



**MINUTES
of the
THREE-HUNDRED-EIGHTEENTH MEETING
of the
LEGISLATIVE COUNCIL
September 22, 2008
Santa Fe**

The three-hundred-eighteenth meeting of the Legislative Council was called to order on Monday, September 22, 2008, at 10:20 a.m. in Room 307 of the State Capitol by Speaker Ben Lujan, co-chair.

Present

Senator Timothy Z. Jennings, Co-Chair
Representative Ben Lujan, Co-Chair
Senator Carlos R. Cisneros
Senator Stuart Ingle
Representative Rhonda S. King
Representative W. Ken Martinez
Representative Rick Miera
Senator Leonard Lee Rawson
Senator Michael S. Sanchez
Representative Sheryl Williams Stapleton
Representative Thomas C. Taylor
Representative Jeannette O. Wallace

Special Advisory Members Present

Representative Donald E. Bratton
Senator Dianna J. Duran
Representative James Roger Madalena
Senator Cisco McSorley
Senator Lidio G. Rainaldi
Senator John Arthur Smith
Senator H. Diane Snyder
Representative Peter Wirth

Staff

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

Absent

Senator Pete Campos
Senator Kent L. Cravens
Representative Daniel R. Foley
Senator John T.L. Grubestic

Special Advisory Members Absent

Representative Janice E. Arnold-Jones
Senator Mary Jane M. Garcia
Representative Antonio Lujan
Senator Steven P. Neville
Representative Al Park

On a motion made, seconded and unanimously approved, the minutes of the July 28, 2008 meeting of the council were approved as submitted.

Session Preparation

The council authorized the LCS and the house and senate chief clerks to proceed with regular preparation for session, beginning with hiring the necessary pre-session staff, including one computer staff member on October 1; two to three clerk core staff members on October 15; pre-session employees on November 1; leadership staff on November 15; and five to 10 other clerk staff members on December 1.

Staff Code of Conduct Review

Ms. Tackett and Mr. Yaeger provided the council with a revised staff code of conduct for the council to approve. They explained that the code of conduct had been changed to reflect the suggestions made by the council at the July 28 meeting, particularly with regard to the incidental and occasional use of state resources at the direction of a legislator to help manage that legislator's other obligations.

In response to a question from Speaker Lujan, Ms. Tackett indicated that the code of conduct had been designed to track with the definitions laid out in the Gift Act.

In response to a question from Representative Wallace, Ms. Tackett noted that staff who attend dinners held for interim committees are not in violation of the revised code of conduct.

On a motion made, seconded and approved, the council adopted the revised code of conduct, with Representative Stapleton voting NO.

Interim Committee Business

A request by the Legislative Health and Human Services Committee to meet for an extra day at its November meeting in Albuquerque was authorized.

A request by the Utton Transboundary Resources Center at the University of New Mexico Law School to allow the members of the Water and Natural Resources Committee to attend a conference on regional water issues was approved.

In response to a question from Senator McSorley, Ms. Tackett explained that traditionally, only voting members of an interim committee are authorized to attend conferences that deal with that committee's purview.

On a motion made, seconded and unanimously approved, the council authorized other legislators wishing to attend the conference to use the conference as one of their four allowed interim committee meetings.

A request by the Information Technology and Telecommunications Oversight Committee to form a subcommittee to meet with the Homeland Security and Emergency Management

Department's Interoperability Task Force was approved. Members of the subcommittee are Representatives Debbie A. Rodella and Arnold-Jones and Senator Linda M. Lopez.

A request by the Capital Outlay Subcommittee to meet for one extra day to refine its statewide projects list was authorized.

A request for \$3,000 for expert testimony for the Courts, Corrections and Justice Committee was approved. Senator McSorley explained that, recently, enacted federal law may force the legislature to change the state law regarding sexual predators and that the experts sought by the committee understand issues in other states as well as those raised by the federal legislation.

The council also authorized other legislators wishing to attend the meeting regarding sexual predator laws to use one of their four interim committee meetings to do so.

The council also authorized per diem and mileage payments to the four legislators appointed to the Governor's Centennial Celebration Task Force. Speaker Lujan also noted that while the task force has already been appointed, Representative Don L. Tripp has expressed a desire to be involved. Speaker Lujan indicated that he would ask the governor to allow the legislature to appoint one more member from each house.

Staff Reports

Ms. Tackett explained that the Capitol parking structure would not be completed in time for the upcoming legislative session. She noted that staff is working with the Department of Transportation and the General Services Department on shuttles and other potential remedies to the parking problem that will need to be developed during the session. Ms. Tackett also indicated that staff is working with the City of Santa Fe on parking meters in the area, the owner of the small parking lot across from the Capitol and the executive on use of the PERA parking lot.

In response to a question from Speaker Lujan, Ms. Tackett indicated that some preparation has already started for the next redistricting. She explained that phase two of the block boundary suggestion project is already underway and that some glitches in the redistricting software have been worked out, with updated software expected in October or November.

In response to a question from Representative King, Ms. Tackett explained that there are population requirements for counties in the creation and splitting of voting precincts.

Ms. Tackett also provided the committee with a brief overview of the upcoming timeline for redistricting, explaining that the census data will be given to states in 2011 and that the legislature sets part of the process in motion by freezing precincts before 2010 and forming an interim committee to begin discussing the issue. After that, a special redistricting session will occur in fall of 2011.

There being no further business, the council adjourned at 11:30 a.m.

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