

SENATE BILL 263

56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023

INTRODUCED BY

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This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

AN ACT

RELATING TO THE LEGISLATURE; PROVIDING YEAR-ROUND STAFF TO THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE; REQUIRING COMPLIANCE WITH THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE'S AND ITS SUBCOMMITTEES' REQUESTS FOR INFORMATION; PROVIDING POWERS AND DUTIES; AMENDING AND ENACTING SECTIONS OF THE NMSA 1978; MAKING AN APPROPRIATION.

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

SECTION 1. Section 2-13-1 NMSA 1978 (being Laws 1989,

.223226.3AIC February 22, 2023 (4:25pm)

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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 members from the house of representatives and four members from the senate. The house health and human services committee and the senate health and public affairs committee or future legislative standing committees that consider health and human services affairs shall be represented. At the time of making the appointment, the New Mexico legislative council shall designate the [~~chairman~~] chair and vice [~~chairman~~] chair of the committee. Members shall be appointed so as to give the two major political parties in each house the same proportionate representation on the committee as prevails in each house; provided, in no event shall either of such parties have less than one member from each house on the committee. Members may be removed from the committee by the New Mexico legislative council, at the request of the committee [~~chairman~~] chair, for nonattendance according to council policy. Vacancies on the committee, however caused, may be filled by the New Mexico legislative council, or the council may reduce the size of the committee by not making replacement appointments and in such case need not readjust party representation. No action shall be taken by the committee if a majority of the total membership

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from either house on the committee rejects such action."

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

"2-13-2. DUTIES OF THE COMMITTEE.--The legislative health and human services committee shall [~~conduct a continuing study of~~]:

A. direct the director of the legislative health and human services committee in the director's work;

B. monitor and oversee the programs, agencies, policies, issues and needs relating to health and human services, including [~~review and study~~] monitoring and oversight of the statutes, constitutional provisions, regulations and court decisions governing such programs, agencies, policies and issues; [~~The committee shall also study~~]

C. monitor and oversee the full continuum of programs and services available and needed for children and families and the aging population; [~~The committee shall~~] and

D. make an annual report of its findings and recommendations and recommend any necessary legislation to each session of the legislature."

SECTION 3. Section 2-13-5 NMSA 1978 (being Laws 1989, Chapter 349, Section 5) is amended to read:

"2-13-5. COMMITTEE DIRECTOR AND STAFF.--

A. The position of "director of the legislative health and human services committee" is created. The director shall be hired by the legislative council service and shall

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serve at the pleasure of the legislative health and human services committee. The director shall be provided with the necessary office space, supplies, equipment and SRC→assistants←SRC SRC→assistance←SRC by the legislative council service. The director's salary shall be set by the legislative council service.

B. The [staff for the] legislative health and human services committee shall [be provided by the legislative council service] have year-round staff assigned exclusively to carry out the duties of the committee. The legislative council service shall:

- (1) provide an associate director of the legislative health and human services committee; and
- (2) contract for the services of individuals with expertise in law, policy or finance related to health care delivery and financing, behavioral health care, health data information technology systems or grant writing, as needed."

SRC→SECTION 4. A new section of Chapter 2, Article 13 NMSA 1978 is enacted to read:

~~"[NEW MATERIAL] POWER TO CONDUCT HEARINGS AND ADMINISTER OATHS--SUBPOENA POWER.--The legislative health and human services committee may conduct hearings and administer oaths. The legislative health and human services committee, or upon recommendation of a subcommittee of the legislative health and human services committee, shall have the power to subpoena, which may be enforced through any district court of the state.~~

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~~Process of the legislative health and human services committee shall be served by any sheriff or any member of the New Mexico state police and shall be served without cost to the legislative health and human services committee or its subcommittees."~~←SRC

SECTION SRC→5.←SRC SRC→4.←SRC A new section of Chapter 2, Article 13 NMSA 1978 is enacted to read:

"[NEW MATERIAL] COMPLIANCE WITH REQUESTS FOR INFORMATION.--The human services department; the department of health; the aging and long-term services department; the corrections department; the children, youth and families department; the early childhood education and care department; the workforce solutions department; the interagency behavioral health purchasing collaborative; and every SRC→other state agency and←SRC political subdivision of the state shall, upon request, furnish and make available to the legislative health and human services committee, or any subcommittee of the legislative health and human services committee consisting of three members or more, documents, material or information requested by the committee or any subcommittee of the committee consisting of three members or more or the staff of the committee or subcommittee."

SECTION SRC→6.←SRC SRC→5.←SRC APPROPRIATION.--Three hundred fifty thousand dollars (\$350,000) is appropriated from the general fund to the legislative council service for expenditure in fiscal year 2024 to fund staffing for and the

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activities of the legislative health and human services
committee pursuant to this act. SRC→~~Any unexpended or
unencumbered balance remaining at the end of fiscal year 2024
shall revert to the general fund.~~←SRC