



**MINUTES  
of the  
THREE-HUNDRED-SIXTY-FIFTH MEETING  
of the  
LEGISLATIVE COUNCIL  
June 27, 2016  
Santa Fe**

The three-hundred-sixty-fifth meeting of the Legislative Council was called to order on Monday, June 27, 2016, at 10:10 a.m. in Room 307 of the State Capitol by Senator Mary Kay Papen, co-chair.

**Present**

Sen. Mary Kay Papen, Co-Chair  
Rep. Don L. Tripp, Co-Chair  
Rep. Alonzo Baldonado  
Sen. Carlos R. Cisneros  
Rep. Brian Egolf  
Rep. Kelly K. Fajardo  
Rep. Doreen Y. Gallegos  
Sen. Stuart Ingle  
Rep. W. Ken Martinez  
Sen. William H. Payne  
Sen. Clemente Sanchez  
Sen. William E. Sharer  
Sen. John Arthur Smith

**Special Advisory Members Present**

Rep. Eliseo Lee Alcon  
Sen. Lee S. Cotter  
Rep. Roberto "Bobby" J. Gonzales  
Sen. Ron Griggs  
Rep. Jason C. Harper  
Sen. Cisco McSorley  
Rep. Andy Nunez  
Sen. Cliff R. Pirtle  
Rep. Jane E. Powdrell-Culbert  
Rep. Debbie A. Rodella  
Rep. Patricia Roybal Caballero  
Rep. Jim R. Trujillo

**Absent**

Rep. Nate Gentry  
Sen. Michael S. Sanchez  
Rep. Sheryl Williams Stapleton

**Special Advisory Members Absent**

Sen. Pete Campos  
Rep. Gail Chasey  
Sen. Daniel A. Ivey-Soto  
Rep. Rick Little  
Rep. James Roger Madalena  
Sen. Mark Moores  
Sen. George K. Munoz  
Sen. Michael Padilla  
Rep. Dennis J. Roch  
Sen. Benny Shendo, Jr.  
Rep. Carl Trujillo

**Staff**

Raúl E. Burciaga, Director, Legislative Council Service (LCS)  
Amy Chavez-Romero, Assistant Director for Drafting, LCS  
Kathy Pacheco-Dofflemeyer, Assistant Director for Administration, LCS  
Jeret Fleetwood, Researcher, LCS

**Approval of Minutes**

On a motion made, seconded and passed, the minutes of the May 9, 2016 meeting were approved as submitted.

**Interim Committee Work Plans and Budgets**

Interim committee work plans and budgets were presented by the appropriate LCS staff members. A copy of each work plan and budget is in the original meeting file.

The work plan and meeting dates for the Military and Veterans' Affairs Committee, including an October meeting outside of the State Capitol, were approved as submitted. A budget of \$22,138 for voting members and \$34,442 for advisory members was also approved.

The work plan of the Water and Natural Resources Committee was amended to include an item regarding the proposed Industrial Hemp Act. The committee's meeting schedule, including an extra meeting day in October, moving one of the committee's November meeting days to October and an October meeting outside of the State Capitol, was approved as submitted. A budget of \$58,866 for voting members and \$123,338 for advisory members was also approved.

The work plan and meeting dates for the Radioactive and Hazardous Materials Committee were approved as submitted. A budget of \$18,469 for voting members and \$18,223 for advisory members was also approved.

The work plan and meeting dates for the Science, Technology and Telecommunications Committee were approved as submitted. A budget of \$37,051 for voting members and \$38,520 for advisory members was also approved.

The work plan and meeting dates for the Investments and Pensions Oversight Committee were approved as submitted. A budget of \$20,214 for voting members, \$16,907 for advisory members and \$3,000 for expert testimony was also approved.

The work plan and meeting dates for the New Mexico Finance Authority Oversight Committee were approved as submitted. A budget of \$67,018 for voting members and \$57,868 for advisory members was also approved.

The work plan and meeting dates for the Tobacco Settlement Revenue Oversight Committee, including a joint meeting in October with the Legislative Health and Human

Services Committee, were approved as submitted. A budget of \$13,727 for voting members and \$10,351 for advisory members was also approved.

The work plan and meeting dates for the Public School Capital Outlay Oversight Task Force were approved as submitted. A budget of \$28,646 for voting members, \$24,152 for advisory members and \$40,000 for professional services was also approved.

The work plan and meeting dates for the Mortgage Finance Authority Act Oversight Committee, including October and November meetings outside of the State Capitol, were approved as submitted. A budget of \$12,333 for voting members and \$10,126 for advisory members was also approved.

The work plan and meeting dates for the Revenue Stabilization and Tax Policy Committee, including a November meeting outside of the State Capitol, were approved as submitted. A budget of \$50,852 for voting members and \$30,000 for experts and consultants was also approved.

The work plan for the Jobs Council was amended to include items regarding job-creation strategies of neighboring states experiencing employment growth and the urbanization of western states and its implications for employment. The committee's meeting dates were approved as submitted. A budget of \$25,298 for voting members, \$35,420 for advisory members, \$6,114 for public members and \$120,000 for consultant expenses was also approved. Additionally, \$3,299 was approved for a one-day Jobs Council Subcommittee meeting in Santa Teresa.

The work plan for the Economic and Rural Development Committee was amended to include an item regarding liquor license laws and 501(c)(3) nonprofit organizations. The committee's meeting dates, including an October meeting outside of the State Capitol and a joint meeting with the Land Grant Committee, were approved as submitted. A budget of \$45,020 for voting members and \$54,338 for advisory members was also approved.

The work plan for the Transportation Infrastructure Revenue Subcommittee was amended to include an item regarding review of planning and infrastructure needs of local governments, in addition to those of the state. The subcommittee's meeting dates were approved as submitted. A budget of \$8,150 for voting members, \$10,468 for advisory members and \$2,500 for expert testimony was also approved.

The work plan and meeting dates for the Land Grant Committee, including an October meeting outside of the State Capitol and a joint meeting with the Economic and Rural Development Committee, were approved as submitted. A budget of \$33,781 for voting members and \$21,256 for advisory members was also approved.

The work plan and meeting dates for the Indian Affairs Committee, including October and November meetings outside of the State Capitol, were approved as submitted. A budget of \$61,227 for voting members and \$43,044 for advisory members was also approved.

The work plan and meeting dates for the Legislative Health and Human Services Committee, including joint meetings with the Tobacco Settlement Revenue Oversight Committee and the Courts, Corrections and Justice Committee, were approved as submitted. The work plan and meeting dates for the Disabilities Concerns Subcommittee were also approved as submitted. For the Legislative Health and Human Services Committee, a budget of \$40,564 for voting members, \$100,071 for advisory members and \$8,000 for expert testimony was approved. For the Disabilities Concerns Subcommittee, a budget of \$3,932 for voting members and \$4,622 for advisory members was approved.

The work plan and meeting dates for the Courts, Corrections and Justice Committee, including a joint meeting with the Legislative Health and Human Services Committee, were approved as submitted. A budget of \$48,396 for voting members and \$46,087 for advisory members was also approved.

The work plan for the Capitol Security Subcommittee was approved as submitted. A budget of \$4,675 was also approved.

A budget of \$5,721 was approved for the Interim Legislative Ethics Committee in the event that the committee would need to convene. Mr. Burciaga noted that a request for an advisory opinion from the committee had already been made.

A budget of \$6,813 for voting members and \$5,762 for advisory members for the Legislative Committee on Compacts was approved in the event that the committee would need to convene.

Mr. Burciaga noted that approved work plans and a revised legislative interim calendar would be posted on the legislature's website shortly.

### **Out-of-State Travel for Non-Returning Members**

Mr. Burciaga explained that Section 10-8-5 NMSA 1978 prohibits members who are not running for the seat they currently hold, or who have been defeated in a primary or general election, from being reimbursed for out-of-state travel without approval from three-fourths of the Legislative Council.

In response to a question, Mr. Burciaga explained that Legislative Council policy allows members to travel to meetings of national committees to which New Mexico pays dues and limits travel to other organizations to once per year for each member.

In response to another question, Mr. Burciaga explained that the council has historically authorized non-returning members to travel to out-of-state meetings but that members must still obtain approval from the speaker or president pro tempore.

On a motion made, seconded and passed, the council authorized non-returning members to travel to out-of-state meetings.

#### **Facilities Review Subcommittee**

Mr. Burciaga explained that, because of concerns raised by the fire marshal, the Legislative Education Study Committee (LESC) was requesting additional office space and that a short meeting of the Facilities Review Subcommittee was necessary in order to review and/or approve the LESC's request.

Senators Cisneros, Ingle and Clemente Sanchez and Representatives Baldonado, Fajardo and Doreen Gallegos were appointed as members of the Facilities Review Subcommittee to meet after the council meeting to review the LESC's request.

#### **Staff Reports**

Mr. Burciaga explained that a Native American policy group had requested use of the chambers for a meeting on June 20, which use was granted.

Mr. Burciaga also said that budget reductions meant that dues paid to national committees were reduced, which most organizations were fine with, but that in the past the Energy Council had expressed a concern.

Mr. Burciaga noted that the Western States Transportation Alliance was holding its annual meeting in Wyoming and that members could attend the meeting by using their one out-of-state trip to a meeting of a national committee to which New Mexico does not pay dues.

Finally, Mr. Burciaga explained that the house chief clerk, Denise Ramonas, was requesting authorization to issue a request for proposals (RFP) to outsource the food services in the first- and second-floor coffee shops. He noted that outsourcing food services would amount to the legislature allowing the use of state property, which would require a lease. He noted that staff members were unsure about exactly how such a lease would work but that they have been in contact with the Cultural Affairs Department and the Department of Finance and Administration to further research the matter. After a lengthy discussion, the council requested that Ms. Ramonas provide the council with additional information at the next meeting before it authorizes issuance of an RFP.

There being no further business, the council adjourned at 11:45 a.m.