



**MINUTES  
of the  
FOUR-HUNDRED-TWENTY-FIRST MEETING  
of the  
LEGISLATIVE COUNCIL**

**July 18, 2024  
State Capitol, Room 307  
Santa Fe**

The four-hundred-twenty-first meeting of the Legislative Council was called to order by Senator Mimi Stewart, co-chair, on July 18, 2024 at 9:08 a.m. in Room 307 of the State Capitol in Santa Fe.

**Present**

Rep. Javier Martínez, Co-Chair  
Sen. Mimi Stewart, Co-Chair  
Rep. Gail Armstrong  
Sen. Gregory A. Baca  
Sen. Craig W. Brandt  
Rep. Gail Chasey  
Sen. Katy M. Duhigg  
Rep. Alan T. Martinez  
Rep. Rod Montoya  
Sen. Steven P. Neville  
Sen. Michael Padilla  
Rep. Andrea Romero  
Rep. Patricia Roybal Caballero  
Sen. Benny Shendo, Jr.  
Rep. Reena Szczepanski  
Sen. Peter Wirth

**Absent**

**Special Advisory Members Present**

Rep. Eliseo Lee Alcon  
Sen. Pete Campos  
Rep. Joanne J. Ferrary  
Rep. Randall T. Pettigrew  
Rep. Elizabeth "Liz" Thomson

**Special Advisory Members Absent**

Rep. Cathrynn N. Brown  
Rep. Christine Chandler  
Rep. Doreen Y. Gallegos  
Rep. Joy Garratt  
Rep. Susan K. Herrera  
Rep. Dayan Hochman-Vigil  
Rep. D. Wonda Johnson  
Rep. Matthew McQueen  
Rep. William "Bill" R. Rehm  
Sen. Antoinette Sedillo Lopez  
Rep. Nathan P. Small

**Guest Legislators**

Sen. William F. Burt  
Sen. David M. Gallegos  
Sen. Roberto "Bobby" J. Gonzales  
Sen. Ron Griggs  
Sen. Siah Correa Hemphill  
Sen. Martin Hickey  
Sen. Daniel A. Ivey-Soto  
Sen. Mark Moores  
Sen. George K. Muñoz  
Sen. Cliff R. Pirtle  
Sen. Harold Pope  
Sen. Joshua A. Sanchez  
Sen. William E. Sharer  
Sen. Jeff Steinborn  
Sen. Pat Woods

**Staff**

Raúl E. Burciaga, Director, Legislative Council Service (LCS)  
Shawna Casebier, Assistant Director for Drafting Services, LCS  
Anesa Serna-Espinoza, Assistant Director for Administration, LCS  
Jeret Fleetwood, Project Coordinator, LCS  
Erin Bond, Researcher, LCS  
Sara Wiedmaier, Researcher, LCS  
Domenica Nieto, Research Assistant, LCS

**Executive Session — Interviews for LCS Director**

On a motion made and approved, the council entered an executive session to interview applicants for the position of LCS director.

Upon a motion made and approved, the council returned to open session. Senator Stewart announced that Ms. Casebier was offered the position of LCS director upon Mr. Burciaga's retirement, and Ms. Casebier expressed her appreciation for the council's support.

**Approval of Minutes**

On a motion made and approved, the council adopted the minutes of the June 24, 2024 meeting.

**Classification and Compensation Plan**

Senator Stewart recognized the working group responsible for updating the legislative staff classification and compensation plan. Mr. Burciaga reviewed changes to existing council policy as proposed by the working group.

Mr. Burciaga stated that the proposed policy creates a review committee composed of the legislative agency directors, chief clerks and chiefs of staff to recommend revisions to the classification and compensation plan. The fiscal policy research analyst of the LCS and the chief economist of the Legislative Finance Committee will advise the committee and recommend changes to compensation ranges based on inflation, labor costs and cost of living and will also recommend any across-the-board increases to ensure that the plan remains competitive for recruitment and retention. Any revisions would be submitted to and approved by the New Mexico Legislative Council.

When hiring new employees under the proposed policy, Mr. Burciaga explained that hiring managers should work with Human Resources staff to offer applicants salaries commensurate with their education, experience and skills while ensuring equity with current employees. New employees would be hired at no more than 75 percent of the compensation range maximum, unless a new employee meets exceptions as laid out in the policy.

Mr. Burciaga discussed how salary increases would be handled under the proposed policy. Salary increases for agency directors, chief clerks and chiefs of staff would be subject to approval by the leader of the respective chamber, leadership office or committee chairs of the respective statutory agency. For other employees, salary increases would be decided in conjunction with Human Resources staff and should not exceed three percent per year, provided that the three percent does not include raises due to the longevity clause, across-the-board raises provided by the legislature or raises due to promotion. Salaries due to promotion would be determined using the same guidelines as those for new employees.

Mr. Burciaga noted that under the current policy, some long-term employees have reached the maximum compensation of their band and technically cannot receive raises. Under the longevity clause of the proposed policy, employees with ten years of service who have reached the maximum of their compensation range would be eligible for a raise in their eleventh year, as well as raises every five years after that.

Under the proposed policy, Mr. Burciaga explained that tuition reimbursement may be allowed with the approval of the director and the employee's supervisor, provided that the agency's budget allows for such. The employee should be enrolled at a New Mexico institution unless the employee can demonstrate that virtual attendance at an out-of-state institution is more appropriate. Courses must be completed with a grade of C or better to receive reimbursement. Employees who leave the agency within a year of completing their coursework may be required to refund the agency.

Mr. Burciaga also noted that several positions were added to the classification and compensation plan to allow for opportunities for advancement in certain paths.

Senator Stewart clarified with Mr. Burciaga that allowing new employees to be hired at 75 percent of the maximum of a pay band would give more flexibility in recruitment.

Council members and Mr. Burciaga discussed how often the plan should be reviewed. Members noted that the plan had not been prioritized or reviewed in nearly 20 years, while private sector compensation plans are often reviewed annually. A member requested that the proposed policy be amended to require annual review of the classification and compensation plan.

Members discussed how the plan compares with other agencies and fields. Mr. Burciaga stated that the classification and compensation plan committee could meet at any time and recommended that meetings be held at least once a year, while staff review should occur every two years.

Mr. Burciaga and council members discussed how raises in the classification and compensation plan would not be impacted by across-the-board raises provided in general appropriation bills or raises gained by promotion. A member expressed concern that the policy had not been presented to the legislature at large.

On a motion made and approved, the council moved to have Section D of the proposed plan amended to require yearly review by the classification and compensation plan committee.

Members inquired about the tuition reimbursement policy, and Mr. Burciaga clarified that tuition reimbursement is only available to permanent legislative employees; thus, temporary session employees would not qualify. A council member advised that the language regarding tuition repayment may be more appropriate for contracts. Mr. Burciaga and Senator Stewart agreed that the review committee would evaluate the appropriate documents for the tuition reimbursement policy.

On a motion made and approved, the council approved the classification and compensation policy, as amended, with Representative Montoya and Representative Alan T. Martinez voting "no". Representative Montoya explained his vote and expressed concern that this would drastically grow the legislature's budget without this budget growth being approved by the entire legislature.

### **Staff Reports**

Mr. Burciaga stated that the chief clerks hired temporary staff to prepare for the special session and need permission to pay staff out of pre-session expenses. On a motion made and seconded, the council approved paying staff out of pre-session expenses.

Mr. Burciaga noted that there would be a human resources training program for legislators planning to hire district office staff. While particulars were not yet determined, the training could be completed in person or virtually and would likely be held in August. Senator Stewart and Representative Javier Martínez spoke in favor of requiring legislators to complete the training before they can hire staff.

On a motion made and approved, the council approved making human resources training mandatory for legislators prior to hiring district office staff.

Mr. Burciaga informed the council that the current legislative telephone system is becoming unsustainable and would likely not meet the needs of district offices. Thus, the legislature plans to transition to a voice-over-internet-protocol, also known as VoIP, phone system provided by Zoom. In response to questions from the council, Mr. Burciaga stated that there would be training for the new phone system. He informed the council that the first year of service is free, and service costs after that would be \$200,000 per year, which would be built into the budget. Alternatives were considered, but Zoom was considered the best choice, Mr. Burciaga said.

Mr. Burciaga expressed his support for Ms. Casebier and thanked the council for appointing Ms. Casebier as his successor. The council thanked Mr. Burciaga for his service.

### **Adjournment**

There being no further business before the council, the meeting adjourned at 10:13 a.m.