

**MINUTES
of the
FIRST MEETING
of the
MILITARY AND VETERANS' AFFAIRS COMMITTEE**

**June 2, 2016
Room 307, State Capitol
Santa Fe**

The first meeting of the Military and Veterans' Affairs Committee (MVAC) was called to order by Representative Bob Wooley, co-chair, on June 2, 2016 at 10:10 a.m. in Room 307 of the State Capitol in Santa Fe.

Present

Rep. Bob Wooley, Co-Chair
Rep. Eliseo Lee Alcon
Sen. Craig W. Brandt
Rep. George Dodge, Jr.

Absent

Sen. Richard C. Martinez, Co-Chair
Sen. William F. Burt
Rep. Randal S. Crowder
Sen. Daniel A. Ivey-Soto

Advisory Members

Rep. David E. Adkins
Rep. Cathrynn N. Brown
Sen. Carlos R. Cisneros
Rep. Jim Dines
Sen. Michael Padilla
Rep. Jim R. Trujillo
Rep. John L. Zimmerman

Rep. Diane Miller Hamilton
Rep. Rick Little
Sen. William H. Payne
Sen. John Pinto
Sen. William E. Sharer

Staff

Jeret Fleetwood, Researcher, Legislative Council Service (LCS)
Diego Jimenez, Research Assistant, LCS

Guests

The guest list is in the meeting file.

Handouts

Copies of handouts and other written testimony are in the meeting file or on the New Mexico Legislature's website at www.nmlegis.gov.

Thursday, June 2

MVAC — 2016 Session

Mr. Fleetwood provided the committee with a review of military and veterans' affairs-related legislation considered by the legislature during the 2016 session. He noted that the

MVAC had endorsed two bills: an appropriation to the New Mexico Mortgage Finance Authority to rehabilitate homes occupied by low-income veterans, which was not included in the General Appropriation Act of 2016, and a bill directing colleges and universities to determine credit hours for military coursework or military training, which also did not pass.

Mr. Fleetwood also noted four bills that were not endorsed by the committee but were passed by the legislature and signed by the governor:

- House Bill (HB) 93, which made changes to preferences for veteran-owned businesses in the Procurement Code;
- HB 156, which created additional military service awards;
- HB 185, which made changes to the name and distribution of the Veterans' Cemetery Fund; and
- Senate Bill (SB) 153, which, similar to the bill endorsed by the committee, directed colleges and universities to develop a framework for awarding college credit for military service. (Mr. Fleetwood pointed out that a component of the bill is for the Higher Education Department to report to the committee some time during the 2016 interim.)

Mr. Fleetwood went on to discuss two other bills considered during the 2016 session, neither of which passed, but that the committee had addressed in some manner during the 2015 interim:

- SB 16, which would have created the uniformed service retiree tax credit. Mr. Fleetwood noted that the Veterans' Services Department (VSD) had made at least one presentation to the committee regarding the creation of such a tax credit during the 2015 interim; and
- SB 273, which would have established a Navajo code talker museum and veteran center. Mr. Fleetwood noted that the committee had discussed endorsing such a bill at its November 2015 meeting but ultimately could not because the bill had not yet been drafted.

Office of Military Base Planning and Support (OMBPS)

Eric Kivi, director, OMBPS, gave an update on the OMBPS programs and issues relating to military bases in the state. He began by discussing the current defense budget as it relates to New Mexico, noting that it contains almost \$40 million for new construction projects at Cannon, Holloman and Kirtland air force bases. Mr. Kivi went on to note that Congress will not support a round of base realignment and closure (BRAC) in 2017, but he pointed out that the Military Base Planning Commission believes there is still a chance for a BRAC in 2019. He said this is important because the U.S. Department of Defense report on excess infrastructure lists some areas, such as small aircraft and test and evaluation laboratories, which could include New Mexico facilities.

Mr. Kivi went on to explain that New Mexico's military bases enjoy relatively high military value because of the vast expanses of protected land around them, favorable climate and low population density. However, he cautioned that there are still threats to protected areas that could diminish the military value of New Mexico's installations, including:

- renewable energy generation and transmission structures, such as wind turbines and the SunZia transmission line; and
- designation of the Valle de Oro National Wildlife Refuge near Kirtland Air Force Base (KAFB).

Mr. Kivi noted that the military is by no means opposed to development of renewable energy resources. He explained that, in many cases, consultation with the military during planning phases allows affected parties to work out mutually agreeable solutions.

Mr. Kivi went on to summarize military base issues around New Mexico. He discussed:

- the decision by the German air force to terminate its agreement with Holloman Air Force Base and vacate the base by the end of 2019;
- ongoing issues with cleanup of the jet fuel spill plume at KAFB;
- efforts by KAFB to coexist with neighbors despite encroachment from wind energy, urban growth, electromagnetic spectrum management and the Valle de Oro National Wildlife Refuge, which, Mr. Kivi noted, is located very close to a final approach vector on one of the base's runways;
- options for use of some remaining severance tax bonding funds that were appropriated to Cannon Air Force Base to aid its transition from a fighter base to a special operations base, which include purchases of land or restrictive easements;
- the initial decision by the U.S. Army to subordinate the garrison at White Sands Missile Range (WSMR) to Fort Bliss, from which the U.S. Army backed off after intervention by United States Senators Martin Heinrich and Tom Udall and Representative Steve Pearce; and
- the need to keep existing WSMR land and hopefully expand it to protect the range's mission.

KAFB Mission Update

Colonel Dagvin R.M. Anderson, commander, 58th Special Operations Wing, KAFB, provided the committee with an update on KAFB. He explained that the base conducts operations that involve flying all over New Mexico, noting that the state is one of the best places to train for high-desert, low-level mountain and nighttime flying. Colonel Anderson went on to discuss KAFB's efforts to improve its relationship with private citizens, noting that a CV-22 Osprey aircraft recently had to make an emergency landing on a private ranch in New Mexico, causing some damage that was repaired by the base. He also discussed public outreach efforts by the base, such as improving its relationship with pueblo and tribal governments. Colonel Anderson said that KAFB had recently made an agreement with several pueblos not to fly

training missions north of U.S. Highway 550, which appears to have eliminated noise complaints from some pueblos. He also discussed development of a memorandum of understanding with the Indian Affairs Department to create a single point of contact for all pueblo and tribal military complaints. Colonel Anderson also discussed encroachment issues for KAFB, noting that wind turbines can create problems for low-level flight training. He also noted that neither KAFB nor the Albuquerque International Sunport were contacted about the Valle de Oro National Wildlife Refuge. Colonel Anderson emphasized that, while KAFB is not opposed to the refuge, it would be helpful to the base's mission to move it.

Questions and comments from the committee included:

- that the United States Fish and Wildlife Service, Bernalillo County and the State of New Mexico all had input in developing the Valle de Oro refuge;
- that KAFB is not opposed to development of renewable energy in New Mexico, but the base would like input on location of generation and transmission structures;
- the current status of the SunZia Southwest Transmission Project;
- that wind farms near Cannon Air Force Base could threaten low-level flight training missions for the base;
- that meteorological evaluation towers, which do not require a permit if they are under 200 feet tall, also pose a threat to low-level flight;
- permitting agencies for wind farms;
- development of legislation to require involvement of military installations as early as possible in planning structures that might affect their mission; and
- Public Regulation Commission procedures for permitting wind turbines.

National Guard of New Mexico Update

Brigadier General Andrew E. Salas, adjutant general, National Guard of New Mexico, provided the committee with an update regarding the National Guard of New Mexico. He began by discussing the mission of the national guard and the lines of effort in support of that mission, which include promotion of New Mexico and its national guard and support of other efforts to maintain New Mexico's safety and security. General Salas also discussed efforts by the national guard to protect New Mexican lives and property, such as deployment of about 250 national guard personnel around southeastern New Mexico during a massive snowstorm in February 2016 and various search and rescue efforts. He went on to update the committee on work being done with the Air National Guard and Army National Guard, as well as partnerships both with United States armed services and armed services with other countries, including Costa Rica and the Mexican State of Chihuahua. General Salas also discussed synergies with other state agencies, including the VSD, Indian Affairs Department and the Homeland Security and Emergency Management Department, which include participation in joint exercises. He also discussed New Mexico's civil air patrol division, the defense force division and the National Guard Youth ChalleNGe Academy.

Questions and comments from the committee included:

- the national guard's plans to work with the VSD as well as the U.S. Department of Veterans' Affairs (VA) and New Mexico hospitals in establishing a "one-stop shop" for New Mexico veterans; and
- help provided by the national guard in response to the February snowstorm, including communicating with area legislators.

VSD

Brigadier General Jack R. Fox, secretary, VSD, and Alan Martinez, deputy secretary, VSD, provided the committee with an overview of the department. Secretary Fox began by acknowledging a Legislative Finance Committee report discussing the department's fiduciary program, which oversees and manages the financial assets of veterans and is responsible for ensuring the proper application of those assets. He explained that the VSD is currently phasing out the program, in part because 10 veterans were still enrolled in the program despite being deceased. Secretary Fox explained that all of the program's financial assets were accounted for, but the department had not yet closed out the 10 accounts. He noted that the VSD had been working closely with the state auditor, who is satisfied with the department's work.

Secretary Fox also discussed efforts by the VSD to reduce its budget for fiscal year (FY) 2016 after state agency budgets were trimmed by five percent during the 2016 legislative session. He noted that the VSD has curtailed travel and outreach, left three positions vacant and delayed other hires and salary adjustments. Secretary Fox also discussed the department's FY 2017 budget, noting that staff will not travel out of state or receive training and that the department will not be able to support some veteran-related conferences.

Secretary Fox went on to discuss the department's priorities for FY 2017 and beyond, including:

- creation of a program for female veterans;
- a transportation summit to develop workable solutions for the transportation of veterans to benefit providers;
- partnerships with other state departments for long-term care of veterans;
- extension of the Rural Veterans Coordination Program;
- opening and continued staffing of the Fort Stanton State Veterans' Cemetery;
- continued phase-out of the fiduciary program;
- restoration of the department's budget to realistic levels; and
- ongoing staffing needs.

Mitchell Lawrence, healthcare coordination program manager, VSD, provided the committee with a brief overview of the program. He discussed planning for a transportation summit to address the ongoing issue of transportation of veterans from their residences to

providers, particularly medical services. Mr. Lawrence explained that the summit should allow the VSD to help connect veterans with available transportation services.

Tom Wagner, director, State Veterans' Cemetery Program, VSD, provided the committee with a brief overview of the State Veterans' Cemetery Program. He explained that the VA has approved four cemetery sites in New Mexico: Fort Stanton, Gallup, Angel Fire and Carlsbad. He discussed the progress and estimated time frame for opening each site.

Questions and comments from the committee included:

- the number of homeless veterans and how they are defined makes it difficult to calculate the actual number of homeless veterans in the Albuquerque area;
- the VSD has closed the Rio Rancho office while the department works on a better location for its office;
- even though most New Mexico veterans live between Belen and Espanola, there are still not sufficient resources to cover delivery of services to them, much less for veterans outside of that area;
- planning is under way for a July summit on transportation for veterans;
- cutting contracts and services is a difficult decision for legislators and agencies alike during difficult financial times;
- the Fort Bayard National Cemetery is under the control of the Santa Fe National Cemetery;
- plans are under way to plant and maintain grass at the veterans cemetery in Gallup;
- the VSD will work with the Aging and Long-Term Services Department, among other agencies, to develop transportation options for veterans seeking medical treatment;
- states are moving away from the fiduciary program, but the VA is assigning other entities to the program, so veterans will not be left without services;
- the need exists across the state for veteran transportation services, but Silver City has the fewest entities offering transportation services; and
- preparations for events acknowledging the fiftieth anniversary of the Vietnam War are under way in several New Mexico communities.

2016 Work Plan, Meeting Schedule and Itinerary

Committee members developed a work plan and itinerary. The committee decided on the following meeting schedule:

- July 21-22 in Farmington;
- August 31 at Central New Mexico Community College in Albuquerque;
- September 19 in Carlsbad;
- October 6 in Santa Rosa; and
- November 1 in Santa Fe.

Adjournment

There being no further business, the committee adjourned at 2:10 p.m.