



**MINUTES**  
**of the**  
**TWO HUNDRED NINETY-FOURTH MEETING**  
**of the**  
**LEGISLATIVE COUNCIL**  
**June 29, 2005**  
**Santa Fe**

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The two hundred ninety-fourth meeting of the Legislative Council was called to order on Wednesday, June 29, at 10:35 a.m. in Room 307 of the State Capitol by Senator Ben D. Altamirano, Co-Chair.

**PRESENT**

Senator Ben D. Altamirano, Co-Chair  
Representative Ben Lujan, Co-Chair  
Senator Pete Campos  
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 Jeannette O. Wallace

**ABSENT**

Senator Kent L. Cravens  
Senator Joseph A. Fidel  
Senator Leonard Lee Rawson  
Representative Sheryl Williams Stapleton  
Representative Donald L. Whitaker

**Special Advisory Members Present**

Representative Donald E. Bratton  
Senator Carlos R. Cisneros  
Senator Dianna J. Duran  
Representative Justine Fox-Young  
Senator Mary Jane M. Garcia  
Representative James Roger Madalena  
Representative Al Park  
Representative Debbie A. Rodella  
Representative Joe M Stell

**Special Advisory Members Absent**

Senator John T.L. Grubestic  
Representative Irvin Harrison  
Representative Patricia A. Lundstrom  
Senator Cisco McSorley  
Senator Steven P. Neville  
Senator William H. Payne  
Senator Lidio G. Rainaldi  
Senator John Arthur Smith  
Representative Teresa A. Zanetti

**Staff**

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

On motion made, seconded and unanimously passed, the minutes of the May 9, 2005 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 cut a number of budget requests, but it 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 of the Water and Natural Resources Committee were approved as submitted. A budget of \$50,186 for voting members and \$54,771.23 for advisory members was also approved.

The council discussed the size of interim committees and the overlap among interim committee work plans. Representative Stell remarked that he thought that increasing the number of members on the Water and Natural Resources Committee means that more and more members of the legislature will be better educated about water issues.

The work plan and meeting dates of the Land Grant Committee, which included a November meeting outside of Santa Fe and a meeting in December, were approved as submitted. A budget of \$25,000 for voting members and \$20,000 for advisory members was also approved.

Speaker Lujan reminded members of the council that, with very few exceptions, interim committees are not to meet in December in order to allow staff time to draft bills for the upcoming session.

The work plan, meeting dates and a budget of \$59,179.64 for the Revenue Stabilization and Tax Policy Committee were approved as submitted.

Representative Madalena noted that a number of items on the Revenue Stabilization and Tax Policy Committee's work plan involved taxation of Native American entities and requested that the co-chairs of the Indian Affairs Committee be informed when such items are placed on the agenda. He also asked if the co-chairs of the Indian Affairs Committee could be authorized to receive per diem and mileage for attendance at those meetings of the Revenue Stabilization and Tax Policy Committee that featured Native American taxation issues.

The council discussed the creation of a policy that would allow chairs of interim committees, or their designees, to attend meetings of other interim committees featuring agenda items that fall under the purview of that committee's jurisdiction. It was explained that nothing prevents a member from attending a meeting that affects one's constituents. It was also suggested that when committees have overlapping subject areas that the chairs of the respective committees have dialogue to resolve these issues and that the minutes be sent to all committee members. Also, staff could brief the separate committees on overlapping issues.

On a motion made, seconded and approved, the council authorized the co-chairs of the council to authorize interim committee chairs to attend other meetings when there are overlapping agenda items. Senator Ingle voted NO on the motion.

The council also discussed adding an item to the Revenue Stabilization and Tax Policy Committee's work plan requesting the executive branch to submit legislative proposals in a presentation at the October meeting to give everyone an opportunity to work through the proposals and start the communication process before the session begins. Instead, staff was directed to draft a letter on behalf of the co-chairs of the council offering an invitation to the executive to present its legislative recommendations to the interim committees in the interest of helping the upcoming session proceed a little more smoothly.

The work plan, meeting dates and a budget of \$18,204.43 for voting members and \$17,608.25 for advisory members for the Information Technology Oversight Committee were approved as submitted. The December meeting date ties in with the meeting of the LFC on final recommendations on funding for information technology for all state agencies.

The meeting dates of the Legislative Health and Human Services Committee were approved as submitted. The work plan was amended to include items relating to a statewide plan to address the problem of teen pregnancy and also to a review of DD and D&E waiting lists and issues related to reducing the waiting lists. A budget of \$30,000 for voting members and \$65,000 for advisory members was also approved.

The work plan of the Radioactive and Hazardous Materials Committee was approved as submitted. The council modified the committee's proposed meeting dates to allow only one-day meetings in October and November, rather than two-day meetings. Senator Jennings voted NO on cutting the number of meeting days. A budget of \$20,000 for voting members and \$13,000 for advisory members was also approved.

The work plan and meeting dates of the Economic and Rural Development and Telecommunications Committee were approved as submitted. A budget of \$50,000 for voting members and \$35,000 for advisory members was also approved. The council also requested that the committee work to explore economic development opportunities in the Clovis area should Cannon Air Force Base be on the final list of military bases scheduled to be closed and rearrange its meeting locations to meet in Clovis.

The meeting dates of the Courts, Corrections and Justice Committee were approved as submitted. The council amended Item K of the committee's proposed work plan to read: "Examine legal issues in light of the Supreme Court's decision regarding the medical use of cannabis;". It was explained that the committee would prioritize the list of topics submitted to the council. A budget of \$40,000 for voting members and \$50,000 for advisory members was also approved.

The work plan and meeting dates of the Welfare Reform Oversight Committee were approved as submitted. A budget of \$32,000 for voting members and \$25,000 for advisory members was also approved.

The work plan and meeting dates of the Indian Affairs Committee were approved as submitted. A budget of \$52,000 for voting members and \$29,000 for advisory members was also approved. In response to a question from the Speaker Lujan, staff noted that while the November meeting will not be held in Santa Fe, several pueblos in the Santa Fe area have extended invitations to the committee and meetings will be held at those pueblos instead of in the State Capitol and the committee will be able to determine its legislation at its final meeting.

The work plan of the Mortgage Finance Authority Act Oversight Committee was approved as submitted. The council changed the committee's meeting dates to allow for a November meeting to be held in Santa Fe and no December meeting. A budget of \$10,271.02 for voting members and \$12,482.32 for advisory members was also approved.

The work plan and meeting dates of the Tobacco Settlement Revenue Oversight Committee were approved as submitted, including a November meeting in Albuquerque. A budget of \$5,187.01 for voting members and \$5,609.61 for advisory members was also approved.

The work plan and meeting dates, including a November meeting in Espanola, of the Los Alamos National Laboratory Oversight Committee were approved as submitted. A budget of \$10,000 for voting members and \$8,000 for advisory members was also approved.

Staff noted that the New Mexico Exposition Authority was created during the last legislative session and that it creates an oversight authority quite similar to the New Mexico Finance Authority. It was suggested, in light of the similarities between the two entities, that legislative oversight of the Exposition Authority be handled by the New Mexico Finance Authority Oversight Committee. The council amended the work plan of the New Mexico Finance Authority Oversight Committee to include oversight of the New Mexico Exposition Authority. It was also suggested that the committee review GRIP 2, since the governor has contacted the cities and counties regarding their highway priorities.

The amended work plan and meeting dates for the New Mexico Finance Authority Oversight Committee were approved. A budget of \$45,000 for voting members and \$65,000 for advisory members was also approved.

The work plan and meeting dates for the State Permanent Fund Task Force were approved as submitted. A budget of \$21,821.49 for voting members and \$25,271.56 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.

The work plan of the Lottery Tuition Scholarship Study Subcommittee was approved as submitted. Staff informed the council that the committee was considering holding two meetings outside of Santa Fe, preferably in an area with a college or university, and was also requesting authorization to hold an additional meeting in December, if needed. The meeting dates and a budget of \$23,961 for voting members and \$19,432 for advisory members were also approved.

### **OTHER INTERIM APPOINTMENTS**

The council appointed public members to the following committees:

#### Election Reform Task Force:

County Clerks to serve as voting members:

Mary Herrera, Bernalillo County  
Melinda Hughes, Lea County  
Audrey Jaramillo, Socorro County  
Karen P. Smyer, Luna County  
Mario Trujillo, Curry County

The Speaker and President Pro Tempore also jointly appointed Leland Lerman, Charlotte Roybal and Mary Ann Sedillo as public voting members and Rhoda Coakley, Denise Lamb and Fred Vigil as advisory public members.

#### Funding Formula Study Task Force:

Superintendents serving as voting members:

Robert Archuleta, Jemez Mountain Public Schools  
Dr. V. Sue Cleveland, Rio Rancho Public Schools  
Richard Pool, Silver Consolidated Schools  
Karen White, Gallup-McKinley County Public Schools

The council announced the governor's public member appointees to the task force: Jack Jenkins, Randy Manning and Dennis Roch. The council also appointed James M. Phipps and Manuel F. Valdez as advisory public members.

Public School Capital Outlay Task Force:

In addition to the ex-officio members serving on the task force, the council announced that the following appointments had been made.

Superintendents appointed by the Legislative Council in consultation with the Governor

Pancho Guardiola  
Kilino Marquez  
Dr. Gloria Rendon

Appointments made by the President Pro Tempore

Leonard Haskie  
Norman Suazo

Appointments made by the Speaker of the House

Rey S. Medina  
Bud Mulcock

Appointments made by the Governor

Elizabeth Marrufo  
Tony Monfiletto  
Dr. Moises Venegas

State Permanent Fund Task Force:

The council announced that the makeup of non-legislators on the task force would be the same as in previous interims.

Paula Tackett explained to the council that since funding for the Funding Formula Study Task Force had been vetoed, the committee would likely use the 2005 interim to identify issues and gather public input before focusing on the development of the RFP required by the law that created the task force. After identifying issues and soliciting input, Ms. Tackett noted that the task force would have a clearer understanding of its funding needs, which it could then take back to the legislature for the 2006 session. She also indicated that a work plan and budget for the committee's work over the course of the 2005 interim would be brought before the council at the July 29, 2005 meeting.

**FISCAL YEAR 2006 BUDGETS**

The council went into executive session to discuss budgets and salary recommendations for the chief clerks and the Legislative Council Service.

The council adopted the recommendations of the chief clerks and the director of the LCS on legislative staff's salary increases, with some changes effective the first full pay period of July.

There being no further business, the council adjourned at 2:30 p.m.