



**MINUTES
of the
THREE-HUNDRED-FOURTH MEETING
of the
LEGISLATIVE COUNCIL
September 25, 2006
Room 307, State Capitol
Santa Fe**

The three-hundred-fourth meeting of the Legislative Council was called to order on Monday, September 25, 2006, at 10:05 a.m. in Room 307 of the State Capitol by Senator Ben D. Altamirano, co-chair.

Present

Sen. Ben D. Altamirano, Co-Chair
Rep. Ben Lujan, Co-Chair
Sen. Kent L. Cravens
Sen. Joseph A. Fidel
Rep. Ted Hobbs
Sen. Stuart Ingle
Rep. Rick Miera
Sen. Leonard Lee Rawson
Rep. Sheryl Williams Stapleton
Rep. Jeannette O. Wallace

Special Advisory Members Present

Sen. Carlos R. Cisneros
Sen. Dianna J. Duran
Rep. Patricia A. Lundstrom
Rep. James Roger Madalena
Sen. Cisco McSorley
Rep. Al Park
Sen. Lidio G. Rainaldi
Rep. Joe M Stell
Rep. 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
Raúl Burciaga, Assistant Director for Drafting Services, LCS

Absent

Sen. Pete Campos
Sen. Timothy Z. Jennings
Rep. Terry T. Marquardt
Rep. W. Ken Martinez
Sen. Michael S. Sanchez
Rep. Donald L. Whitaker

Special Advisory Members Absent

Rep. Janice E. Arnold-Jones
Rep. Donald E. Bratton
Rep. Justine Fox-Young
Sen. Mary Jane M. Garcia
Sen. John T.L. Grubestic
Rep. Irvin Harrison
Sen. Steven P. Neville
Sen. William H. Payne
Rep. Debbie A. Rodella
Sen. John Arthur Smith

Jeret Fleetwood, Locator Coordinator, LCS

Monday, September 25

Interim Committees

The work plan and meeting dates, including a December meeting outside of the State Capitol, for the Investments and Pensions Oversight Committee were approved as submitted. A budget of \$14,174.72 for voting members and \$15,384.40 for advisory members was also approved. State Treasurer Douglas Brown was also appointed to the committee as an advisory member.

LCS staff attorney Kate Ferlic was introduced to the committee.

An additional meeting day for the subcommittee of the Public School Capital Outlay Oversight Task Force was approved. The council also approved the committee's request to move its meeting days to December. Representative Rick Miera explained that a constitutional amendment affecting public school capital outlay is on the November general election ballot, and the task force needs to review its implications for capital outlay.

An additional meeting day in December for the Revenue Stabilization and Tax Policy Committee was approved.

The Courts, Corrections and Justice Committee requested an additional meeting day in November plus an additional December meeting. The council expressed concern regarding an additional meeting for the committee in December. Speaker Ben Lujan noted that the council had added a review of several election issues to the committee's work plan and suggested that one additional meeting day in November be authorized.

On a motion made, seconded and unanimously approved, the Courts, Corrections and Justice Committee was authorized to have one additional meeting day in November.

A letter from the chair of the Economic and Rural Development and Telecommunications Committee requesting an additional meeting date on November 15 was provided to the council. The committee indicated that the extra day would allow it to complete its work for the interim.

Speaker Lujan pointed out that several of the committee's agenda items were not on its work plan. He also noted that a draft of the November agenda showed agenda items for which no speakers had been selected.

Representative Al Park noted that one of the issues that has demanded a good deal of the committee's time this interim is the Alternative Form of Regulation (AFOR) agreement between the state and Qwest Communications. He explained that Qwest had testified before the committee early in the summer, but that because the issue had changed significantly since then,

the committee has requested that Qwest appear before the committee again to update the committee on recent developments.

Representative Ted Hobbs noted that he did not believe that the committee's workload justifies an extra meeting day.

On a motion made, seconded and approved, the committee moved to send a letter to the Economic and Rural Development and Telecommunications Committee authorizing an additional meeting date in November, but advising the committee to stay within the limits of its approved work plan. Representative Hobbs voted no.

The council also reviewed a letter from the co-chairs of the Indian Affairs Committee requesting that the council create a subcommittee consisting of members of the Legislative Education Study Committee (LESC), the Legislative Finance Committee (LFC) and the Indian Affairs Committee. The subcommittee would provide the Public Education Department and Secretary Veronica Garcia with recommendations regarding the Indian Education Act.

Members of the council noted that a number of differing opinions have been expressed to Secretary Garcia at LESL and Indian Affairs Committee meetings. Senator Ben D. Altamirano suggested that it might be a good idea to bring members from both groups together to develop one set of recommendations rather than allowing two committees to make recommendations that may be contrary to one another.

Representative Miera suggested that such a subcommittee be limited to discussion of the Indian Education Act rather than general public education priorities, which is where he noted that conflict often arises.

On a motion made, seconded and unanimously approved, the council created a subcommittee consisting of three members from the LFC, three members from the LESL and three members from the Indian Affairs Committee to focus on the Indian Education Act.

Staff Reports

Rosina Boyd provided the council with a report on the National Conference of State Legislatures (NCSL) Leadership Staff Section Conference. She explained that the conference had been held in Santa Fe on September 18-25. Ms. Boyd reviewed the conference issues, noting that legislative leadership staff from across the country were in attendance. She emphasized that a number of people had been involved in planning the conference and thanked them.

Representative Hobbs pointed out that Ms. Boyd had been elected as the second vice chair of leadership staff at the conference.

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 person for each house and a senate social calendar coordinator on October 1; two to three clerks office core staff members on October 15 and five to ten other clerks office staff members on December 1.

Ms. Paula Tackett noted that the new member orientation and the ethics seminar are scheduled for November 20-21, pointing out that those dates do not conflict with other interim committees. Senator Altamirano reminded the council that all members should attend the ethics seminar.

Representative Park noted that the ethics seminar is scheduled for Thanksgiving week and wondered if that might present some attendance issues for members.

In response to a question from Speaker Lujan, Ms. Tackett explained that both the new member orientation and the ethics seminar previously had been held in December, but that conflicts arose between those and meetings of the NCSL and the Energy Council.

On a motion made, seconded and unanimously approved, staff was directed to work with the speaker and the senate president pro tempore in selecting alternate dates for the new member orientation and the ethics seminar.

On a motion made, seconded and unanimously approved, the minutes of the July 31, 2006 meeting of the Legislative Council were approved as submitted.

Staff reminded members that the Capital Outlay Subcommittee was scheduled to meet at 1:30 p.m.

There being no further business, the council adjourned at 11:00 a.m.