLATIVE COUNCIL  
June 28, 2006  
Santa Fe**

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The three-hundred-second meeting of the Legislative Council was called to order on Wednesday, June 28, 2006, at 10:20 a.m. in Room 307 of the State Capitol by Representative Ben Lujan, co-chair.

**PRESENT**

Representative Ben Lujan, Co-Chair  
Senator Kent L. Cravens  
Senator Joseph A. Fidel  
Representative Ted Hobbs  
Senator Stuart Ingle  
Senator Timothy Z. Jennings  
Representative Terry T. Marquardt  
Representative W. Ken Martinez  
Representative Rick Miera  
Senator Michael S. Sanchez  
Representative Sheryl Williams Stapleton  
Representative Donald L. Whitaker

**Special Advisory Members Present**

Representative Donald E. Bratton  
Senator Carlos R. Cisneros  
Senator Dianna J. Duran  
Senator Mary Jane M. Garcia  
Representative Irvin Harrison  
Representative Patricia A. Lundstrom  
Representative James Roger Madalena  
Senator Cisco McSorley  
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

**ABSENT**

Senator Ben D. Altamirano, Co-Chair  
Senator Pete Campos  
Senator Leonard Lee Rawson  
Representative Jeannette O. Wallace

**Special Advisory Members Absent**

Representative Justine Fox-Young  
Senator John T.L. Grubestic  
Senator William H. Payne

## **Staff**

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

On a motion made, seconded and unanimously approved, the minutes of the May 9, 2006 meeting of the Legislative Council were approved as submitted.

## **Interim Committee Work Plans and Budgets**

Interim committee work plans and budgets were presented by the appropriate LCS staff members. The council reviewed a number of budget requests, but authorized the committees to return to the council to request additional money should it be necessary. A copy of each work plan and budget is attached to the original of these minutes.

The work plan and meeting dates for the Information Technology Oversight Committee were approved as submitted. A budget of \$16,232.56 for voting members and \$17,938.30 for advisory members was also approved.

The work plan and meeting dates, including a proposed change for the July meeting date, for the Radioactive and Hazardous Materials Committee were approved as submitted. A budget of \$22,000 for voting members and \$10,000 for advisory members was also approved.

The work plan and meeting dates, including proposed meeting date changes for August and September, for the Los Alamos National Laboratory Oversight Committee were approved as submitted. A budget of \$11,084 for voting members and \$8,408 for advisory members was also approved.

The work plan and meeting dates, including a meeting outside of the Capitol in October and an additional meeting day, for the Water and Natural Resources Committee were approved as submitted. A budget of \$49,116 for voting members and \$56,100 for advisory members was also approved.

The work plan and meeting dates, including a meeting outside of the Capitol in October, for the Land Grant Committee were approved as submitted. A budget of \$20,806.63 for voting members and \$12,000 for advisory members was also approved.

The work plan and meeting dates, including an October meeting date outside of the Capitol, for the Economic and Rural Development and Telecommunications Committee were approved as submitted. A budget of \$40,000 for voting members and \$30,000 for advisory members was also approved.

The work plan for the Indian Affairs Committee was approved as submitted. The meeting dates for the committee were changed from a meeting in early December to one in late November. The revised meeting dates and a budget of \$45,000 for voting members and \$35,000 for advisory members were also approved.

The meeting dates for the Legislative Health and Human Services Committee, including a proposed date change from late October to early November and a November meeting outside of the Capitol, were approved as submitted. Staff noted that the proposed work plan includes a provision for the creation of a subcommittee of the Legislative Health and Human Services Committee and explained that meetings of the subcommittee would likely be scheduled for the same days as regular committee meetings. The work plan, including the subcommittee, and a budget of \$34,141 for voting members and \$55,000 for advisory members were also approved.

The council also replaced Representative Kandy Cordova with Representative Luciano "Lucky" Varela as an advisory member to the committee.

The work plan for the Welfare Reform Oversight Committee was approved as submitted. Meeting dates for the committee were changed to allow for a two-day July meeting in Belen. A budget of \$32,452 for voting members and \$28,734.25 for advisory members was also approved.

The council also added Representative Miguel P. Garcia as an advisory member to the committee.

The work plan and meeting dates, including an additional half-day meeting in September, for the Revenue Stabilization and Tax Policy Committee were approved as submitted. A budget of \$60,803.08 was also approved.

The work plan and meeting dates, including a proposed meeting date change for September and meetings outside of the Capitol in October and November, for the Mortgage Finance Authority Act Oversight Committee were approved as submitted. A budget of \$9,725.10 for voting members and \$13,444.92 for advisory members was also approved.

The work plan and meeting dates for the Tobacco Settlement Revenue Oversight Committee, including proposed meeting date changes for July and September, were approved as submitted. A budget of \$5,255.58 for voting members and \$6,229.08 for advisory members was also approved.

The council also removed Representative Varela from his position as an advisory member to the committee.

The work plan and meeting dates for the Funding Formula Study Task Force, including authorization for three additional meetings, were approved as submitted. A budget of \$84,645 was also approved.

The work plan and meeting dates for the Public School Capital Outlay Oversight Task Force, including an October meeting outside of the Capitol, were approved as submitted. A budget of \$45,565.73 was also approved.

The work plan and meeting dates for the Courts, Corrections and Justice Committee, including an October meeting outside of the Capitol, were approved as submitted. A budget of \$39,374.75 for voting members and \$56,924.31 for advisory members was also approved.

The work plan for the New Mexico Finance Authority (NMFA) Oversight Committee was approved as submitted. Staff noted that the proposed meeting dates include an additional meeting day in October, an October meeting outside of the Capitol and a January meeting. Staff explained that the January meeting was necessary for the committee to approve projects proposed by the NMFA from the Public Project Revolving Fund, and that the list of those projects will not be available from the NMFA until after the interim. In response to a question, Paula Tackett noted that although the NMFA Oversight Committee had been created by statute, it is also a council-appointed committee and thus it is unclear regarding a January meeting.

Speaker Lujan noted that there has typically been a January meeting of the committee for the approval of additional projects, but also pointed out that local governments need to submit their projects to the NMFA sooner.

The council approved the proposed meeting dates, minus the January meeting, with Representative Stapleton voting NO.

A budget of \$56,259 for voting members and \$77,763 for advisory members was also approved.

Staff explained to the council that the Interim Legislative Ethics Committee would meet as necessary to consider requests for advisory opinions or complaints filed pursuant to statute. The council authorized meeting dates and a budget as necessary for the committee to meet.

Staff also explained that since the Legislative Committee on Compacts had not been named, and would not be unless work needed to be done on the gaming compacts, the committee would not yet need a work plan, meeting dates or a budget.

### **Other Appointments**

The council appointed the following interim committees:

Legislative Structure and Process Study Task Force: Voting members are Representatives Arnold-Jones, Begaye, Larrañaga, Saavedra, Taylor and Wirth and Senators Boitano, Nava, Neville, Ortiz y Pino, Payne and Rodriguez. Advisory members are Representatives Bratton and Park. The speaker announced that Judge Thomas Donnelly and

former Representative Richard E. Olsen will serve as co-chairs. Other public members will be named later.

Capital Outlay Subcommittee: Voting members are Representatives Ben Lujan, Marquardt, Martinez, Moore, Saavedra, Sandoval (for Representative Whitaker), Wallace and Zanetti and Senators Altamirano, Cravens, Duran, Fidel, Leavell, Rawson, Michael S. Sanchez and Smith. Advisory members are Representatives Arnold-Jones and Senators Ingle and Jennings.

Investments and Pensions Oversight Committee: Representative Heaton will serve as chair, and Senator Smith will serve as vice chair. Other voting members are Representatives Bratton, Larrañaga, Saavedra and Varela and Senators Carraro, Griego and Leavell. Advisory members are Representatives Fox-Young, Garcia, McCoy and Stell and Senators Campos, Cisneros, Fidel, Ingle, Rawson and Snyder.

Minimum Wage Subcommittee: Voting members are Representatives Ben Lujan, Lundstrom, Marquardt and Wallace. Representative Miera will serve as an advisory member. Senate members will be named later.

The council directed staff to inform the chairs of interim committees that the committees should refrain from endorsing legislation in concept but only endorse legislation individually reviewed.

The council referred House Joint Memorial 40, which requests a legislative interim committee to conduct a study of the adequacy of consumer protections with regard to the regulation of generation and transmission cooperatives, to the Economic and Rural Development and Telecommunications Committee.

### **Staff Reports**

Ms. Tackett explained to the council that \$300,000 had been appropriated to the Tourism Department for a World Peace Conference. She indicated that Senator Robinson wanted to allow some of the staff members for the World Peace Conference to use his office while organizing the conference. Ms. Tackett reminded the council that use of a legislator's office would require the approval of the council. The council expressed concern over authorizing the use of a member's office for conference staff, noting that it would set a precedent on the use of Capitol offices.

On a motion made and seconded, the council approved the use of Senator Robinson's office, beginning on July 1, by staff for the World Peace Conference, with Senators Ingle and Jennings voting NO.

Paul Stokes and Steve Fettig of Verified Voting New Mexico and United Voters New Mexico reminded the council that they had been directed to return with additional information on voting issues in New Mexico that they feel should be reviewed by an interim committee before

the 2007 legislative session. Those issues include election audits and same-day voter registration.

Speaker Lujan explained that legislators are already required to serve on a large number of interim committees, and reminded Mr. Stokes and Mr. Fettig that bills may be introduced during 60-day sessions that address any subject.

Senator McSorley raised the possibility of the Courts, Corrections and Justice Committee addressing some of the issues raised by Mr. Stokes and Mr. Fettig.

Issues relating to tax incentives for veterans were added to the work plan for the Revenue Stabilization and Tax Policy Committee.

### **Fiscal Year 2007 Budgets**

The council went into executive session to discuss budgets for the Chief Clerks and the LCS.

The council adopted the budgets and the recommendations of the chief clerks and the director of the LCS on their staff's salary increases.

On a motion made, seconded and unanimously approved, the council authorized the co-chairs of the council to meet with the leaders and the chairs and vice chairs of the Legislative Finance Committee (LFC) and Legislative Study Committee (LESC) to address salaries for the directors of the LCS, LFC and LESC and the chief clerks at a later meeting.

On a motion made, seconded and unanimously approved, the council directed the LCS to review and update the permanent staff compensation study.

There being no further business, the council adjourned at 1:45 p.m.