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HOUSE BILL 37

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

Danice Picraux

AN ACT

RELATING TO THE LEGISLATURE; CREATING THE INTERIM HUMAN SERVICES COMMITTEE OF THE LEGISLATURE; CHANGING THE NAME OF THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE TO THE LEGISLATIVE HEALTH COMMITTEE; PROVIDING FOR A DIRECTOR AND STAFF TO EXECUTE THE DUTIES OF THE LEGISLATIVE HEALTH COMMITTEE; CREATING AN INTERIM HUMAN SERVICES COMMITTEE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 2-13-1 NMSA 1978 (being Laws 1989, Chapter 349, Section 1) is amended to read:

"2-13-1. CREATION OF COMMITTEE--MEMBERS--APPOINTMENT--TERMS.--There is created a permanent joint interim committee of the legislature to be called the "legislative health [~~and human services~~] committee". The committee shall be composed of eight members. The New Mexico legislative council shall appoint four

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1 members from the house of representatives and four members from
2 the senate. At the time of making the appointment, the
3 legislative council shall designate the [~~chairman~~] chair and
4 vice [~~chairman~~] chair of the committee. Members shall be
5 appointed so as to give the two major political parties in each
6 house the same proportionate representation on the committee as
7 prevails in each house; provided, in no event shall either of
8 such parties have less than one member from each house on the
9 committee. Members may be removed from the committee by the
10 legislative council, at the request of the committee [~~chairman~~]
11 chair, for nonattendance according to council policy.

12 Vacancies on the committee, however caused, may be filled by
13 the legislative council, or the council may reduce the size of
14 the committee by not making replacement appointments and in
15 such case need not readjust party representation. No action
16 shall be taken by the committee if a majority of the total
17 membership from either house on the committee rejects such
18 action."

19 SECTION 2. Section 2-13-2 NMSA 1978 (being Laws 1989,
20 Chapter 349, Section 2) is amended to read:

21 "2-13-2. DUTIES OF THE COMMITTEE.--The legislative health
22 committee shall conduct a continuing study of the programs,
23 agencies, policies, issues and needs relating to health [~~and~~
24 ~~human services~~], including review and study of the statutes,
25 constitutional provisions, regulations and court decisions

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1 governing such programs, agencies and issues. The committee
2 shall ~~[also study the full continuum of programs and services~~
3 ~~available and needed for children, families and the aging~~
4 ~~population]~~ oversee all aspects of medical assistance programs
5 and other health-related programs of the human services
6 department; the department of health; the aging and long-term
7 services department; and the children, youth and families
8 department, or their successor agencies. The committee shall
9 make an annual report of its findings and recommendations and
10 recommend any necessary legislation to each session of the
11 legislature."

12 SECTION 3. Section 2-13-3 NMSA 1978 (being Laws 1989,
13 Chapter 349, Section 3) is amended to read:

14 "2-13-3. SUBCOMMITTEES.--Subcommittees shall be created
15 only by majority vote of all members appointed to the
16 legislative health committee and with the prior approval of the
17 New Mexico legislative council. A subcommittee shall be
18 composed of at least one member from the senate and one member
19 from the house of representatives, and at least one member of
20 the minority party shall be a member of the subcommittee. All
21 meetings and expenditures of a subcommittee shall be approved
22 by the full committee in advance of such meeting or
23 expenditure, and the approval shall be shown in the minutes of
24 the committee."

25 SECTION 4. Section 2-13-4 NMSA 1978 (being Laws 1989,

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1 Chapter 349, Section 4) is amended to read:

2 "2-13-4. REPORT.--The legislative health committee shall
3 make a report of its findings and recommendations for the
4 consideration of each session of the legislature. The report
5 and suggested legislation shall be made available to the New
6 Mexico legislative council on or before December 15 preceding
7 each session."

8 SECTION 5. Section 2-13-5 NMSA 1978 (being Laws 1989,
9 Chapter 349, Section 5) is amended to read:

10 "2-13-5. DIRECTOR--STAFF.--The [~~staff for the~~
11 legislative health committee shall [~~be provided by the~~
12 ~~legislative council service~~] appoint a director of the
13 legislative health committee staff and authorize the director
14 to hire persons to assist the director, as funding permits.
15 The director and staff shall provide year-round support to the
16 committee in performing the committee's duties as the committee
17 directs. The director and staff shall be knowledgeable and
18 proficient in the areas of health coverage, health care
19 delivery services or health care economics, research, law or
20 policy analysis."

21 SECTION 6. Section 2-17-1 NMSA 1978 (being Laws 1998,
22 Chapter 8, Section 21 and Laws 1998, Chapter 9, Section 21, as
23 amended by Laws 2003, Chapter 311, Section 1 and by Laws 2003,
24 Chapter 432, Section 1) is amended to read:

25 "2-17-1. [~~WELFARE REFORM OVERSIGHT~~] HUMAN SERVICES

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1 COMMITTEE CREATED--TERMINATION.--The joint interim legislative
2 "[~~welfare reform oversight~~] human services committee" is
3 created. The committee shall function from the date of its
4 appointment until December 15 prior to the first session of the
5 [~~forty-ninth~~] sixtieth legislature."

6 SECTION 7. Section 2-17-2 NMSA 1978 (being Laws 1998,
7 Chapter 8, Section 22 and Laws 1998, Chapter 9, Section 22) is
8 amended to read:

9 "2-17-2. MEMBERSHIP--APPOINTMENT--VACANCIES.--

10 A. The [~~welfare reform oversight~~] human services
11 committee shall be composed of twelve members. The New Mexico
12 legislative council shall appoint six members from the house of
13 representatives and six members from the senate. At the time
14 of making the appointment, the legislative council shall
15 designate the [~~chairman~~] chair and vice [~~chairman~~] chair of the
16 committee.

17 B. Members shall be appointed from each house so as
18 to give the two major political parties in each house the same
19 proportionate representation on the committee as prevails in
20 each house; however, in no event shall either party have less
21 than one member from each house on the committee. At the
22 request of the committee [~~chairman~~] chair, members may be
23 removed from the committee by the New Mexico legislative
24 council for nonattendance according to council policy.

25 Vacancies on the committee, however caused, may be filled by

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1 the legislative council, or the council may reduce the size of
2 the committee by not making replacement appointments and in
3 that case need not readjust party representation.

4 C. An action shall not be taken by the committee if
5 a majority of the total membership from either house on the
6 committee rejects that action."

7 SECTION 8. Section 2-17-3 NMSA 1978 (being Laws 1998,
8 Chapter 8, Section 23 and Laws 1998, Chapter 9, Section 23) is
9 amended to read:

10 "2-17-3. DUTIES.--

11 A. After its appointment, the [~~welfare reform~~
12 ~~oversight~~] human services committee shall hold one
13 organizational meeting to develop a work plan and budget for
14 the ensuing interim. The work plan and budget shall be
15 submitted to the New Mexico legislative council for approval.
16 Upon approval of the work plan and budget by the legislative
17 council, the committee shall:

18 (1) examine the statutes, constitutional
19 provisions and rules governing welfare reform in New Mexico;

20 (2) monitor and oversee the implementation of
21 the New Mexico Works Act;

22 (3) review issues related to [~~welfare reform,~~
23 ~~including~~] job training and non-medical public benefits
24 programs and related contracts; cash assistance; child care,
25 transportation and other job-related services; alleviation of

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1 poverty, homelessness and hunger; and other issues [~~that arise~~
2 ~~because of the devolution of the federal welfare programs to~~
3 ~~the states; and~~] related to helping New Mexicans take part in
4 the work force and earn a family-sustaining wage;

5 (4) make recommendations relating to the
6 adoption of rules and legislation, if any are found to be
7 necessary;

8 (5) conduct a continuing study of the
9 programs, agencies, policies, issues and needs relating to
10 human services in New Mexico, including review and study of the
11 statutes, constitutional provisions, regulations and court
12 decisions governing these programs, agencies, policies, issues
13 and needs; and

14 (6) study the full continuum of programs and
15 services available and needed for children, families and the
16 aging population.

17 B. The committee shall regularly receive testimony
18 from the secretaries of human services; [~~labor~~] workforce
19 solutions; children, youth and families; [and] higher
20 education; health; and [the superintendent of public
21 instruction] public education on poverty issues [arising from
22 the implementation of the New Mexico Works Act] and shall
23 review proposed rules, schedules and formulae before adoption."

24 SECTION 9. TEMPORARY PROVISION--REFERENCES IN LAW.--All
25 references in law to the welfare reform oversight committee

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1 shall be deemed to be references to the human services
2 committee. All references in law to the legislative health and
3 human services committee shall be deemed to be references to
4 the legislative health committee.

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