



# **TWENTY-NINTH BIENNIAL REPORT**

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**JULY 1, 2008 THROUGH JUNE 30, 2010**

**NEW MEXICO LEGISLATIVE COUNCIL  
AND  
LEGISLATIVE COUNCIL SERVICE**

**LEGISLATIVE COUNCIL SERVICE**

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# OVERVIEW



## The 2008-2010 Biennium in Brief

During the course of the 2008-2010 biennium, the legislature convened for two regular sessions and three special sessions, and legislators served on 46 interim committees, subcommittees, task forces and working groups — the same number of interim bodies as seen in the previous biennium and a decrease of nine bodies over the biennium 10 years prior.

### *Interims*

The legislature's interim work was dominated by concerns over the state's economic crisis. Although the overall number of interim bodies remained constant, the New Mexico legislative council eliminated several bodies in order to create new ones and adjusted the purviews of others in response to current issues, most notably the state's fiscal situation.

Concerns over the solvency of the state's investments and retirement systems resulted in the splitting of one committee from the previous biennium — the investments and pensions oversight committee — into two separate entities for the biennium — the investments oversight committee and the retirement systems solvency task force, with the latter created in law and given two years to develop solvency plans for public employee retirement and health care systems. The former information technology and telecommunications committee and the Los Alamos national laboratory oversight committee were merged into the science, technology and telecommunications committee, which, under its broadened "science" purview, took on alternative energy topics that had previously been handled by the legislature's long-time *de facto* environment committee, the radioactive and hazardous materials committee. The military and veterans' affairs committee, which was initially created by statute for only the 2009 interim, became permanent when the legislature voted in 2010 to make it a statutory committee and continue its charge of hearing and making recommendations on issues concerning military personnel and veterans.

The legislative council created subcommittees on issues concerning the disabled, regulatory processes and cleanup of abandoned uranium mines, and all of these subcommittees held at least one meeting during the biennium. A fourth subcommittee — the acequia subcommittee — was created by the council but did not meet due to scheduling problems with the special session held in October 2009. A health care reform working group, which convened pursuant to a senate joint memorial in the 2010 regular legislative session and included several legislators, met during the 2010 interim to consider actions necessary to implement and supplement federal health care reform initiatives.

The interim body with the highest profile during the biennium was the government restructuring task force, which met 17 days over the course of 10 meetings during the 2010 interim to examine the structure and operation of state government, to rethink priorities and to ensure that programs are operated and services are provided in the most effective and efficient manner possible. The task force centered its work on two questions:

- ◆ What are the essential services the state must deliver?

◆ What is the most effective way to accomplish the state's goals with the funds available?

From the outset, members of the task force agreed that nothing was off the table and that all three branches of government would be subject to review and possible restructuring. In addition to hearings and information from all state agencies, the task force solicited and received a great deal of public input via comment periods at all meetings and online surveys available to the general public and to public employees. After an intense interim schedule of meetings over nine months, the task force planned to propose several measures during the 2011 legislative session to restructure state government and, in doing so, ease some of the state's fiscal woes.

The biennium also brought the completion of two large capital projects that the legislature had funded in years prior, when the state's fiscal situation was more sound. In autumn 2008, the department of transportation completed a major rail extension project to bring a rail spur up La Bajada hill and into downtown Santa Fe, thus establishing the first commuter rail service between the capital city and the state's most populated areas to the south. Legislators from many districts along the Rio Grande as far south as Belen took advantage of the new service — the New Mexico rail runner — when traveling to the capitol for both interim work and for floor and committee sessions. School groups and tourists visiting the capitol arrived by rail as well. A year later, just prior to the 2010 legislative session, the long-awaited state capitol parking facility opened across the street from the capitol itself, to the great relief of the thousands of visitors who previously had been unable to find parking within a mile of the building while the legislature was in session.

### *Sessions*

During the 2008 regular session, Governor Bill Richardson's major initiatives included universal health care coverage and health care reform. However, none of the governor's health care initiatives passed, and shortly after the session, he indicated that he would call the legislature into special session to tackle those issues once again. Additionally, the governor proposed using the budget surplus for economic relief for New Mexicans to offset what were then rising gasoline prices and the beginnings of a volatile economy that called the state's budget surplus into question. Despite less-than-enthusiastic support for the governor's health care reform initiatives and early indicators of a troubled national economy, the governor called a special session, which took place in August 2008. The governor's proclamation called for an executive branch health care administrative body; commercial health insurance reforms; electronic medical records; low-income home energy assistance; public school transportation cost relief; expenditures out of the temporary assistance for needy families block grant; general election expenditures; tax relief; a tax holiday; transportation projects; and relief for areas affected by severe flooding. By the end of the 2008 special session, only public school transportation, Lincoln and Otero counties and certain families in need of assistance received financial aid, and once again, the governor's health care reform efforts failed.

As the 2009 regular session got under way, the terms "solvency", "stimulus" and "live web streaming" significantly entered the legislative lexicon.



While legislators put together spending plans in the preceding few years that grew more in expenditures than in revenues, that trend ended abruptly in 2009 as New Mexico, the nation and the world faced a financial crisis the likes of which had not been seen since the Great Depression. Legislators had to pass not one, but two spending plans during the 2009 regular session as they could not even begin to address a budget for fiscal year 2010 until they had closed a \$454 million budget gap in the current year's spending plan. "Solvency" was the word used with increasing frequency and increasing despair.

The 2009 solvency package was passed early in the session and signed into law by the governor. This package cut spending across all state agencies, transferred dollars from other funds to the general fund and juggled financing for some capital outlay projects from previous years, all to cover the projected deficit.

Once legislators addressed the fiscal year 2009 solvency issues, they tackled the more familiar task of developing the annual budget for fiscal year 2010, beginning July 1, 2009. At this point, a seldom-used budgeting term came into play: "stimulus". The addition of \$330 million in federal stimulus funds to the fiscal year 2010 budgeted revenues allowed the legislature to meet its constitutional mandate to balance the budget of \$5.5 billion — nine percent less than the fiscal year 2009 "pre-solvency" budget — while managing to maintain state reserves at the 10 percent level.

The state's dire fiscal straits kept legislators from making many other appropriations. Capital outlay spending was limited to critical health and safety projects and to complete funding for statewide projects already under way. The proposed public school funding formula, which would have required an infusion of about \$350 million, failed to pass, as did proposals to buy the college of Santa Fe.

Passing 323 bills — the fewest in a 60-day session since 1985 — the legislature did, however, address several difficult issues that sparked lively floor debates as newly elected members did not seem content to take on the traditional freshman role of learning the rules and holding their tongues. Receiving the most attention was the repeal of the death penalty, making New Mexico the second state to abolish the death penalty legislatively since its reinstatement by the United States supreme court in 1976. A number of proposals to make it easier for homeowners to absorb the costs of installing solar or other renewable energy systems were also approved. But only one of several proposals to approve tax increment development districts passed — the proposal to develop Winrock shopping center in Albuquerque — while proposals to allow for domestic partnerships for unmarried couples and expanded public support for embryonic stem cell research did not pass.

Ethics reform once again received a great deal of attention. Of more than 20 ethics-related bills that were introduced, two significant measures passed: one to limit the amount of money that donors can give to political candidates and another to open legislative conference committees, where last-minute details on legislation not yet agreed upon by both houses are worked out. A proposal to create an independent ethics commission did not pass.

Both houses addressed issues related to broadcasting and webcasting their proceedings.

Practicing the philosophy of "it's better to ask forgiveness than to ask permission", one representative used off-the-shelf equipment to stream on the internet sessions of the committees of which she was a member. The house later agreed to live audio streaming of its floor sessions. The senate decided to offer a video stream of its floor sessions, but only after a compromise in the final week of the session that allowed a single camera at the back of the chamber.

The 2010 regular session was bookended by two special sessions, and all three sessions centered on efforts to balance budgets and keep essential state government services in place.

Legislators were called into a special session in October 2009 to close widening budget gaps that, according to legislative estimates, totaled \$214 million for fiscal year 2009 and \$650 million for fiscal year 2010. The governor's proclamation for that special session was focused on transferring money from various funds to the general fund to close out fiscal year 2009 and to close the \$650 million gap for fiscal year 2010. To close the books on fiscal year 2009, the legislature transferred \$225 million from the state's reserves to the general fund. To close the fiscal year 2010 gap, there was far less agreement. Some legislators wanted to raise taxes, and others wanted to reduce salaries, but the governor's proclamation specifically excluded both of those initiatives. One week later, the legislature agreed on a package that freed up money from capital outlay projects, transferred money from various state funds, used federal stimulus funds and cut recurring and nonrecurring spending. The governor line-item vetoed some of the cuts in spending and, instead, issued an executive order directing agencies under his control to make cuts sufficient to close the gap for fiscal year 2010.

The regular 30-day session that began in January 2010 saw the fewest number of bills introduced in over a decade — 572. The fact that revenues were down about 20 percent over the previous two years had a lot to do with the low number of bills. The legislature approved 125 bills; the governor signed 116 of those bills and pocket-vetoed the rest. What was not included among the 125 bills was a general appropriation act for fiscal year 2010 — one of the main constitutionally mandated reasons for short sessions in even-numbered years. The last time the legislature adjourned during a regular session without approving a budget was 1984.

Legislators addressed other issues during the 2010 regular session, but without the drama that typically surrounds them. The legislature overhauled the composition and authority of the state investment council in the wake of influence-peddling allegations; it prohibited future government retirees from "double dipping" by drawing both a paycheck and a pension check; and it allowed New Mexicans who are licensed to carry concealed weapons to do so in restaurants that serve beer and wine. At the same time, the legislature rejected proposals to ban drivers from using cell phones and to allow same-sex couples to enter into domestic partnerships, and the senate surprised many observers when it rejected a nominee to the environmental improvement board — the first time the senate has rejected a gubernatorial nominee since 1997.

A special session began less than two weeks after adjournment of the regular session, rekindling the debate about cutting spending and raising taxes and resulting in a compromise that included a fiscal

year 2011 spending plan of \$5.6 billion — which is less than fiscal year 2008 levels — and the biggest tax increase since the mid-1980s. The budget approved by legislators gave the governor unusually broad and unilateral authority to cut spending further, if needed. The tax legislation included increases in the gross receipts tax and the cigarette tax and a partial reinstatement of the gross receipts tax on food, though that was later vetoed by the governor in what he said would be his final legislative act. He also vetoed an expansion of the low-income comprehensive tax rebate designed to help more low-income New Mexicans.



THE  
NEW MEXICO LEGISLATIVE COUNCIL



## The New Mexico Legislative Council

The New Mexico legislative council is a 16-member permanent joint interim committee of the legislature. Its primary function is to serve as an interim board of directors for the legislature. It also directs general operations of the legislative council service (LCS).

<i>LC Membership 2009</i>	<i>LC Membership 2010</i>
<i>Voting</i>	<i>Voting</i>
Sen. Timothy Z. Jennings, Co-Chair, Roswell	Sen. Timothy Z. Jennings, Co-Chair, Roswell
Rep. Ben Lujan, Co-Chair, Santa Fe	Rep. Ben Lujan, Co-Chair, Santa Fe
Sen. Carlos R. Cisneros, Questa	Sen. Carlos R. Cisneros, Questa
Sen. Dianna J. Duran, Tularosa	Sen. Dianna J. Duran, Tularosa
Rep. Keith J. Gardner, Roswell	Rep. Keith J. Gardner, Roswell
Sen. Stuart Ingle, Portales	Sen. Stuart Ingle, Portales
Rep. Rhonda S. King, Stanley	Rep. Rhonda S. King, Stanley
Rep. W. Ken Martinez, Grants	Rep. W. Ken Martinez, Grants
Sen. Cisco McSorley, Albuquerque	Sen. Cisco McSorley, Albuquerque
Rep. Rick Miera, Albuquerque	Rep. Rick Miera, Albuquerque
Sen. William H. Payne, Albuquerque	Sen. William H. Payne, Albuquerque
Sen. Michael S. Sanchez, Belen	Sen. Michael S. Sanchez, Belen
Rep. Sheryl Williams Stapleton, Albuquerque	Rep. Sheryl Williams Stapleton, Albuquerque
Rep. Thomas C. Taylor, Farmington	Rep. Thomas C. Taylor, Farmington
Rep. Jeannette O. Wallace, Los Alamos	Rep. Jeannette O. Wallace, Los Alamos
<i>Special Advisory</i>	<i>Special Advisory</i>
Rep. Eliseo Lee Alcon, Milan	Rep. Eliseo Lee Alcon, Milan
Rep. Donald E. Bratton, Hobbs	Rep. Donald E. Bratton, Hobbs
Sen. Pete Campos, Las Vegas	Sen. Pete Campos, Las Vegas
Sen. Kent L. Cravens, Albuquerque	Sen. Kent L. Cravens, Albuquerque
Rep. Anna M. Crook, Clovis	Rep. Anna M. Crook, Clovis
Rep. Brian F. Egolf, Jr., Santa Fe	Rep. Brian F. Egolf, Jr., Santa Fe
Sen. Mary Jane M. Garcia, Doña Ana	Sen. Mary Jane M. Garcia, Doña Ana
Rep. Antonio Lujan, Las Cruces	Rep. Antonio Lujan, Las Cruces
Rep. James Roger Madalena, Pueblo of Jemez	Rep. James Roger Madalena, Pueblo of Jemez
Sen. George K. Munoz, Gallup	Sen. George K. Munoz, Gallup
Rep. Al Park, Albuquerque	Rep. Al Park, Albuquerque
Sen. John Arthur Smith, Deming	Sen. John Arthur Smith, Deming
<i>Staff</i>	<i>Staff</i>
Paula Tackett	Raúl E. Burciaga
Raúl E. Burciaga	Kathy Pacheco-Dofflemeyer
Kathy Pacheco-Dofflemeyer	John Yaeger
John Yaeger	Jeret Fleetwood
Jeret Fleetwood	

As a matter of policy, all members of the legislature serve as advisory members of the council. They are invited to all meetings of the council and, upon request, are furnished a copy of the minutes after approval.

The law concerning the council reads as follows:

2-3-1. NEW MEXICO LEGISLATIVE COUNCIL CREATED.--There is created a legislative joint committee of the house and senate to be designated "the New Mexico legislative council", composed of sixteen members, eight from the house and eight from the senate. The president pro tempore and the minority floor leader of the senate and the speaker of the house of representatives and the minority floor leader of the house shall automatically be members of the council. Six of the remaining members shall be appointed from the house of representatives by the speaker; provided that, if the minority is entitled to more than one member, the additional minority members shall be appointed by the speaker only from recommendations made by the minority floor leader, although the speaker shall retain the right to reject any such recommendations; and six of the remaining members shall be appointed from the senate by the committees' committee or, if the appointments are made in the interim, by the president pro tempore after consultation with and agreement of a majority of the members of the committees' committee. If the minority is entitled to more than one member, one of the remaining six members shall be appointed by the senate minority floor leader. The appointed members of the council shall be appointed from each house so as to give the two political parties having the most members in each house the same total proportionate representation on the council as prevails in that house; providing that in the computation, major fractions shall be counted as whole numbers, and in no event shall either of the two major parties have less than one member from each house. The members shall be appointed for terms of two years or less expiring on the first day of the regular session held in odd-numbered years. The term of any member shall terminate when such member ceases to be a member of the legislature. Provided, however, that members of the council reelected to the legislature shall continue to serve as members of the council until their successors are appointed. Vacancies on the council may be filled for the unexpired term by appointment from the house or senate respectively by the respective appointing authority which makes the original appointments and subject to the same recommendations; provided such new members must be from the same body of the legislature and the same party from which their predecessors were appointed. The council shall elect such other officers as may be deemed necessary from among its own members. The officers shall be elected for terms coterminous with their membership on the council. The speaker and the president pro tempore shall be co-chairmen



of the council. No action shall be taken by the council if a majority of the total membership from either house on the council rejects such action. This 1978 amendment shall not be construed to cut short the term of any member already appointed to the council.

### ***Historical Background***

As originally constituted in 1951, the New Mexico legislative council was a standing committee of the legislature and was composed of nine members. The lieutenant governor, as president of the senate, and the speaker of the house of representatives were automatic members. The remaining seven members — three from the senate and four from the house — were appointed by the president of the senate and the speaker of the house. Not more than two members appointed from each chamber could belong to the same political party. Senate members served for four years and house members for two years.

In 1955, the membership of the council was increased to 13, providing for two additional members from each chamber. The 1955 amendment also revised the bipartisan requirement to give political parties the same proportionate representation on the council that prevailed in each chamber.

The council was made a permanent joint interim committee in 1957. The lieutenant governor was removed as a member and replaced by the president pro tempore of the senate. The appointing authority was changed to conform with the rules by which standing committees of the respective chambers are appointed. The terms of all members were set at two years.

In 1978, the membership was increased to 16 members consisting of equal representation from each chamber, and, as stated above, procedures were established for selection of minority members. Changes in voting procedures were also made whereby no action could be taken by the council if a majority of the total membership from either chamber rejected the action.

### ***Duties***

The duties of the legislative council range in scope from directing the staff of the LCS to exercising the exclusive control of the buildings and grounds of the state capitol and the former state library facility, which is now the capitol north annex.

Specifically, the duties of the legislative council set out in the law are as follows:

2-3-3. LEGISLATIVE COUNCIL--POWERS--DUTIES.--It shall be the duty of the legislative council:

- A. to adopt rules and regulations for the administration of this act in the conduct of the affairs of the council service;
- B. to formulate policies for the operation and conduct of the business of the council service, and generally to supervise all of the activities of such council service;
- C. to carry out the purposes of the council service as hereafter set forth;

D. to create committees of legislators to study major problems during the periods when the legislature is not in session; provided that:

(1) no member of the council shall serve as an officer or voting member on an interim committee appointed or created by the council;

(2) all committees created by the council shall terminate on or before December 1 of the year in which they are created, unless the council subsequently extends the life of the committee for not more than one month;

(3) the minority party shall be represented on all council-created committees in the proportion the minority party is represented in each house;

(4) the relationship of the size of the house and senate shall be taken into consideration in determining the number of members from each house appointed to an interim committee created by the council; and

(5) members shall be appointed to council-created committees by the same appointing authorities that appoint the council members from each house, and subject to the same recommendations. The council shall name committee officers from among the committee members so appointed;

E. to adopt rules of procedure for all committees created by the council including a rule that no action shall be taken by the committee if a majority of the total membership from either house on the committee rejects such action; provided that no member of the legislature shall ever be excluded from any meeting of any committee appointed by the council; and

F. to refrain from advocating or opposing the introduction or passage of legislation.

2-3-4. CONTROL OF BUILDING HOUSING LEGISLATURE, ADJACENT UTILITY PLANT AND SURROUNDING GROUNDS.--

Notwithstanding the provisions of Chapter 6, Articles 1 and 2, New Mexico Statutes Annotated, 1953 Compilation, the exclusive control, care, custody and maintenance of the building in which the legislature is housed, the adjacent utilities plant and the surrounding grounds are transferred from the capitol buildings improvement commission, and the capitol custodian commission, to the legislative council.

2-3-6. CONTROL OF STATE LIBRARY BUILDING AND SURROUNDING GROUNDS.--Notwithstanding the provisions of Chapter 6, Article 1, NMSA 1953, the exclusive control for the care, custody and

maintenance of the building in which the state library is housed, and the surrounding grounds, are (sic) transferred from the capitol custodian commission to the legislative council.

In addition, the members of the legislative council serve as ex-officio members of the commission on intergovernmental cooperation. The duties of the commission are set out as follows:

11-2-2. DUTIES OF COMMISSION.

- A. to carry forward the participation of this state as a member of the council of state governments;
- B. to encourage and assist the legislative, executive, administrative and judicial officials and employees of this state to develop and maintain friendly contact by correspondence, by conference and otherwise, with officials and employees of the other states, of the federal government and of local units of government;
- C. to endeavor to advance cooperation between this state and other units of government whenever it seems advisable to do so by formulating proposals for, and by facilitating:
  - (1) the adoption of compacts;
  - (2) the enactment of uniform or reciprocal statutes;
  - (3) the adoption of uniform or reciprocal administrative rules and regulations;
  - (4) the informal cooperation of governmental offices with one another;
  - (5) the personal cooperation of governmental officials and employees with one another, individually;
  - (6) the interchange and clearance of research and information; and
  - (7) any other suitable process;
- D. in short, to do all such acts as will, in the opinion of this commission, enable this state to do its part – or more than its part in forming a more perfect union among the various governments in the United States and in developing the council of state governments for that purpose.

### ***Policy Changes***

At its July 28, 2008 meeting, the legislative council amended Subsection A of Policy 5 regarding per diem and mileage as follows. (Deleted text appears in bracketed italic — new text is underscored)

#### 5. PER DIEM AND MILEAGE.--

A. Per diem and mileage for approved travel or service in the interim that is required by the legislative council shall be in the amounts provided by law. Per diem shall be paid on a calendar day basis and shall be paid for each day of meeting, including meeting-related informational tours or field trips, and necessary travel for in-state *[meetings and for each day of meeting and necessary travel for]* and out-of-state meetings. A legislator who *[travels]* drives to a location one hundred or more miles from the legislator's point of departure on the same day of the meeting in lieu of necessary travel the day prior to the meeting and who claims per diem only for days of the meeting shall be entitled to one additional day of per diem. Only one legislator shall receive mileage reimbursement for each mile traveled in a privately owned vehicle or airplane. Staff travel shall be as provided for other state employees except that as long as the law so provides, out-of-state travel will not require gubernatorial approval.

At its January 19, 2009 meeting, the legislative council adopted the following new policy to meet statutory requirements that each state agency have policies in place to address loss control.

#### 23. LEGISLATIVE LOSS CONTROL AND PREVENTION.--

A. The "legislative loss prevention and control staff committee" is created. The committee consists of the directors of the legislative council service, the legislative education study committee and the legislative finance committee, the chief clerks of the house and the senate and the capitol building superintendent, who shall also serve as the legislative loss control and prevention coordinator. The committee shall be chaired by the director of the legislative council service.

B. The committee, which shall meet regularly as necessary, shall seek to prevent and limit insurable losses by analyzing claims, promoting employee training on safety- and employment-related issues, recommending the mitigation of hazards and conditions that may lead to claims or losses and engaging in other activities as it believes necessary. The committee shall report to the legislative council and shall cooperate with the appropriate state

agencies to prevent and limit insurable losses.

At its January 10, 2010 meeting, the legislative council adopted the following new policy regarding use of the new state capitol parking facility during legislative sessions and expanded the policy at its March 31, 2010 meeting to address use of the facility during the interims.

24. STATE CAPITOL PARKING FACILITY.--The state capitol parking facility shall be managed by the Legislative Council Service (LCS) in accordance with this policy.

A. State Agency Parking

1. Agency employees assigned a parking space shall be issued a card for entry into and exit from the parking garage. The assigned card will also allow employees to enter the parking garage at the north door. If the cardholder is observed using the card for more than one vehicle in a given period of time, the card will be revoked.

2. The cards will be assigned to a state agency and will be issued by that agency to state employees. A list of the card numbers with a corresponding list of the employees to whom the cards have been issued must be submitted to the Legislative Building Services (LBS). The agency shall notify the LBS if the assigned card is transferred to another employee.

3. A parking stall may not be used as a storage or repair area.

4. If a state employee presents a ticket rather than the issued card to exit the parking facility, that employee will be charged the appropriate amount for parking.

5. If a card is lost, a replacement fee will be charged in the amount of \$20.00.

B. Public Parking

1. Parking rates during the 2010 regular session will be \$1.00 per hour, with a maximum of \$8.00 per day. Payment can be made in cash only, and bills larger than \$20.00 will not be accepted. Lost tickets will be charged the maximum rate of \$8.00 per day. The director of the LCS is authorized to adjust rates as necessary.

2. For the 2010 regular session, a limited number of spaces may be reserved for the full session. To reserve a space, LBS must be contacted by January 17, 2010. A reserved space costs \$360.00 for the full 30 days or any portion thereof. A reserved parking space grants the holder a

reserved space, which will be assigned by LBS, from January 19, 2010 through February 18, 2010. Reserved spaces will be determined by a lottery if more people are interested in reserved spaces than are available. If there is a lottery, those selected will be notified on Monday, January 18, 2010, to arrange for immediate payment.

3. The director of the LCS shall determine the hours of operation.

4. Thirty spaces will be reserved for High Occupancy Vehicles to encourage car-pooling. For purposes of this policy, "High Occupancy Vehicle" means a single vehicle with three or more occupants.

5. During the interim, parking assignments will be handled separately following a reassessment of agency needs.

At its May 12, 2010 meeting, the council amended Policy 24 regarding the state capitol parking facility as follows.

24. STATE CAPITOL PARKING FACILITY.--The state capitol parking facility shall be managed by the Legislative Council Service (LCS) in accordance with this policy.

A. State Agency and Capitol Tenant Parking

1. Agency employees and Capitol tenants assigned a parking space shall be issued a card for entry into and exit from the parking garage. The assigned card will also allow *[employees]* a cardholder to enter the parking garage at the north door. If the cardholder is observed using the card for more than one vehicle in a given period of time, the card will be revoked.

2. The cards will be assigned to a state agency and will be issued by that agency to state employees. A list of the card numbers with a corresponding list of the employees to whom the cards have been issued must be submitted to Legislative Building Services (LBS). The agency shall notify LBS if the assigned card is transferred to another employee. LBS shall maintain a list of cards issued to other Capitol tenants.

3. A parking stall may not be used as a storage or repair area.

*[4. If a state employee presents a ticket rather than the issued card to exit the parking facility, that employee will be charged the appropriate amount for parking.*

5.] 4. If a card is lost, a replacement fee will be charged in

the amount of \$20.00.

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*2. For the 2010 regular session, a limited number of spaces may be reserved for the full session. To reserve a space, the LBS must be contacted by January 17, 2010. A reserved space costs \$360.00 for the full 30 days or any portion thereof. A reserved parking space grants the holder a reserved space, which will be assigned by the LBS, from January 19, 2010 through February 18, 2010. Reserved spaces will be determined by a lottery if more people are interested in reserved spaces than are available. If there is a lottery, those selected will be notified on Monday, January 18, 2010, to arrange for immediate payment.*

*3. The director of the LCS shall determine the hours of operation.*

*4. Thirty spaces will be reserved for High Occupancy Vehicles to encourage car-pooling. For purposes of this policy, "High Occupancy Vehicle" means a single vehicle with three or more occupants.*

*5. During the interim, parking assignments will be handled separately following a reassessment of agency needs.]*

1. Remaining parking spaces will be available free of charge on a first-come, first-served basis.

2. The director of the LCS shall determine the days and hours of operation.

3. The director of the LCS may reserve spaces for high-occupancy vehicles to encourage carpooling.

4. Under the direction of the legislative council, the director of the LCS shall perform all duties necessary for the care, custody, control and maintenance of the parking facility.





## **PERMANENT INTERIM COMMITTEES**



## Legislative Education Study Committee

2009, 2010

The legislative education study committee (LESC) was originally created in 1965, and members are appointed pursuant to the statutory authority contained in Section 2-10-1 NMSA 1978.

As a permanent interim committee of the legislature, the LESC conducts a continuing study of all education in New Mexico, the laws governing such education and the policies and costs of the New Mexico educational system. It publishes a separate report of its work, findings and recommendations.

### *LESC Membership 2009*

#### *Voting*

Sen. Cynthia Nava, Chair, Las Cruces  
Rep. Rick Miera, Vice Chair, Albuquerque  
Sen. Mary Jane M. Garcia, Doña Ana  
Rep. Roberto "Bobby" J. Gonzales, Taos  
Rep. Jimmie C. Hall, Albuquerque  
Sen. Gay G. Kernan, Hobbs  
Sen. Lynda M. Lovejoy, Crownpoint  
Rep. Dennis J. Roch, Tucumcari  
Rep. Mimi Stewart, Albuquerque  
Rep. Jack E. Thomas, Rio Rancho

#### *Advisory*

Sen. Vernon D. Asbill, Carlsbad  
Rep. Andrew J. Barreras, Tome  
Rep. Ray Begaye, Shiprock  
Rep. Eleanor Chavez, Albuquerque  
Rep. Nathan P. Cote, Las Cruces  
Rep. Nora Espinoza, Roswell  
Sen. Stephen H. Fischmann, Mesilla Park  
Rep. Mary Helen Garcia, Las Cruces  
Rep. Karen E. Giannini, Albuquerque  
Rep. John A. Heaton, Carlsbad  
Sen. Howie C. Morales, Silver City  
Sen. John Pinto, Tohatchi  
Sen. Sander Rue, Albuquerque  
Sen. William E. Sharer, Farmington  
Rep. Sheryl Williams Stapleton, Albuquerque  
Rep. Shirley A. Tyler, Lovington

### *LESC Membership 2010*

#### *Voting*

Sen. Cynthia Nava, Chair, Las Cruces  
Rep. Rick Miera, Vice Chair, Albuquerque  
Sen. Mary Jane M. Garcia, Doña Ana  
Rep. Roberto "Bobby" J. Gonzales, Taos  
Rep. Jimmie C. Hall, Albuquerque  
Sen. Gay G. Kernan, Hobbs  
Sen. Lynda M. Lovejoy, Crownpoint  
Rep. Dennis J. Roch, Tucumcari  
Rep. Mimi Stewart, Albuquerque  
Rep. Jack E. Thomas, Rio Rancho

#### *Advisory*

Sen. Vernon D. Asbill, Carlsbad  
Rep. Andrew J. Barreras, Tome  
Rep. Ray Begaye, Shiprock  
Rep. Eleanor Chavez, Albuquerque  
Rep. Nathan P. Cote, Las Cruces  
Rep. Nora Espinoza, Roswell  
Sen. Stephen H. Fischmann, Mesilla Park  
Rep. Mary Helen Garcia, Las Cruces  
Rep. Karen E. Giannini, Albuquerque  
Rep. John A. Heaton, Carlsbad  
Sen. Howie C. Morales, Silver City  
Sen. John Pinto, Tohatchi  
Sen. Sander Rue, Albuquerque  
Sen. William E. Sharer, Farmington  
Rep. Sheryl Williams Stapleton, Albuquerque  
Rep. Shirley A. Tyler, Lovington

## Legislative Finance Committee

2009, 2010

The legislative finance committee (LFC) was established as a fiscal and management arm of the legislature in 1957. The committee makes budgetary recommendations to the legislature for funding

*LFC Membership  
2009*

*Voting*

Rep. Luciano "Lucky" Varela, Chair, Santa Fe  
Sen. John Arthur Smith, Vice Chair, Deming  
Sen. Sue Wilson Beffort, Sandia Park  
Rep. Donald E. Bratton, Hobbs  
Sen. Pete Campos, Las Vegas  
Sen. Carlos R. Cisneros, Questa  
Sen. Stuart Ingle, Portales  
Rep. Rhonda S. King, Stanley  
Sen. Carroll H. Leavell, Jal  
Sen. Mary Kay Papen, Las Cruces  
Rep. Henry Kiki Saavedra, Albuquerque  
Rep. Nick L. Salazar, Ohkay Owingeh  
Rep. Edward C. Sandoval, Albuquerque  
Sen. John M. Sapien, Corrales  
Rep. Don L. Tripp, Socorro  
Rep. Jeannette O. Wallace, Los Alamos

*Designees*

Sen. Rod Adair, Roswell  
Rep. Andrew J. Barreras, Tome  
Rep. Ray Begaye, Shiprock  
Rep. Richard J. Berry, Albuquerque  
Rep. Brian F. Egolf, Jr., Santa Fe  
Rep. Roberto "Bobby" J. Gonzales, Taos  
Sen. Phil A. Griego, San Jose  
Sen. Clinton D. Harden, Jr., Clovis  
Rep. John A. Heaton, Carlsbad  
Sen. Timothy Z. Jennings, Roswell  
Sen. Timothy M. Keller, Albuquerque  
Rep. Larry A. Larrañaga, Albuquerque  
Sen. Linda M. Lopez, Albuquerque  
Rep. Antonio Lujan, Las Cruces  
Rep. Patricia A. Lundstrom, Gallup  
Sen. Cisco McSorley, Albuquerque  
Sen. Howie C. Morales, Silver City  
Sen. Steven P. Neville, Aztec  
Rep. Al Park, Albuquerque  
Rep. Danice Picraux, Albuquerque  
Sen. Bernadette M. Sanchez, Albuquerque  
Sen. William E. Sharer, Farmington  
Rep. Thomas C. Taylor, Farmington  
Sen. David Ulibarri, Grants  
Rep. Richard D. Vigil, Ribera  
Sen. Peter Wirth, Santa Fe

*LFC Membership  
2010*

*Voting*

Rep. Luciano "Lucky" Varela, Chair, Santa Fe  
Sen. John Arthur Smith, Vice Chair, Deming  
Sen. Sue Wilson Beffort, Sandia Park  
Rep. Donald E. Bratton, Hobbs  
Sen. Pete Campos, Las Vegas  
Sen. Carlos R. Cisneros, Questa  
Sen. Stuart Ingle, Portales  
Rep. Rhonda S. King, Stanley  
Sen. Carroll H. Leavell, Jal  
Sen. Mary Kay Papen, Las Cruces  
Rep. Henry Kiki Saavedra, Albuquerque  
Rep. Nick L. Salazar, Ohkay Owingeh  
Rep. Edward C. Sandoval, Albuquerque  
Sen. John M. Sapien, Corrales  
Rep. Don L. Tripp, Socorro  
Rep. Jeannette O. Wallace, Los Alamos

*Designees*

Sen. Rod Adair, Roswell  
Rep. Andrew J. Barreras, Tome  
Rep. Ray Begaye, Shiprock  
Rep. Brian F. Egolf, Jr., Santa Fe  
Rep. Roberto "Bobby" J. Gonzales, Taos  
Sen. Phil A. Griego, San Jose  
Sen. Clinton D. Harden, Jr., Clovis  
Rep. John A. Heaton, Carlsbad  
Sen. Timothy Z. Jennings, Roswell  
Sen. Timothy M. Keller, Albuquerque  
Rep. Larry A. Larrañaga, Albuquerque  
Sen. Linda M. Lopez, Albuquerque  
Rep. Antonio Lujan, Las Cruces  
Rep. Patricia A. Lundstrom, Gallup  
Sen. Cisco McSorley, Albuquerque  
Sen. Howie C. Morales, Silver City  
Sen. Steven P. Neville, Aztec  
Rep. Al Park, Albuquerque  
Rep. Danice Picraux, Albuquerque  
Sen. Bernadette M. Sanchez, Albuquerque  
Sen. William E. Sharer, Farmington  
Rep. Thomas C. Taylor, Farmington  
Sen. David Ulibarri, Grants  
Rep. Richard D. Vigil, Ribera  
Sen. Peter Wirth, Santa Fe

state government, higher education and public schools. The committee also prepares legislation addressing financial and management issues of state government. The LFC conducts public hearings, usually once a month during the interim, to consider its budget recommendations and to pursue current finance and management issues of state government.

As a permanent interim committee, the LFC publishes a separate biennial report of its work.

**STATUTORY AND COUNCIL-CREATED INTERIM COMMITTEES**



# Courts, Corrections and Justice Committee

2009, 2010

<i>CCJ Membership 2009</i>	<i>CCJ Membership 2010</i>
<i>Voting</i>	<i>Voting</i>
Rep. Al Park, Co-Chair, Albuquerque	Rep. Al Park, Co-Chair, Albuquerque
Sen. Peter Wirth, Co-Chair, Santa Fe	Sen. Peter Wirth, Co-Chair, Santa Fe
Sen. Rod Adair, Roswell	Sen. Rod Adair, Roswell
Rep. Thomas A. Anderson, Albuquerque	Rep. Thomas A. Anderson, Albuquerque
Rep. Joseph Cervantes, Las Cruces	Rep. Joseph Cervantes, Las Cruces
Rep. Gail Chasey, Albuquerque	Rep. Gail Chasey, Albuquerque
Rep. Zachary J. Cook, Ruidoso	Rep. Zachary J. Cook, Ruidoso
Sen. Mary Jane M. Garcia, Doña Ana	Sen. Mary Jane M. Garcia, Doña Ana
Sen. Clinton D. Harden, Jr., Clovis	Sen. Clinton D. Harden, Jr., Clovis
Sen. Linda M. Lopez, Albuquerque	Sen. Linda M. Lopez, Albuquerque
Rep. Antonio "Moe" Maestas, Albuquerque	Rep. Antonio "Moe" Maestas, Albuquerque
Sen. Richard C. Martinez, Española	Sen. Richard C. Martinez, Española
Rep. William "Bill" R. Rehm, Albuquerque	Rep. William "Bill" R. Rehm, Albuquerque
Sen. John C. Ryan, Albuquerque	Sen. John C. Ryan, Albuquerque
Rep. Mimi Stewart, Albuquerque	Rep. Mimi Stewart, Albuquerque
<i>Advisory</i>	<i>Advisory</i>
Rep. Eliseo Lee Alcon, Milan	Rep. Eliseo Lee Alcon, Milan
Rep. Elias Barela, Belen	Rep. Elias Barela, Belen
Rep. Brian F. Egolf, Jr., Santa Fe	Rep. Brian F. Egolf, Jr., Santa Fe
Sen. Gay G. Kernan, Hobbs	Sen. Gay G. Kernan, Hobbs
Rep. Dennis J. Kintigh, Roswell	Rep. Dennis J. Kintigh, Roswell
Sen. Carroll H. Leavell, Jal	Sen. Carroll H. Leavell, Jal
Rep. W. Ken Martinez, Grants	Rep. W. Ken Martinez, Grants
Sen. Cisco McSorley, Albuquerque	Sen. Cisco McSorley, Albuquerque
Rep. Bill B. O'Neill, Albuquerque	Rep. Bill B. O'Neill, Albuquerque
Sen. William H. Payne, Albuquerque	Sen. William H. Payne, Albuquerque
Sen. Michael S. Sanchez, Belen	Sen. Michael S. Sanchez, Belen
Rep. Sheryl Williams Stapleton, Albuquerque	Rep. Sheryl Williams Stapleton, Albuquerque
Rep. Jack E. Thomas, Rio Rancho	Rep. Jack E. Thomas, Rio Rancho
Sen. David Ulibarri, Grants	Sen. David Ulibarri, Grants
Rep. Gloria C. Vaughn, Alamogordo	Rep. Gloria C. Vaughn, Alamogordo
<i>Staff</i>	<i>Staff</i>
Maha Khoury	Maha Khoury
Kate Ferlic	Kim Bannerman
Mark Harben	Leslie Porter

The courts, corrections and justice committee was created by the New Mexico legislative council for the biennium on May 7, 2009 and again on May 12, 2010.

During the 2009 interim, the committee proposed to address the following and recommend appropriate legislation:

- (1) oversee and monitor issues relating to corrections, prison reform and reentry and rehabilitation of inmates and review issues relating to the metropolitan detention center;
- (2) review operations of the judiciary and its projects, committees, specialty courts,

budget and recommended legislation;

(3) examine issues relating to criminal justice and public safety, including criminal laws and procedures, public defenders, district attorneys and law enforcement;

(4) monitor juvenile justice issues and the Cambiar model adopted by the children, youth and families department (CYFD);

(5) study water adjudication issues in a joint meeting with the water and natural resources committee;

(6) examine predatory lending issues and recommendations from the lieutenant governor's predatory lending task force;

(7) examine issues relating to homeowner associations;

(8) examine concerns raised by Chapter 48, Article 2 NMSA 1978 and the Stop Notice Act regarding contractors' and subcontractors' liens on a homeowner's property;

(9) review issues relating to civil rights claims under the Tort Claims Act and examine liability for foster parents;

(10) hear a report from the superintendent of insurance on medical malpractice;

(11) examine liquor retailer insurance;

(12) receive an update on the federal REAL ID Act of 2005, as necessary;

(13) review governmental ethics issues;

(14) examine election law issues as directed by the New Mexico legislative council or requested by the secretary of state or county clerks;

(15) review issues relating to cemetery endowed or perpetual care funds;

(16) review some legislative proposals of the uniform law commission;

(17) review legislative proposals of the attorney general and the governor related to the work of this committee; and

(18) address related issues as appropriate.

During the 2010 interim, the committee proposed to:

(1) oversee and monitor issues relating to corrections, prison reform and reentry and the impact of budget cuts;

(2) review operations of the judiciary and its projects, committees, specialty courts and budget, as well as the impact of budget cuts and recommended legislation;

(3) examine issues relating to criminal justice and public safety, including criminal laws and procedures, public defenders, district attorneys and law enforcement;

(4) monitor juvenile justice issues and the Cambiar model adopted by the CYFD;

(5) provide guidance and recommendations to the government restructuring task force by examining the programs and missions of the agencies overseen by the committee with an eye toward making those agencies more efficient and cost-effective, including ranking programs in terms of criticality to the core functions of those agencies;



- (6) examine real estate issues, including homeowner associations, foreclosures and solar rights;
- (7) examine issues relating to good government, such as ethics, elections, *qui tam* and allegations of voter fraud;
- (8) study border issues, including border violence and enforcement, border communities, the roles of the state and federal governments and immigration detention facilities;
- (9) visit the new facility of the office of the state medical investigator;
- (10) review some legislative proposals of the uniform law commission;
- (11) review legislative proposals of the governor and the attorney general related to the work of this committee; and
- (12) address related issues as appropriate.

## **Economic and Rural Development Committee**

*2009, 2010*

The New Mexico legislative council has appointed an interim committee to explore some combination of economic development, rural development and telecommunications issues within the state for over a decade. For the past several years, the committee has addressed all three topics; in 2007, however, the committee's scope was narrowed when telecommunications issues were placed under the purview of the information technology oversight committee. Under its reduced workload, the economic and rural development committee was created by the legislative council on May 7, 2009 and again on May 12, 2010.

During the 2009 interim, the committee proposed to address the following topics:

- (1) the home mortgage crisis in New Mexico, including a review of the Home Loan Protection Act, foreclosure rates, predatory lending practices, congressional solutions and potential state initiatives;
- (2) lack of a well-trained work force as one of the barriers to business recruitment, including a review of the implementation of Senate Bill 46 (2009) to develop high school pre-apprenticeship programs, additional statewide opportunities in vocational education and the needs of New Mexico's job market;
- (3) ways to encourage higher education to emphasize degree programs currently in short supply, including a review of work force talent retention problems and an evaluation of the cultural competency curriculum for students entering health professions;
- (4) a presentation from the workforce solutions department (WSD) on unemployment issues and statewide work force demographic changes;
- (5) the economic impact of the wine industry from growth to production and whether

*ERDC Membership  
2009*

*Voting*

Sen. Bernadette M. Sanchez, Chair, Albuquerque  
Rep. Mary Helen Garcia, Vice Chair, Las Cruces  
Rep. Andrew J. Barreras, Tome  
Sen. Mark Boitano, Albuquerque  
Rep. Ernest H. Chavez, Albuquerque  
Rep. Nora Espinoza, Roswell  
Sen. Mary Jane M. Garcia, Doña Ana  
Rep. William J. Gray, Artesia  
Rep. Dianne Miller Hamilton, Silver City  
Sen. Clinton D. Harden, Jr., Clovis  
Sen. Timothy M. Keller, Albuquerque  
Rep. Patricia A. Lundstrom, Gallup  
Sen. Howie C. Morales, Silver City  
Sen. George K. Munoz, Gallup  
Rep. Debbie A. Rodella, Española  
Sen. William E. Sharer, Farmington

*Advisory*

Sen. Rod Adair, Roswell  
Sen. Sue Wilson Beffort, Sandia Park  
Rep. Zachary J. Cook, Ruidoso  
Rep. Nathan P. Cote, Las Cruces  
Sen. Dianna J. Duran, Tularosa  
Rep. John A. Heaton, Carlsbad  
Rep. Sandra D. Jeff, Crownpoint  
Sen. Carroll H. Leavell, Jal  
Rep. James Roger Madalena, Pueblo of Jemez  
Rep. Antonio "Moe" Maestas, Albuquerque  
Sen. Richard C. Martinez, Española  
Rep. Rodolpho "Rudy" S. Martinez, Bayard  
Rep. Andy Nuñez, Hatch  
Rep. William "Bill" R. Rehm, Albuquerque  
Sen. John M. Sapien, Corrales  
Rep. Shirley A. Tyler, Lovington  
Sen. David Ulibarri, Grants  
Rep. Richard D. Vigil, Ribera

*Staff*

Kate Ferlic  
Sandy Mitchell

*ERDC Membership  
2010*

*Voting*

Rep. Mary Helen Garcia, Chair, Las Cruces  
Sen. Bernadette M. Sanchez, Vice Chair,  
Albuquerque  
Rep. Andrew J. Barreras, Tome  
Sen. Mark Boitano, Albuquerque  
Rep. Ernest H. Chavez, Albuquerque  
Rep. Nora Espinoza, Roswell  
Sen. Mary Jane M. Garcia, Doña Ana  
Rep. William J. Gray, Artesia  
Rep. Dianne Miller Hamilton, Silver City  
Sen. Clinton D. Harden, Jr., Clovis  
Sen. Timothy M. Keller, Albuquerque  
Rep. Patricia A. Lundstrom, Gallup  
Sen. Richard C. Martinez, Española  
Sen. Howie C. Morales, Silver City  
Rep. Debbie A. Rodella, Española  
Sen. William E. Sharer, Farmington

*Advisory*

Sen. Rod Adair, Roswell  
Sen. Sue Wilson Beffort, Sandia Park  
Rep. Zachary J. Cook, Ruidoso  
Rep. Nathan P. Cote, Las Cruces  
Sen. Dianna J. Duran, Tularosa  
Rep. John A. Heaton, Carlsbad  
Rep. Sandra D. Jeff, Crownpoint  
Sen. Carroll H. Leavell, Jal  
Rep. James Roger Madalena, Pueblo of Jemez  
Rep. Antonio "Moe" Maestas, Albuquerque  
Sen. George K. Munoz, Gallup  
Rep. Andy Nuñez, Hatch  
Rep. William "Bill" R. Rehm, Albuquerque  
Sen. John M. Sapien, Corrales  
Rep. Shirley A. Tyler, Lovington  
Sen. David Ulibarri, Grants  
Rep. Richard D. Vigil, Ribera

*Staff*

Peter Kovnat  
Sandy Mitchell  
Lacy Daniel  
Jenny Rabinowitz

policy changes are necessary to support the industry;

(6) the practical effects of the changes to tax increment development district (TIDD) statutes in New Mexico, including a review to determine if amendments are necessary to accomplish the state's goals in creating the districts and an examination of existing TIDDs, the new TIDD at Winrock and potential future TIDDs, such as the Las Cruces TIDD and the SunCal TIDD;

(7) annexation issues pursuant to House Memorial 60 (2009), including the benefits and drawbacks of expanding municipal boundaries and of annexation procedures, and a presentation on the

regionalization efforts of White Sands missile range;

(8) economic development department (EDD) efforts to attract economic activity to New Mexico and assess the return on investment for tax credits encouraging economic development, including film and energy credits and the job training incentive program;

(9) a report from the tourism department on the effects of the ailing economy on New Mexico tourism and the potential for promoting "adventure/eco-travel";

(10) the needs of rural communities, including tribal economic development, New Mexico rural poverty, asset deficits and individual development accounts;

(11) collaboration opportunities with the national laboratories;

(12) the new model Administrative Procedures Act, including its impact on business and an approach to improving regulatory processes;

(13) the recommendations and report from the consumer lending task force and its recommended legislation;

(14) emerging economic sectors in New Mexico, incentives to attract new business and investment, methods to cultivate opportunities for existing business, incentives for the renewable energy industry, such as renewable energy payments to encourage use of alternative energy (House Memorial 96, (2009)) and regulation of commercial wind facilities (House Joint Memorial 75 (2009));

(15) the progress of spaceport America;

(16) arts and culture as a means of economic development pursuant to House Memorial 112 (2009);

(17) agricultural issues, including the chile industry, organic farming, the dairy industry and hemp commercialization (Senate Memorial 30 (2009));

(18) uranium mining, including development and cleanup;

(19) statutory and regulatory powers of homeowner associations and the rights of members;

(20) the economic development impact of transportation infrastructure; and

(21) the federal stimulus package, including plans for transportation and government services and the status of grant applications.

The committee voted to create a regulatory processes subcommittee, subject to approval by the legislative council; however, the council did not accept the proposal and, instead, created a subcommittee that included members of the economic and rural development committee, revenue stabilization and tax policy committee and courts, corrections and justice committee. The council also approved one two-day meeting for the 2009 interim.

During the 2010 interim, the committee proposed to:

(1) provide guidance and recommendations to the government restructuring task force by examining the programs and missions of the agencies overseen by the committee with an eye toward making those agencies more efficient and cost-effective, including ranking programs in terms of

criticality to the core functions of those agencies, and receive a report from the task force on proposals for restructuring that affect the committee;

(2) address the concern that the lack of a well-trained work force is often cited as one of the barriers to business recruitment by receiving a status update on efforts to develop high school pre-apprenticeship programs and examining additional statewide opportunities in vocational education and the needs of New Mexico's job market;

(3) receive a report from the EDD on existing TIDDs, the new TIDD in Las Cruces and potential TIDDs;

(4) receive a presentation from the EDD on its current initiatives, the economic development impact of infrastructure for colonias, how colonias are using the funding they receive, issues regarding domestic water in colonias and economic and rural development issues related to frontier communities;

(5) oversee the various business incentives the EDD uses to attract economic activity to New Mexico and assess the return on investment for tax credits encouraging economic development, including film and energy credits and the job training incentive program, and receive reports from specific companies that received tax credits to assess what works and what does not work;

(6) receive a report from the tourism department on the effects of the ailing economy on New Mexico tourism and tourism initiatives with Mexico and study the potential for promoting adventure/eco-travel;

(7) examine the revised model state Administrative Procedures Act, assess its impact on business and develop an approach to improving regulatory processes;

(8) evaluate emerging economic sectors in New Mexico, identify incentives to attract new business and investment and examine methods to cultivate opportunities for existing business;

(9) explore the need for a farmers' protection act and receive a report from the various stakeholders to determine whether fears of genetically modified seeds are well-founded;

(10) explore the economic development impact of the transportation infrastructure, review the impact of the trucking tax on New Mexico and receive an update from the department of transportation on House Memorial 9 (2010) and the sustainable transportation fund;

(11) hear from the New Mexico municipal league, the New Mexico association of counties and the attorney general's office and work with print, broadcast and electronic media outlets to expand public access to and transparency of government operations;

(12) discuss resource planning in New Mexico at the state, county and city levels;

(13) explore the possibility of amending Article 42 of the New Mexico Insurance Code, the Life and Health Insurance Guaranty Law, to conform to a current model law developed by the national association of insurance commissioners and as proposed by Senate Bill 75 of the 2009 legislative session;

(14) study homeowner association regulations and laws and their effectiveness, the

statutory and regulatory powers of homeowner associations and the rights of members;

(15) consider the economic and rural development impact of the federal stimulus package and other publicly funded projects and the percentage of out-of-state contractors used on those projects;

(16) examine the authority of the construction industries division of the regulation and licensing department to oversee local inspectors;

(17) explore the economic and rural development impact of small business development centers, how and where colleges use the \$5.4 million annual appropriation they receive and what kind of oversight exists for the colleges and the recipients of the incubator funding;

(18) receive reports from various industries — including nuclear energy and waste disposal, oil and gas, mining, agriculture, conservation and recycling, renewable energy and health care — and from angel investors to assess what must be done to bring jobs to the state; and

(19) evaluate the economic impact of the wine industry and microbreweries, determine what needs to be done to support these industries, receive a report from the regulation and licensing department on beer and wine licenses versus liquor licenses and determine whether policy changes are necessary for better support of the industry.

## **Indian Affairs Committee**

*2009, 2010*

The Indian affairs committee has existed since 1989 as a result of post-session action each year by the New Mexico legislative council. For the biennium, the committee was created by the council on May 7, 2009 and on May 12, 2010.

For the 2009 interim, the committee proposed to address cross-jurisdictional issues, give its input on priority funding under the federal stimulus package, hear from the state's first Native American law school dean and tour the new Sundance institute for Native American and Hispanic filmmakers. In addition, it proposed to travel to three pueblos, three chapter houses, San Juan college and Red Rocks state park, as well as to meet jointly with the radioactive and hazardous materials committee in Albuquerque on uranium mining.

The committee proposed to focus in large part on the federal American Recovery and Reinvestment Act of 2009 (ARRA) initiatives affecting pueblos and tribes to ensure that money allotted to the Navajo Nation is spent proportionally in New Mexico and to minimize duplication in services and benefits funded both by the state and by the federal government.

The committee also proposed to focus on three federal-state issues: Native American voting rights, uranium cleanup and crime bill amendments that significantly affect native sovereignty. Staff from the United States department of justice were invited to appear at the committee's July 15 meeting

<i>IAC Membership 2009</i>	<i>IAC Membership 2010</i>
<i>Voting</i>	<i>Voting</i>
Rep. James Roger Madalena, Co-Chair, Pueblo of Jemez	Rep. James Roger Madalena, Co-Chair, Pueblo of Jemez
Sen. John Pinto, Co-Chair, Tohatchi	Sen. John Pinto, Co-Chair, Tohatchi
Sen. Rod Adair, Roswell	Sen. Rod Adair, Roswell
Rep. Eliseo Lee Alcon, Milan	Rep. Eliseo Lee Alcon, Milan
Rep. Ray Begaye, Shiprock	Rep. Ray Begaye, Shiprock
Sen. Eric G. Griego, Albuquerque	Sen. Eric G. Griego, Albuquerque
Rep. Sandra D. Jeff, Crownpoint	Rep. Sandra D. Jeff, Crownpoint
Sen. Lynda M. Lovejoy, Crownpoint	Sen. Lynda M. Lovejoy, Crownpoint
Rep. Patricia A. Lundstrom, Gallup	Rep. Patricia A. Lundstrom, Gallup
Sen. George K. Munoz, Gallup	Sen. George K. Munoz, Gallup
Rep. Jane E. Powdrell-Culbert, Corrales	Rep. Jane E. Powdrell-Culbert, Corrales
Sen. Nancy Rodriguez, Santa Fe	Sen. Nancy Rodriguez, Santa Fe
Sen. John C. Ryan, Albuquerque	Sen. John C. Ryan, Albuquerque
Rep. Gloria C. Vaughn, Alamogordo	Rep. Gloria C. Vaughn, Alamogordo
<i>Advisory</i>	<i>Advisory</i>
Rep. Ernest H. Chavez, Albuquerque	Rep. Ernest H. Chavez, Albuquerque
Sen. Stuart Ingle, Portales	Sen. Stuart Ingle, Portales
Sen. Timothy Z. Jennings, Roswell	Sen. Timothy Z. Jennings, Roswell
Rep. Ben Lujan, Santa Fe	Rep. Ben Lujan, Santa Fe
Rep. Antonio "Moe" Maestas, Albuquerque	Rep. Antonio "Moe" Maestas, Albuquerque
Sen. Richard C. Martinez, Española	Sen. Richard C. Martinez, Española
Rep. Debbie A. Rodella, Española	Rep. Debbie A. Rodella, Española
Rep. Nick L. Salazar, Ohkay Owingeh	Rep. Nick L. Salazar, Ohkay Owingeh
Sen. William E. Sharer, Farmington	Sen. William E. Sharer, Farmington
<i>Staff</i>	<i>Staff</i>
Jennie Lusk	Damian Lara
Damian Lara	Peter Kovnat
Tamar Stieber	Adan Del Val

on Native American voting rights, when the committee planned to discuss Native American voting in the 2010 election and methods to ensure that every Native American is counted in the upcoming census. Staff members from the federal environmental protection agency agreed to appear at a joint meeting with the radioactive and hazardous materials committee to spotlight problems from past uranium mining activities. A federal public defender, a state public defender and the Navajo Nation public defender planned to brief the committee on proposed amendments before the United States senate Indian affairs committee and address the disproportionate incarceration of Native Americans.

The committee also proposed to examine:

- (1) Native American law programs, in addition to the state-tribal law consortium and common legal pleadings, and full faith and credit in domestic violence matters;
- (2) requiring uniformity in statistical compilations for the number of tribal members;
- (3) policies and procedures related to the authentication of Native American arts and crafts;
- (4) concerns about progress or regression in the care of elders resulting from new

contracts for adult services;

(5) changes in the Navajo Nation due to the opening of a new casino;

(6) improvements needed in school transportation and school performance in areas with a high percentage of Native American students;

(7) the effects of the ARRA on Native Americans in terms of employment, highway construction, housing, health, economic development, broadband and "smart grid" development and the provision of electric and gas utilities;

(8) the status of the settlement of water rights that affect Native American communities;

(9) implementation of the State-Tribal Collaboration Act;

(10) the public education department assessment of the status of Indian education and the effect of impact aid on Native American schools and students;

(11) tribal emergency management in coordination with homeland security;

(12) tribal child support, early education, veterans' issues and cooperation with utility providers;

(13) improvements in tribal capital outlay accounting;

(14) DWI issues;

(15) the use of methamphetamine, alcohol and other addictive substances by Native Americans;

(16) the implications of registering Mt. Taylor as a cultural property;

(17) the pros and cons of making Shiprock pinnacle a state park;

(18) domestic violence in Indian country;

(19) tribal investments and the creation of a permanent source of funding for the tribal infrastructure funds; and

(20) other related tribal concerns.

The committee requested legislative council approval for a subcommittee on uranium cleanup of both tribal and privately held lands in New Mexico. The subcommittee was approved for a two-day meeting, with members appointed from the Indian affairs committee and the radioactive and hazardous materials committee.

For the 2010 interim, the committee felt that, in spite of budget restrictions on travel, continued travel was warranted as an essential way of relating the work of the legislature to the state's Native American constituency and facilitating government-to-government cooperation. The committee proposed to hold its meetings at:

(1) Ohkay Owingeh and the Pueblo of Tesuque because it had not met in either location since 2005;

(2) the Pueblo of Jemez, in order to learn about recent voting rights concerns, including staffing, expenses and locations for early voting precincts in the area;

(3) the Pueblo of Zia, because Senate Finance Committee Substitute for Senate Bill 1 (2010 S.S.) provided over \$280,000 for improvements to the Pueblo of Zia senior center and because the pueblo provides an excellent location for the aging and long-term services department to make a presentation on Native American needs and the efficiency and effectiveness of its programs;

(4) Gallup, in order to meet with and hear from the various Navajo chapters of the eastern Navajo agency located in Gallup and to hear from local law enforcement on the status of recent hate crimes in the area and community relations with Native Americans;

(5) the Thoreau chapter of the Navajo Nation, where there has been an increase in suicides and attempted suicides and where the department of health and other executive agencies have already formed a "unified command team" based out of Thoreau;

(6) Mescalero, because committee members will receive a firsthand account of steps taken by the tribe and state agencies to address teen suicides in the area; and

(7) the Pueblo of Pojoaque, a location that will minimize travel costs and still facilitate government-to-government cooperation.

The committee proposed to focus in large part on economic and infrastructure development and the reduction of duplication, with increased effectiveness of services and benefits funded by the state and by the federal government.

The committee proposed to provide guidance and recommendations to the government restructuring task force by examining the programs and missions of the Indian affairs department and other agencies overseen by the committee, with an eye toward making those agencies more efficient and cost-effective, including ranking programs in terms of criticality to the core functions of those agencies. The committee planned to coordinate, as needed, with other committees regarding presentations of subject matter of common concern.

The committee also proposed to explore and discuss the major issue areas affecting Native Americans as follows:

(1) capital outlay, including tracking the expenditure of allocated funds, alternative funding sources and coordination with the Navajo Nation;

(2) funding of projects from the tribal infrastructure project fund, including projections of allocated amounts pursuant to House Bill 162 (2010);

(3) the coordinated multi-agency five-year plan to address the uranium legacy and cleanup of abandoned uranium mining and milling sites led by the United States environmental protection agency;

(4) the implications of Mt. Taylor being designated a traditional and cultural property in coordination with the land grant committee pursuant to House Memorial 74 (2010);

(5) the increase in hate crimes against Native Americans in recent years;

(6) efforts to ensure an accurate count of Native Americans in the 2010 census;

(7) public safety in Indian country, including tribal emergency management services



and state-tribal coordination;

(8) settlement of state income tax refund claims from the Native American veterans' income tax settlement fund;

(9) the implications of *Garcia v. Gutierrez*, 2009-NMSC-044, in state and tribal jurisdiction on domestic matters;

(10) the feasibility of establishing Shiprock pinnacle as a state park pursuant to House Joint Memorial 69 of the 2009 legislative session;

(11) implementation of the increased penalties pursuant to the Indian Arts and Crafts Sales Act;

(12) Native American education, including improvements to performance, closing the achievement gap, cooperation with the bureau of Indian education and implementation of the Indian Education Act;

(13) the disproportionate incarceration of Native Americans in relation to the population;

(14) health care for Native Americans in Native American communities, including national health care reform, medicaid funding, mental health care and addressing high rates of youth suicides among Native Americans;

(15) the status of the *Aamodt* and Pueblo of Taos and Abeyta Indian water rights settlements;

(16) implementation of the State-Tribal Collaboration Act;

(17) economic development in Indian country, including green jobs and industry; and

(18) planning protocols and cooperation for Indian day at the legislature.

## **Interim Legislative Ethics Committee**

*2009, 2010*

The interim legislative ethics committee is created in Section 2-15-7 NMSA 1978 as the legislative body responsible for addressing all matters that arise during the interim pertaining to legislative ethics. As such, the committee does not meet on a regular basis but only when a situation arises within its purview.

During the biennium, the committee issued advisory opinions and letters on four matters as follows:

(1) Advisory Opinion 08-01, regarding the ethical implications of the introduction of a capital outlay request by a legislator that benefits a member of that legislator's family;

(2) Advisory Opinion 08-02, regarding the appropriateness of including a link to a legislator's personal web address and a reproduction of a campaign-style bumper sticker in the signature

<i>LEC Membership 2009</i>	<i>LEC Membership 2010</i>
<p><i>Voting</i>  Sen. Linda M. Lopez, Co-Chair, Albuquerque  Rep. Nick L. Salazar, Co-Chair, Ohkay Owingeh  Rep. Elias Barela, Belen  Sen. Sue Wilson Beffort, Sandia Park  Sen. Pete Campos, Las Vegas  Rep. Zachary J. Cook, Ruidoso  Rep. Keith J. Gardner, Roswell  Rep. Dianne Miller Hamilton, Silver City  Sen. Stuart Ingle, Portales  Sen. Timothy Z. Jennings, Roswell  Rep. Antonio "Moe" Maestas, Albuquerque  Rep. W. Ken Martinez, Grants  Rep. Kathy A. McCoy, Cedar Crest  Sen. Steven P. Neville, Aztec  Sen. William H. Payne, Albuquerque  Sen. Michael S. Sanchez, Belen</p> <p><i>Staff</i>  John Yaeger  Jon Boller  Maha Khoury</p>	<p><i>Voting</i>  Sen. Linda M. Lopez, Co-Chair, Albuquerque  Rep. Nick L. Salazar, Co-Chair, Ohkay Owingeh  Rep. Elias Barela, Belen  Sen. Sue Wilson Beffort, Sandia Park  Sen. Pete Campos, Las Vegas  Rep. Zachary J. Cook, Ruidoso  Rep. Keith J. Gardner, Roswell  Rep. Dianne Miller Hamilton, Silver City  Sen. Stuart Ingle, Portales  Sen. Timothy Z. Jennings, Roswell  Rep. Antonio "Moe" Maestas, Albuquerque  Rep. W. Ken Martinez, Grants  Rep. Kathy A. McCoy, Cedar Crest  Sen. Steven P. Neville, Aztec  Sen. William H. Payne, Albuquerque  Sen. Michael S. Sanchez, Belen</p> <p><i>Staff</i>  John Yaeger  Jon Boller</p>

section of an email sent through the legislative email system;

(3) an advisory letter clarifying use of the state seal; and

(4) an advisory letter on the ethical implications of donating a portion of campaign contributions to a nonprofit organization.

## **Investments Oversight Committee**

*2009, 2010*

The investments oversight committee is the third in a series of interim bodies created by the New Mexico legislative council in the past several years to oversee investment and management of state funds. Just after the state permanent fund task force completed its work in 2005, issues surrounding management of the state treasurer's office focused new attention on internal controls, integrity and conflict of interest associated with the investment of public funds. The investments and pensions oversight committee was created in 2006 to oversee various governmental entities in regard to investment policies and practices, reporting procedures and benchmarks, alternative investment opportunities, including oil and gas hedging, and the actuarial condition of the state's retirement funds. Under its newest name, the committee was created for the biennium on May 7, 2009 and on May 12, 2010.

During the 2009 interim, the committee proposed to focus on the following topics:

*IOC Membership  
2009*

*Legislative*

Rep. John A. Heaton, Chair, Carlsbad  
Sen. John Arthur Smith, Vice Chair, Deming  
Rep. Donald E. Bratton, Hobbs  
Sen. Tim Eichenberg, Albuquerque  
Sen. Timothy M. Keller, Albuquerque  
Rep. Larry A. Larrañaga, Albuquerque  
Sen. Carroll H. Leavell, Jal  
Sen. Steven P. Neville, Aztec  
Rep. Henry Kiki Saavedra, Albuquerque  
Sen. John M. Sapien, Corrales  
Rep. Jim R. Trujillo, Santa Fe  
Rep. Luciano "Lucky" Varela, Santa Fe

*Advisory*

Rep. Andrew J. Barreras, Tome  
Sen. Carlos R. Cisneros, Questa  
Rep. Miguel P. Garcia, Albuquerque  
Rep. Roberto "Bobby" J. Gonzales, Taos  
Sen. Stuart Ingle, Portales  
Rep. Patricia A. Lundstrom, Gallup  
Sen. Mary Kay Papen, Las Cruces  
Sen. William H. Payne, Albuquerque  
Rep. Jane E. Powdrell-Culbert, Corrales  
Sen. John C. Ryan, Albuquerque  
Sen. Michael S. Sanchez, Belen  
Rep. Sheryl Williams Stapleton, Albuquerque  
Rep. Shirley A. Tyler, Lovington  
Rep. Richard D. Vigil, Ribera  
Sen. Peter Wirth, Santa Fe

*Staff*

Tom Pollard  
Doris Faust

*IOC Membership  
2010*

*Legislative*

Rep. John A. Heaton, Chair, Carlsbad  
Sen. George K. Munoz, Vice Chair, Gallup  
Rep. Donald E. Bratton, Hobbs  
Sen. Tim Eichenberg, Albuquerque  
Sen. Timothy M. Keller, Albuquerque  
Rep. Larry A. Larrañaga, Albuquerque  
Sen. Carroll H. Leavell, Jal  
Sen. Steven P. Neville, Aztec  
Rep. Henry Kiki Saavedra, Albuquerque  
Sen. John M. Sapien, Corrales  
Rep. Jim R. Trujillo, Santa Fe  
Rep. Luciano "Lucky" Varela, Santa Fe

*Advisory*

Rep. Andrew J. Barreras, Tome  
Sen. Carlos R. Cisneros, Questa  
Rep. Miguel P. Garcia, Albuquerque  
Rep. Roberto "Bobby" J. Gonzales, Taos  
Sen. Stuart Ingle, Portales  
Rep. Patricia A. Lundstrom, Gallup  
Sen. Mary Kay Papen, Las Cruces  
Sen. William H. Payne, Albuquerque  
Rep. Jane E. Powdrell-Culbert, Corrales  
Sen. John C. Ryan, Albuquerque  
Sen. Michael S. Sanchez, Belen  
Sen. John Arthur Smith, Deming  
Rep. Sheryl Williams Stapleton, Albuquerque  
Rep. Shirley A. Tyler, Lovington  
Rep. Richard D. Vigil, Ribera  
Sen. Peter Wirth, Santa Fe

*Staff*

Tom Pollard  
Doris Faust  
Claudia Armijo

(1) the performance of the investment portfolios of the state investment council (SIC), the public employees retirement association (PERA), the educational retirement board (ERB), funds in the state treasury, state college saver funds and deferred compensation funds ("investment funds") in absolute terms and compared to policy benchmarks and comparable funds, including the returns on the entire portfolio, and the return on individual segments, including stocks, bonds, real estate and private equity;

(2) the manner in which investment policy and associated earning benchmarks were set for the investment funds by the governing bodies; how each agency determines the proportional mix of types of investments, including mutual stock and bond funds, individual stocks and bonds, real estate and private equity; and how investment policies for the retirement funds change in response to changes in projections regarding program solvency and unfunded liabilities;

(3) the constitutional and statutory provisions governing defined benefit and defined contribution retirement plans, given the severe downturn in the retirement fund balances and in preparation for the review to be submitted to the committee by the retirement systems solvency task force as well as the independent operational and fiduciary review to be contracted for by the legislative council service and the state board of finance;

(4) reports from the independent operational and fiduciary review contractor on "best practices" among comparable state investment funds in the areas of investment fund governance, process and policies, board composition and independence, staff expertise, overall investment policy-setting, the selection of individual investments, selection and compensation of advisers, portfolio valuation and rebalancing;

(5) the apparent failure of investment advisers to anticipate and/or provide adequate safeguards against the recent economic and financial collapse and whether unwarranted payments were made to third-party investment marketers or placement agents; and

(6) ongoing status reports on the progress of the retirement systems solvency task force to propose committee-sponsored legislative reforms based on the task force's deliberations and reports to the committee.

During the 2010 interim, the committee proposed to:

(1) receive reports from the SIC, ERB and PERA on their disagreement with, agreement with and/or implementation of the findings of the fiduciary review by Ennis Knupp and associates regarding investment fund governance, process and policies, board composition, expertise and independence, staff expertise, overall investment policy-setting, the selection of individual investments, the selection and compensation of advisers and portfolio valuation;

(2) receive reports from the investment funds, the office of the attorney general and others regarding the progress of current litigation and of potential claims by the state and the funds regarding "pay-to-play" allegations and investment fraud;

(3) examine the performance of the investment portfolios of the SIC, PERA and ERB and funds in the state treasury in absolute terms and compared to policy benchmarks and comparable funds, including the returns on the entire portfolio as well as the return on individual segments, such as stocks, bonds, real estate and private equity;

(4) review the manner in which investment policy and associated earning benchmarks were set for the investment funds by the governing bodies and investigate how each agency determines the proportional mix of types of investments, including mutual stock and bond funds, individual stocks and bonds, real estate and private equity. The committee would also review how investment policies for the retirement funds change in response to changes in projections regarding program solvency and unfunded liabilities;

(5) pursuant to the charge of the government restructuring task force, receive testimony on the potential costs and benefits of merging the investment functions of the SIC, PERA, ERB, office

of the state treasurer and New Mexico finance authority into a single entity in order to improve returns and reduce administrative costs through economies of scale and the ability to hire and retain the most qualified investment staff and/or consultants at less cost; and

(6) review the solvency plans for the PERA, ERB and retiree health care authority (RHCA), which plans are to be produced and submitted to the committee by the retirement systems solvency task force as mandated by House Bill 573 of the 2009 regular session, and propose committee-sponsored legislative reforms based on the task force's deliberations and reports to the committee. The committee also proposed to take testimony from the PERA, ERB, RHCA and industry experts in advance of receipt of the task force's report to enable its policy deliberations to be better informed.

## Land Grant Committee

*2009, 2010*

<i>LGC Membership 2009</i>	<i>LGC Membership 2010</i>
<p><i>Voting</i>                      Rep. Miguel P. Garcia, Chair, Albuquerque                      Sen. Richard C. Martinez, Vice Chair, Española                      Sen. Rod Adair, Roswell                      Rep. Paul C. Bandy, Aztec                      Rep. Andrew J. Barreras, Tome                      Rep. Eleanor Chavez, Albuquerque                      Rep. Thomas A. Garcia, Ocate                      Rep. Jimmie C. Hall, Albuquerque                      Sen. Gerald Ortiz y Pino, Albuquerque                      Rep. Debbie A. Rodella, Española                      Sen. Sander Rue, Albuquerque                      Sen. Bernadette M. Sanchez, Albuquerque</p> <p><i>Advisory</i>                      Rep. Eliseo Lee Alcon, Milan                      Sen. Carlos R. Cisneros, Questa                      Sen. Dianna J. Duran, Tularosa                      Rep. Brian F. Egolf, Jr., Santa Fe                      Rep. Ben Lujan, Santa Fe                      Rep. Richard D. Vigil, Ribera</p> <p><i>Staff</i>                      Jon Boller                      Tamar Stieber</p>	<p><i>Voting</i>                      Sen. Richard C. Martinez, Chair, Española                      Rep. Miguel P. Garcia, Vice Chair, Albuquerque                      Sen. Rod Adair, Roswell                      Rep. Paul C. Bandy, Aztec                      Rep. Andrew J. Barreras, Tome                      Rep. Eleanor Chavez, Albuquerque                      Rep. Thomas A. Garcia, Ocate                      Rep. Jimmie C. Hall, Albuquerque                      Sen. Gerald Ortiz y Pino, Albuquerque                      Rep. Debbie A. Rodella, Española                      Sen. Sander Rue, Albuquerque                      Sen. Bernadette M. Sanchez, Albuquerque</p> <p><i>Advisory</i>                      Rep. Eliseo Lee Alcon, Milan                      Sen. Carlos R. Cisneros, Questa                      Sen. Dianna J. Duran, Tularosa                      Rep. Brian F. Egolf, Jr., Santa Fe                      Rep. Ben Lujan, Santa Fe                      Rep. Richard D. Vigil, Ribera</p> <p><i>Staff</i>                      Jon Boller                      Peter Kovnat                      Marisela Chavez                      Jenny Rabinowitz</p>

The land grant committee was originally created by statute for the 2003 interim and directed to study and propose changes to the state's laws regarding land grants; hear testimony from land grant

heirs, state agencies and other groups on issues concerning land grants; and work in conjunction with the Guadalupe Hidalgo task force. The committee has been renewed every year since 2004 as a New Mexico legislative council-created committee and was created for the biennium on May 7, 2009 and May 12, 2010.

For the 2009 interim, the committee proposed to focus on the following topics:

- (1) appointment of the newly created land grant council, plans for implementing the Land Grant Support Act and the mission of the office of the attorney general's Guadalupe Hidalgo treaty division and its relationship to the newly established land grant council;
- (2) conversion of land grants governed by their own statutes to Chapter 49, Article 1 NMSA 1978 governance;
- (3) property tax classifications of land used for agricultural, grazing, commercial and other uses and their application to the common lands of land grants;
- (4) the land grant *consejo* proposal on how to address boundary disputes with federal agencies and how to restore use rights on certain federal lands;
- (5) the university of New Mexico land grant studies program progress report;
- (6) Cristobal de la Serna land grant issues;
- (7) a report by the state records center and archives on the chain of title abstracts of former land grant property now owned by the state;
- (8) the state historian web site publication of community land grant documents;
- (9) the Atrisco land grant and the Atrisco heritage foundation;
- (10) whether the common lands of community land grants may be designated as traditional cultural properties; and
- (11) a follow-up on legislation from the 2009 legislative session, including tort liability coverage of land grants through the risk management division of the general services department, land grant eligibility for conservation tax credits and new audit requirements for small political subdivisions.

For the 2010 interim, the committee proposed to focus on:

- (1) funding for staff for the land grant council for fiscal year 2012 and extending the council's mission to cover all community land grants, not just those organized under Chapter 49, Article 1 NMSA 1978;
- (2) treatment of common lands as state lands;
- (3) the land grant registry and changing its location from the office of the secretary of state to the land grant council;
- (4) land grants requesting governance under Chapter 49, Article 1 NMSA 1978, including the Tecolote, Manzano and Atrisco land grants;
- (5) the appropriate manner of investing, and the appropriate expenditure of, income from common lands of land grants that are political subdivisions of the state;
- (6) an update on the university of New Mexico land grant studies program;

- (7) recognizing land grants that were not confirmed by congress;
- (8) the approval process for long-term leases of common lands;
- (9) land grant eligibility for conservation easement tax credits;
- (10) the amount of property tax collected on the common lands of community land grants statewide; and
- (11) an update on issues from previous interims, including the Questa dam construction, the federal bureau of land management's Taos management plan designation of "Fun Valley" and land grant access to the W.A. Humphries wildlife area.

## Legislative Health and Human Services Committee

*2009, 2010*

<i>LHHS Membership 2009</i>	<i>LHHS Membership 2010</i>
<p><i>Voting</i></p> <p>Rep. Danice Picraux, Chair, Albuquerque            Sen. Dede Feldman, Vice Chair, Albuquerque            Sen. Rod Adair, Roswell            Rep. Nora Espinoza, Roswell            Rep. Joni Marie Gutierrez, Mesilla            Sen. Linda M. Lopez, Albuquerque            Rep. Antonio Lujan, Las Cruces            Sen. Gerald Ortiz y Pino, Albuquerque</p> <p><i>Advisory</i></p> <p>Sen. Sue Wilson Beffort, Sandia Park            Rep. Ray Begaye, Shiprock            Rep. Jose A. Campos, Santa Rosa            Rep. Eleanor Chavez, Albuquerque            Rep. Nathan P. Cote, Las Cruces            Rep. Miguel P. Garcia, Albuquerque            Rep. Keith J. Gardner, Roswell            Sen. Clinton D. Harden, Jr., Clovis            Rep. John A. Heaton, Carlsbad            Sen. Gay G. Kernan, Hobbs            Rep. Dennis J. Kintigh, Roswell            Rep. James Roger Madalena, Pueblo of Jemez            Rep. Rodolpho "Rudy" S. Martinez, Bayard            Sen. Cisco McSorley, Albuquerque            Rep. Bill B. O'Neill, Albuquerque            Sen. Mary Kay Papen, Las Cruces            Sen. Nancy Rodriguez, Santa Fe            Sen. Sander Rue, Albuquerque            Rep. Jeff Steinborn, Las Cruces            Rep. Mimi Stewart, Albuquerque            Sen. David Ulibarri, Grants            Rep. Gloria C. Vaughn, Alamogordo</p> <p><i>Staff</i></p> <p>Michael Hely            Karen Wells            Tim Crawford            Jennie Lusk</p>	<p><i>Voting</i></p> <p>Rep. Danice Picraux, Chair, Albuquerque            Sen. Dede Feldman, Vice Chair, Albuquerque            Sen. Rod Adair, Roswell            Rep. Nora Espinoza, Roswell            Rep. Joni Marie Gutierrez, Mesilla            Sen. Linda M. Lopez, Albuquerque            Rep. Antonio Lujan, Las Cruces            Sen. Gerald Ortiz y Pino, Albuquerque</p> <p><i>Advisory</i></p> <p>Sen. Sue Wilson Beffort, Sandia Park            Rep. Ray Begaye, Shiprock            Rep. Jose A. Campos, Santa Rosa            Rep. Eleanor Chavez, Albuquerque            Rep. Nathan P. Cote, Las Cruces            Rep. Miguel P. Garcia, Albuquerque            Rep. Keith J. Gardner, Roswell            Sen. Clinton D. Harden, Jr., Clovis            Rep. John A. Heaton, Carlsbad            Sen. Gay G. Kernan, Hobbs            Rep. Dennis J. Kintigh, Roswell            Rep. James Roger Madalena, Pueblo of Jemez            Rep. Rodolpho "Rudy" S. Martinez, Bayard            Sen. Cisco McSorley, Albuquerque            Rep. Bill B. O'Neill, Albuquerque            Sen. Mary Kay Papen, Las Cruces            Sen. Nancy Rodriguez, Santa Fe            Sen. Sander Rue, Albuquerque            Rep. Jeff Steinborn, Las Cruces            Rep. Mimi Stewart, Albuquerque            Sen. David Ulibarri, Grants            Rep. Gloria C. Vaughn, Alamogordo</p> <p><i>Staff</i></p> <p>Michael Hely            Karen Wells            Zelda Abeita</p>

Section 2-13-1 NMSA 1978, which creates the interim legislative health and human services committee, directs the committee to conduct a continuing study of the programs, agencies, policies, issues and needs relating to health and human services.

During the 2009 interim, the committee planned to:

(1) continue its oversight of the human services department (HSD), department of health (DOH), aging and long-term services department (ALTSD), children, youth and families department (CYFD) and workforce solutions department (WSD);

(2) review and analyze the state's role in complementing federal stimulus legislation and federal health care reform efforts, specifically:

(a) looking at whether this legislation and state action will afford a sustainable expansion of health care coverage and opportunities to achieve legislative goals for health care integration, quality, transparency and disease prevention; and

(b) what state efforts will be needed to supplement federal action on human services in order to ensure that human services are adequate for meeting the increased need for assistance in employment, housing, nutrition, utility assistance and services directed to New Mexicans who are disabled, elderly or veterans;

(3) examine public health coverage programs, such as medicaid, the children's health insurance program (formerly the state children's health insurance program) and the state coverage insurance in light of federal American Recovery and Reinvestments Act of 2009 (ARRA) funds; new legislation such as the federal Children's Health Insurance Reauthorization Act of 2009; and the new waiver that may be required to cover childless adults;

(4) continue its discussion of health information technology, including a health information exchange, electronic medical records, telehealth and the issues of interconnectivity, broadband technology and privacy protection, in light of state-based efforts and extensive funding and direction on these matters in the ARRA;

(5) examine integration of physical, dental and behavioral care models, including the medical home and health commons models; integrated approaches, such as school-based health and telehealth centers; and the extent to which services within agencies such as the ALTSD, CYFD, HSD and DOH emphasize an integration of care that addresses physical care and social support needs;

(6) pursuant to House Appropriations and Finance Committee Substitute for House Memorial 94 (2009), investigate the performance of the HSD regarding medicaid, state coverage insurance and children's health insurance programs, including maximization of federal stimulus funds, eligibility and coverage policies, administrative practices and reporting of enrollment and retention data, and make legislative recommendations for increasing enrollment, maximizing resources and determining enrollment and coverage policies and administrative practices that support enrollment and retention;

(7) pursuant to House Memorial 102 (2009), examine existing law pertaining to cancer clinical trials and make recommendations for legislation to address the needs of New Mexico children



with cancer; and

(8) examine:

- (a) early childhood services;
- (b) innovative juvenile justice and domestic violence programs and interventions for prevention in these matters;
- (c) integrated nutrition programs that connect low-income individuals, children and seniors with locally produced nutritious food, nutrition education and healthy lifestyle opportunities;
- (d) self-sufficiency, including work force, transportation and housing supports;
- (e) health care work force needs and opportunities;
- (f) long-term care, including home- and community-based waivers and supports for individuals aging in their homes and communities with minimal disruption;
- (g) behavioral health and substance abuse, including a review of the new statewide entity's operations;
- (h) public and private health care delivery systems;
- (i) health behaviors and disease prevention;
- (j) issues relating to prescription drugs, including recycling, re-importation, prior authorization rules and coverage policy;
- (k) public health, including hospital-acquired infections, emergency preparedness and immunizations; and
- (l) health and human service facilities throughout the state, including those at the Pueblos of Laguna and Pojoaque and on the Mescalero Apache reservation.

The committee received approval for the creation of an ad hoc subcommittee, composed of four voting members and four advisory members, dedicated to exploring comprehensive health care reform in a joint meeting with the legislative finance committee. In addition, a disabilities subcommittee of the committee was charged with reviewing legislation and health and human services policy in light of the concerns of the disabilities community.

In addition to its statutory obligation to provide agency oversight, the committee proposed to concentrate during the 2010 interim on two major areas: the state's implementation of its response to the federal Patient Protection and Affordable Care Act of 2010 (PPACA) and changes to the state's medicaid program. The committee planned to provide input on the state's efforts to examine possible restructuring opportunities as they relate to health and human services agencies and services and, in doing so, review the agencies' missions, their critical core functions, their staffing and program needs and efficiencies that may be achieved. It would also provide input on the interagency behavioral health purchasing collaborative's request for proposals and contract negotiations for a new statewide behavioral health entity.

In its review of the state's implementation of PPACA provisions, the committee would receive the recommendations of the health care reform working group formed pursuant to Senate Joint

Memorial 1 (2010) and the governor's health care reform leadership team formed pursuant to Executive Order 2010-012.

In light of the nearly unprecedented demands for timely action by the committee on these matters, the committee requested permission to hold monthly three-day meetings throughout the interim. In order to inform its subsequent discussions of health care reform and medicaid changes, the committee would hear an overview of the PPACA, testimony regarding progress to date from the chair of the health care reform working group and an update from the HSD on its proposals regarding changes to medicaid.

Regarding its duties for departmental oversight, the committee proposed to:

- (1) hear testimony from the HSD, DOH, ALTSD, CYFD and WSD on the impact that recent budget cuts have had in achieving their missions;
- (2) request information on what changes to programs and services the departments are considering in order to comply with the provisions of the PPACA and what efforts the departments have taken to seek alternative sources of funding through the PPACA, the ARRA and other funding opportunities;
- (3) provide input as to prioritization and measures to hold affected constituencies harmless where cuts have been made to programs and services; and
- (4) request recommendations from the departments regarding any restructuring or consolidation of functions.

On the topic of behavioral health and in light of the challenges presented by the last two statewide behavioral health entity contracts, the committee proposed to:

- (1) review and provide recommendations to the interagency behavioral health purchasing collaborative for a statewide entity contract that would make the entity accountable for specific measurable criteria and provide the state definite recourse for corrective action in the event of breach; and
- (2) receive the DOH's report on residential behavioral health facilities pursuant to House Joint Memorial 34 (2010).

In considering the state's response to the PPACA and proposed medicaid changes, the committee planned to:

- (1) seek monthly testimony from the health care reform working group on recommended health care reform measures and legislation necessary to implement programs and policies that must be in place as early as January 1, 2014;
- (2) review legislation necessary to implement the PPACA in New Mexico, including legislation relating to health insurance rating factors, guaranteed issue, preexisting conditions exclusions, medical-loss ratios and coverage of dependents; creation of an ombudsman's office; and creation of a health insurance exchange;
- (3) review the state's two-tiered high-risk pool and plans for assisting individuals covered in these pools in transferring to other coverage pursuant to the PPACA's reforms;

(4) receive the health care reform working group's recommendations and consult with the governor's health care reform leadership team on creating or participating in new insurance products, such as consumer-operated oriented plans, or CO-OPs, nonprofit nationwide plans to be offered through the state's exchange and health care choice compacts;

(5) consider health insurance rate increases, including actuarial analyses on such increases; and

(6) review existing state law in order to maintain provisions relevant to "grandfathered" plans while updating the law to reflect those plans affected by the PPACA.

The committee planned to receive recommendations from the secretary of human services, the health care reform working group, the governor's health care reform leadership team and other experts regarding how to keep as many New Mexicans covered while maximizing federal dollars in medicaid and other public programs.

Regarding the shortfall in the state's supply of health care professionals and provisions in the PPACA relating to the health care work force, the committee proposed to:

(1) discuss the PPACA's reimbursement reform and other related provisions that would have an impact on providers;

(2) discuss grants and other incentive programs to develop the work force;

(3) receive reports from the task force formed to develop a statewide nursing education plan pursuant to House Memorial 50 (2010); and

(4) receive reports from state universities, the DOH and the higher education department regarding their efforts to recruit, train and retain health care professionals.

Key to implementing the PPACA and medicaid changes would be the collection and dissemination of data regarding health care infrastructure; the work force; insurance coverage, financing and other important factors in health care coverage; and delivery matters. The committee planned to hear testimony from the health care reform working group, the department of information technology, the HSD, the DOH and the insurance division of the public regulation commission regarding their information technology capabilities and needs in the hope of outlining a clear strategy for meeting the state's needs.

The committee planned to hear testimony on the PPACA's quality and transparency measures, as well as testimony regarding possible savings for the state's medicaid program and health care costs overall, by:

(1) examining measures for increasing health care quality, transparency and delivery systems;

(2) exploring models such as accountable care organizations; reimbursement restructuring consistent with policy priorities and delivery models such as medical-home extensions; and the use of PPACA funds to promote primary care and community-based and school-based health centers; and

(3) examining public health, environmental health, prevention, wellness and disease management programs as they are addressed in the PPACA and elsewhere.

Regarding long-term care, the PPACA offers many opportunities for the state to increase community-based long-term care for aged and disabled populations, including individuals with developmental disabilities. These opportunities include federal demonstration projects; increased funding for the money follows the person initiative; the community first choice option for community-based services through an amendment to the state's medicaid plan; and the federal Community Living Assistance Services and Supports Act provisions for long-term care insurance. In addition, the committee expressed a great deal of concern regarding the first year of implementation of the coordinated long-term services program.

## Military and Veterans' Affairs Committee

2009, 2010

<i>MVAC Membership 2009</i>	<i>MVAC Membership 2010</i>
<i>Voting</i> Sen. David Ulibarri, Co-Chair, Grants Rep. Thomas A. Garcia, Co-Chair, Ocate Rep. Elias Barela, Belen Rep. Nathan P. Cote, Las Cruces Sen. Eric G. Griego, Albuquerque Rep. Dianne Miller Hamilton, Silver City Sen. John Pinto, Tohatchi Sen. William E. Sharer, Farmington	<i>Voting</i> Rep. Thomas A. Garcia, Co-Chair, Ocate Sen. David Ulibarri, Co-Chair, Grants Rep. Elias Barela, Belen Rep. Nathan P. Cote, Las Cruces Sen. Eric G. Griego, Albuquerque Rep. Dianne Miller Hamilton, Silver City Sen. John Pinto, Tohatchi Sen. William E. Sharer, Farmington
<i>Advisory</i> Sen. Rod Adair, Roswell Rep. Eliseo Lee Alcon, Milan Rep. Thomas A. Anderson, Albuquerque Sen. Dianna J. Duran, Tularosa Sen. Mary Jane M. Garcia, Doña Ana Rep. Karen E. Giannini, Albuquerque Sen. Richard C. Martinez, Española Rep. Rodolpho "Rudy" S. Martinez, Bayard Rep. Kathy A. McCoy, Cedar Crest Sen. William H. Payne, Albuquerque Rep. Edward C. Sandoval, Albuquerque	<i>Advisory</i> Sen. Rod Adair, Roswell Rep. Eliseo Lee Alcon, Milan Rep. Thomas A. Anderson, Albuquerque Sen. Dianna J. Duran, Tularosa Sen. Mary Jane M. Garcia, Doña Ana Rep. Karen E. Giannini, Albuquerque Sen. Richard C. Martinez, Española Rep. Rodolpho "Rudy" S. Martinez, Bayard Rep. Kathy A. McCoy, Cedar Crest Sen. William H. Payne, Albuquerque Rep. Edward C. Sandoval, Albuquerque
<i>Staff</i> Damian Lara Chase Van Gorder Karen Wells	<i>Staff</i> Damian Lara Jenny Rabinowitz Rebecca Griego

The military and veterans' affairs committee was initially created by statute for the 2009 interim only. The committee's statutory charge was to conduct meetings in several geographically dispersed areas of the state; conduct hearings relating to military issues and veterans' issues; make a report and recommend any necessary legislation to the next session of the legislature; and make legislative recommendations to congress and regulatory recommendations to the United States department of veterans affairs and the United States department of defense.

The committee proposed to explore and discuss the following topics during the 2009 interim:

- (1) American Recovery and Reinvestment Act of 2009 impacts on the department of military affairs and veterans' services department, including sustainment, restoration and modernization of military installations, veterans' hospitals and national cemeteries;
- (2) the interface of Native American veterans and the military;
- (3) pursuant to Senate Memorial 74 (2009), the interface of veterans in the judicial system;
- (4) commemoration of veterans, including veterans' museums, memorials and monuments;
- (5) health care delivery systems for military personnel, veterans and those in transition, such as expansion of emergency room treatment to primary care; Fisher house in Albuquerque; and establishment of a holistic wellness center;
- (6) family support centers; support for family operations and communities; and veteran business and entrepreneur programs;
- (7) the missions and functions of military bases and the base realignment and closure commission's assessments and possible reports;
- (8) the assurance of adequate resources for military women and female veterans, such as sexual assault prevention and response programs and a clinic for female veterans;
- (9) educational opportunities for veterans and their families;
- (10) increased outreach to veterans, in particular to Native American veterans, female veterans and veterans who have served in the conflicts in Afghanistan and Iraq;
- (11) long-term care for aging veterans;
- (12) the integration of homeless veterans back into stable homes;
- (13) the deployment and mission of the New Mexico national guard at the state and federal levels;
- (14) the interface of New Mexico national guard personnel and the federal government during active duty and as veterans, including hazardous pay and other benefit requirements and employer support of the guard and reserve programs; and
- (15) the establishment of missions and operations in support of foreign conflicts that can be carried out in New Mexico, such as cyber-defense command and endurance category unmanned aerial vehicles.

During the 2010 regular session, the committee was permanently reauthorized by statute. The committee's statutory duties were renewed as well, though the committee proposed to limit its travel during the 2010 interim to Albuquerque in order to reduce costs for legislative staff and executive agency personnel. The committee also proposed to assist the government restructuring task force by studying the current resources of the veterans' services department, department of military affairs and office of military base planning and support; those agencies' programs, services, funding and policies; and the public needs served by those agencies.

During the 2010 interim, the committee proposed to explore and discuss topics in each major issue area affecting veterans and servicemembers in New Mexico as follows:

A. education:

- (1) the benefits and feasibility of establishing uniform standards for accepting military credit and articulation among all colleges and universities in New Mexico pursuant to House Joint Memorial 1 (2010);
- (2) educational opportunities for veterans and their families, including college scholarships for veterans;
- (3) educational opportunities for servicemembers and their families, including secondary school priority for military children and performance evaluations for K-12; and
- (4) the implementation of House Bill 24 (2010), the Interstate Compact on Educational Opportunity for Military Children;

B. health:

- (1) health care delivery systems for military personnel, veterans and those in transition to include expansion of emergency room treatment to primary care treatment and continued treatment for posttraumatic stress disorder and traumatic brain injury;
- (2) long-term care for aging veterans, including aid and attendance special pension benefits for long-term care expenses;
- (3) integration of homeless veterans back into stable homes, including special accommodations for female veterans;
- (4) establishment of a holistic wellness center;
- (5) establishment of a clinic for female veterans;
- (6) implementation of the federal Caregivers and Veterans Omnibus Health Services Act of 2010; and
- (7) the veterans' home in Truth or Consequences;

C. courts and justice:

- (1) procedures and guidelines for servicemembers in child custody proceedings;
- (2) procedures and guidelines for veterans in the judicial system; and
- (3) pretrial diversion programs for veterans and servicemembers suffering from posttraumatic stress disorder and traumatic brain injury;

- D. military base operations and missions:
  - (1) family support centers and other support for military families and communities;
  - (2) ensuring adequate resources for military women for programs such as sexual assault prevention and response;
  - (3) establishing missions and operations in New Mexico, such as cyber-defense command and endurance category unmanned aerial vehicles, to support foreign conflicts; and
  - (4) the effects of base operations at the state level;
- E. commemoration of veterans:
  - (1) re-establishment of the veterans' national cemetery fund;
  - (2) funding eligibility from the veterans' national cemetery fund for Fort Bayard national cemetery and Santa Fe national cemetery pursuant to House Joint Memorial 10 (2010); and
  - (3) the role of veterans' organizations, including applications of liquor fees;
- F. economic development:
  - (1) veterans' business and entrepreneur programs; and
  - (2) establishment of new revenue sources, such as an enterprise fund; and
- G. New Mexico national guard:
  - (1) interface of New Mexico national guard personnel and the federal government, including hazardous pay; eligibility and requirements for medical coverage; and employer support of the guard and reserve programs; and
  - (2) deployment and mission of the New Mexico national guard at the state and federal levels.

## **Mortgage Finance Authority Act Oversight Committee**

*2009, 2010*

The Mortgage Finance Authority Act oversight committee was created pursuant to the provisions of Section 58-18-5 NMSA 1978, which provides, in part, that the New Mexico mortgage finance authority (MFA):

...shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of the Mortgage Finance Authority Act, including but without limiting the generality of the foregoing, the power:

W. subject to any agreement with bondholders and noteholders, to make, alter or repeal, subject to prior approval by the Mortgage Finance Authority Act oversight committee, hereby created, to be composed of four

*MFA Membership  
2009*

*Voting*

Sen. Nancy Rodriguez, Chair, Santa Fe  
Rep. Jose A. Campos, Vice Chair, Santa Rosa  
Rep. Janice E. Arnold-Jones, Albuquerque  
Sen. Mark Boitano, Albuquerque  
Rep. Ernest H. Chavez, Albuquerque  
Sen. Eric G. Griego, Albuquerque  
Rep. Joni Marie Gutierrez, Mesilla  
Sen. Cisco McSorley, Albuquerque

*Advisory*

Sen. Rod Adair, Roswell  
Rep. Thomas A. Anderson, Albuquerque  
Rep. Andrew J. Barreras, Tome  
Rep. Sandra D. Jeff, Crownpoint  
Rep. James Roger Madalena, Pueblo of Jemez  
Sen. Richard C. Martinez, Española  
Sen. Gerald Ortiz y Pino, Albuquerque  
Rep. Dennis J. Roch, Tucumcari  
Rep. Benjamin H. Rodefer, Corrales  
Sen. Sander Rue, Albuquerque

*Staff*

Chase Van Gorder  
Pam Ray

*MFA Membership  
2010*

*Voting*

Rep. Jose A. Campos, Chair, Santa Rosa  
Sen. Nancy Rodriguez, Vice Chair, Santa Fe  
Rep. Janice E. Arnold-Jones, Albuquerque  
Sen. Mark Boitano, Albuquerque  
Rep. Ernest H. Chavez, Albuquerque  
Sen. Eric G. Griego, Albuquerque  
Rep. Joni Marie Gutierrez, Mesilla  
Sen. Cisco McSorley, Albuquerque

*Advisory*

Sen. Rod Adair, Roswell  
Rep. Thomas A. Anderson, Albuquerque  
Rep. Andrew J. Barreras, Tome  
Rep. Sandra D. Jeff, Crownpoint  
Rep. Roberto "Bobby" J. Gonzales, Taos  
Rep. James Roger Madalena, Pueblo of Jemez  
Sen. Richard C. Martinez, Española  
Sen. Gerald Ortiz y Pino, Albuquerque  
Rep. Dennis J. Roch, Tucumcari  
Rep. Benjamin H. Rodefer, Corrales  
Sen. Sander Rue, Albuquerque

*Staff*

Kim Bannerman  
Claudia Armijo

members appointed by the president pro tempore of the senate and four members appointed by the speaker of the house of representatives, such rules and regulations with respect to its operations, properties and facilities as are necessary to carry out its functions and duties in the administration of the Mortgage Finance Authority Act; . . .

Pursuant to the provisions of Section 2-12-5 NMSA 1978, the oversight committee is further authorized to:

- (1) determine and monitor the actual distribution of funds derived by the MFA from bond issues and other activities of the MFA under the provisions of the Mortgage Finance Authority Act, both on a geographical basis and on the basis of the actual distribution to participants in its programs;
- (2) monitor the MFA in its control of the issuance of mortgage commitments;
- (3) meet on a regular basis to receive and evaluate periodic reports from the MFA as to its enforcement of the provisions of the Mortgage Finance Authority Act and the regulations adopted pursuant thereto; and
- (4) require the MFA to document the need to the oversight committee regarding the issuance of any bonds.



In addition to carrying out its statutory responsibilities, the committee proposed to focus on the following areas of legislative concern during the 2009 interim:

- (1) regional housing authorities and the status of housing in New Mexico;
- (2) the MFA's authority to issue bonds for regional housing projects, approve regional housing authority executive directors and conduct annual needs assessments of regional housing authorities;
- (3) existing and proposed rules promulgated by the MFA, including those relating to the Affordable Housing Act and the New Mexico housing trust fund;
- (4) housing and residential energy efficiency funding opportunities pursuant to the federal American Recovery and Reinvestment Act of 2009;
- (5) rehabilitation of housing, neighborhood stabilization and post-disaster relief efforts;
- (6) preservation of affordable housing, including modular and mobile homes;
- (7) Native American tribal housing programs;
- (8) financial literacy and consumer counseling relating to housing and mortgages; and
- (9) legislation for the 2010 session.

The committee proposed to focus on the following areas of legislative concern during the 2010 interim:

- (1) a regional housing update;
- (2) existing and proposed rules promulgated by the MFA;
- (3) use of federal stimulus funding;
- (4) neighborhood stabilization efforts;
- (5) an update on the New Mexico homebuilding, real estate and manufactured housing industries;
- (6) an MFA funding source and program overview;
- (7) federal policy trends;
- (8) travel to Las Cruces for the purpose of:
  - (a) examining housing and community development activities in areas outside of Santa Fe and Albuquerque, including the colonias areas of southern New Mexico; and
  - (b) allowing committee members to participate in an MFA housing town hall meeting to be held in Las Cruces, which would present a valuable opportunity for members to hear directly from MFA housing partners, local elected and administrative officials and advocates about housing issues affecting their communities;
- (9) a review of MFA budget and administrative organization; and
- (10) legislation for the 2011 session.

# New Mexico Finance Authority Oversight Committee

2009, 2010

## *NMFA Membership 2009*

### *Voting*

Rep. Patricia A. Lundstrom, Chair, Gallup  
Sen. Mary Kay Papen, Vice Chair, Las Cruces  
Rep. Elias Barela, Belen  
Sen. Sue Wilson Beffort, Sandia Park  
Rep. Richard J. Berry, Albuquerque  
Sen. Kent L. Cravens, Albuquerque  
Rep. Anna M. Crook, Clovis  
Rep. Brian F. Egolf, Jr., Santa Fe  
Sen. Tim Eichenberg, Albuquerque  
Sen. Stephen H. Fischmann, Mesilla Park  
Sen. Clinton D. Harden, Jr., Clovis  
Rep. Dona G. Irwin, Deming  
Sen. George K. Munoz, Gallup  
Rep. Jane E. Powdrell-Culbert, Corrales  
Rep. Benjamin H. Rodefer, Corrales  
Sen. Nancy Rodriguez, Santa Fe  
Rep. Henry Kiki Saavedra, Albuquerque  
Rep. James R.J. Strickler, Farmington  
Sen. David Ulibarri, Grants  
Rep. Richard D. Vigil, Ribera

### *Advisory*

Rep. Janice E. Arnold-Jones, Albuquerque  
Rep. Jose A. Campos, Santa Rosa  
Rep. Ernest H. Chavez, Albuquerque  
Sen. Dianna J. Duran, Tularosa  
Rep. Candy Spence Ezzell, Roswell  
Rep. Mary Helen Garcia, Las Cruces  
Sen. Mary Jane M. Garcia, Doña Ana  
Rep. Thomas A. Garcia, Ocate  
Sen. Stuart Ingle, Portales  
Sen. Timothy M. Keller, Albuquerque  
Rep. Ben Lujan, Santa Fe  
Sen. Richard C. Martinez, Española  
Rep. W. Ken Martinez, Grants  
Rep. Andy Nuñez, Hatch  
Rep. Edward C. Sandoval, Albuquerque  
Sen. John M. Sapien, Corrales  
Rep. Sheryl Williams Stapleton, Albuquerque  
Rep. Thomas C. Taylor, Farmington  
Rep. Luciano "Lucky" Varela, Santa Fe

### *Staff*

Doris Faust  
Renee Gregorio  
Sandy Mitchell  
Tom Pollard

## *NMFA Membership 2010*

### *Voting*

Sen. Mary Kay Papen, Chair, Las Cruces  
Rep. Patricia A. Lundstrom, Vice Chair, Gallup  
Sen. Sue Wilson Beffort, Sandia Park  
Sen. Kent L. Cravens, Albuquerque  
Rep. Anna M. Crook, Clovis  
Rep. Brian F. Egolf, Jr., Santa Fe  
Sen. Tim Eichenberg, Albuquerque  
Sen. Stephen H. Fischmann, Mesilla Park  
Rep. Roberto "Bobby" J. Gonzales, Taos  
Sen. Clinton D. Harden, Jr., Clovis  
Rep. Dona G. Irwin, Deming  
Sen. George K. Munoz, Gallup  
Rep. Jane E. Powdrell-Culbert, Corrales  
Rep. Benjamin H. Rodefer, Corrales  
Sen. Nancy Rodriguez, Santa Fe  
Rep. Henry Kiki Saavedra, Albuquerque  
Rep. James R.J. Strickler, Farmington  
Sen. David Ulibarri, Grants  
Rep. Richard D. Vigil, Ribera  
Rep. James P. White, Albuquerque

### *Advisory*

Rep. Janice E. Arnold-Jones, Albuquerque  
Rep. Elias Barela, Belen  
Rep. Jose A. Campos, Santa Rosa  
Rep. Ernest H. Chavez, Albuquerque  
Sen. Dianna J. Duran, Tularosa  
Rep. Candy Spence Ezzell, Roswell  
Rep. Mary Helen Garcia, Las Cruces  
Sen. Mary Jane M. Garcia, Doña Ana  
Rep. Thomas A. Garcia, Ocate  
Sen. Stuart Ingle, Portales  
Sen. Timothy M. Keller, Albuquerque  
Rep. Ben Lujan, Santa Fe  
Sen. Richard C. Martinez, Española  
Rep. W. Ken Martinez, Grants  
Rep. Andy Nuñez, Hatch  
Rep. Edward C. Sandoval, Albuquerque  
Sen. John M. Sapien, Corrales  
Rep. Sheryl Williams Stapleton, Albuquerque  
Rep. Thomas C. Taylor, Farmington  
Rep. Luciano "Lucky" Varela, Santa Fe

### *Staff*

Doris Faust  
Tom Pollard  
Claudia Armijo

The New Mexico finance authority (NMFA) oversight committee was created with the enactment of the New Mexico Finance Authority Act to monitor and oversee the operations of the finance authority. In addition, the legislature assigned oversight of the border authority, the spaceport authority and the New Mexico renewable energy transmission authority to the committee.

The committee is statutorily required to monitor and oversee state and local government capital planning and financing; provide advice and assistance to the authorities and cooperate with state and local governments on planning and setting priorities for and financing of state, local, border and port-of-entry capital projects; review and approve rules proposed by the authorities; and report its recommendations and legislation to the governor and legislature on or before December 15 of each year.

To carry out these tasks and statutory duties during the 2009 legislative interim, the committee proposed to:

- (1) monitor and oversee the operations of the NMFA, including a review of the NMFA's budget, investments, procurement, policies, goals, funds and loan programs;
- (2) receive progress reports on capital projects funded through the NMFA and receive testimony from state and local officials on capital needs;
- (3) review and oversee the use of federal stimulus funding administered by the NMFA and the department of transportation;
- (4) take testimony and evaluate economic development projects proposed for funding or funded through the federal new market tax credit program and tax increment financing;
- (5) review the NMFA's implementation of the Statewide Economic Development Finance Act and examine the economic development revolving fund, including obstacles, such as confidentiality laws, that seem to preclude the legislature from performing its oversight function in an informed manner related to the projects for which the NMFA proposes to provide funding assistance;
- (6) take testimony and make recommendations on loans or grants from the water project fund for interstate water projects that benefit New Mexico;
- (7) take testimony on Governor Richardson's investment partnership (GRIP) I and II financing, project development and bonding and on House Memorial 5 (2009) recommendations and to examine options for sustainable funding for transportation infrastructure;
- (8) monitor and oversee the operations of the border authority and review and analyze the border authority's short-term and long-term goals, including an assessment of infrastructure needs in the border region and a review of the effectiveness of the border authority and its projects;
- (9) monitor and oversee the operations of the spaceport authority and review and analyze the spaceport authority's budget, short-term and long-term goals and methods, proposals, programs and initiatives involving the spaceport;
- (10) monitor and oversee the operations of the New Mexico renewable energy transmission authority, including a review of the authority's funding, structure, goals and objectives, proposed work plan, policy statements, rulemaking and budget, and take testimony on renewable energy

recommendations from the New Mexico first town hall energy conference; and

(11) report to the legislature and recommend necessary changes in law or policy.

During the 2010 legislative interim, the committee proposed to:

(1) monitor and oversee the operations of the NMFA, including a review of the NMFA's operational budget, investments, procurement, policies, goals, allocation of resources, funds and loan programs;

(2) receive progress reports on capital projects funded through the NMFA, receive testimony from state and local officials on capital needs and compare NMFA cost of funds relative to other financing sources available to New Mexico borrowing entities;

(3) review and oversee the use of federal stimulus funding that is administered by the NMFA and the department of transportation;

(4) review the NMFA's implementation of the Statewide Economic Development Finance Act, examine the economic development revolving fund, take testimony on and evaluate economic development projects proposed for funding or funded through the federal new market tax credit program and review tax increment financing;

(5) take testimony and make recommendations on loans or grants from the water project fund for intrastate water projects that benefit New Mexico;

(6) take testimony on GRIP II financing, project development and bonding;

(7) monitor and oversee the operations of the border authority and review and analyze the border authority's short-term and long-term goals, including an assessment of infrastructure needs in the border region and a review of the effectiveness of the border authority and its projects;

(8) monitor and oversee the operations of the spaceport authority and review and analyze the spaceport authority's budget, short-term and long-term goals and methods, proposals, programs and initiatives involving the spaceport;

(9) monitor and oversee the operations of the New Mexico renewable energy transmission authority, including a review of the authority's funding, structure, goals, objectives, proposed work plan, policy statements, rulemaking and budget;

(10) review the possible roles for the NMFA and the public project revolving fund in creating a state bank and review options for expanding the NMFA's ability to generate increased economic development through the creation of a state bank;

(11) take testimony from the technical advisory committee convened pursuant to House Memorial 9 (2010) to study the state's current and future transportation needs to identify appropriate funding strategies for a sustainable transportation system;

(12) review House Bill 39 (2010) and options to increase uniform reporting by the four authorities that the committee oversees;

(13) review options to increase funding to rural areas of New Mexico, including the allocation of a percentage of annual severance tax bonding authority for rural projects, as was done to

fund infrastructure for colonias and tribes;

(14) report to the legislature and recommend necessary changes in law or policy; and

(15) provide guidance and recommendations to the government restructuring task force

by examining the programs and missions of the authorities overseen by the committee with an eye toward making those authorities more efficient and cost-effective, including ranking programs in terms of criticality to the core functions of those authorities.

## Radioactive and Hazardous Materials Committee

2009, 2010

<i>RHMC Membership 2009</i>	<i>RHMC Membership 2010</i>
<i>Voting</i> Sen. Richard C. Martinez, Chair, Española Rep. John A. Heaton, Vice Chair, Carlsbad Sen. Vernon D. Asbill, Carlsbad Sen. Stephen H. Fischmann, Mesilla Park Rep. William J. Gray, Artesia Sen. Carroll H. Leavell, Jal Rep. Antonio Lujan, Las Cruces Sen. John Pinto, Tohatchi Rep. Jeff Steinborn, Las Cruces Rep. Jim R. Trujillo, Santa Fe Sen. David Ulibarri, Grants Rep. Jeannette O. Wallace, Los Alamos	<i>Voting</i> Sen. Richard C. Martinez, Chair, Española Rep. John A. Heaton, Vice Chair, Carlsbad Sen. Vernon D. Asbill, Carlsbad Sen. Stephen H. Fischmann, Mesilla Park Rep. William J. Gray, Artesia Sen. Carroll H. Leavell, Jal Rep. Antonio Lujan, Las Cruces Sen. John Pinto, Tohatchi Rep. Jeff Steinborn, Las Cruces Rep. Jim R. Trujillo, Santa Fe Sen. David Ulibarri, Grants Rep. Jeannette O. Wallace, Los Alamos
<i>Advisory</i> Sen. Rod Adair, Roswell Rep. Eliseo Lee Alcon, Milan Rep. Thomas A. Anderson, Albuquerque Rep. Donald E. Bratton, Hobbs Sen. Dianna J. Duran, Tularosa Sen. Gay G. Kernan, Hobbs Sen. Lynda M. Lovejoy, Crownpoint Rep. Rodolpho "Rudy" S. Martinez, Bayard Sen. William H. Payne, Albuquerque Rep. Nick L. Salazar, Ohkay Owingeh	<i>Advisory</i> Sen. Rod Adair, Roswell Rep. Eliseo Lee Alcon, Milan Rep. Thomas A. Anderson, Albuquerque Rep. Donald E. Bratton, Hobbs Sen. Dianna J. Duran, Tularosa Sen. Gay G. Kernan, Hobbs Sen. Lynda M. Lovejoy, Crownpoint Sen. William H. Payne, Albuquerque Rep. Nick L. Salazar, Ohkay Owingeh
<i>Staff</i> Gordon Meeks Chase Van Gorder Jeret Fleetwood	<i>Staff</i> Gordon Meeks Renee Gregorio Lacy Daniel Adan Del Val

The radioactive and hazardous materials committee was created in 1979 by Section 74-4A-9 NMSA 1978 to provide a means of coordinating information exchange and develop appropriate state actions in relation to the waste isolation pilot plant (WIPP) near Carlsbad. The name of the committee was changed in 1983, and again in 1986, to reflect more accurately the scope of the committee's work,

which was broadened by the legislature in 1981, 1986 and 1991. Over the years, the committee's scope has expanded to include a variety of subject matter relating to the environment. In addition to hearing testimony on the progress and status of WIPP, the committee has assumed a major role in the legislative oversight of the regulatory actions of the New Mexico department of environment (NMED) and the handling, disposal and cleanup of hazardous materials at federal facilities in New Mexico. It also has received extensive testimony from governmental entities, private industry groups and concerned citizens on other environmental issues such as air and water quality, ground water quality, solid waste and mining and mine safety.

During the 2009 interim, the committee proposed to:

- (1) examine uranium mining and milling in New Mexico, including energy needs, environmental concerns, sociological factors, economic development and land stewardship;
- (2) determine what the state's contribution or obligation would need to be if, by 2030, the demand for electricity increases by 50 percent;
- (3) receive WIPP updates and evaluate disposal of various types of hazardous waste;
- (4) explore options for interim storage and recycling of spent fuel;
- (5) review the transmission process, including implementation and legislation from other states;
- (6) examine advantages and liabilities of alternative mobile or transportation fuels, including biofuels, fuel cells, hybrids and electricity;
- (7) study the state's potential for energy diversification and review initiatives to implement diversification, including clean energy alternatives, the renewable portfolio standard, available resources and investments in clean energy;
- (8) assess whether the name "radioactive and hazardous materials" encompasses the scope of the committee's activities and, if not, propose legislation redefining the scope in statute and suggest a more appropriate name;
- (9) study the use of rubberized asphalt pursuant to House Memorial 6 (2009), greenhouse gas emissions pursuant to House Memorial 52 (2009) and underground gas storage tank compliance; and
- (10) review the status of regulations affecting the dairy industry, pore space legislation and proposals for carbon sequestration.

During the 2010 interim, the committee proposed to:

- (1) provide guidance and recommendations to the government restructuring task force by examining the programs and missions of the NMED with an eye toward making the department more efficient and cost-effective, including ranking programs in terms of criticality to the core functions of the department;
- (2) examine the back end of the nuclear fuel cycle relative to energy needs and hear testimony on federal initiatives from a representative of the U.S. department of energy's office of nuclear

energy;

(3) explore the electric power research institute's review of New Mexico's supply and demand and the potential role in generation and transmission of electricity and its potential effect on the environment;

(4) receive WIPP updates and evaluate the management of hazardous waste;

(5) review proposals for U.S. department of energy designation of "energy parks" in areas such as Los Alamos, WIPP and Sandia national laboratories;

(6) examine advantages and liabilities of and potential for more alternative and clean energy initiatives;

(7) assess the impacts of electricity, propane and gas heating cost increases as a result of renewable energy requirements under the renewable portfolio standards and other public regulation commission rules;

(8) receive a report from the NMED on proposed rules on cap and trade and greenhouse gas emission controls;

(9) receive a status report from Los Alamos national laboratory on the progress of uranium legacy site cleanup and shipment of waste to WIPP;

(10) review current developments in uranium mining and uranium legacy mine contamination cleanup;

(11) hear testimony on the parameters of reviving nuclear electric power as a clean energy option; and

(12) explore the geothermal power, or "hot rock", option.

## **Revenue Stabilization and Tax Policy Committee**

*2009, 2010*

The revenue stabilization and tax policy committee is a statutorily created joint interim legislative committee. Pursuant to Section 2-16-3 NMSA 1978, the committee is directed to examine the statutes, constitutional provisions, regulations and court decisions governing revenue stabilization and tax policy in New Mexico and recommend legislation or changes if any are found to be necessary.

For the 2009 interim, the committee proposed to:

(1) examine stabilization of state revenue by:

(a) discussing alternatives to increased taxes for revenue enhancement to generate replacement funds for federal stimulus money and to increase funding for schools;

(b) periodically reviewing the revenue status of the state;

(c) reviewing each major revenue-generating tax, including trends in revenue generation and the proportionate share each tax plays in the overall state revenue;

*RSTP Membership  
2009*

*Voting*

Sen. John Arthur Smith, Chair, Deming  
Rep. Edward C. Sandoval, Vice Chair, Albuquerque  
Sen. Carlos R. Cisneros, Questa  
Rep. Nathan P. Cote, Las Cruces  
Rep. Anna M. Crook, Clovis  
Sen. Dianna J. Duran, Tularosa  
Sen. Tim Eichenberg, Albuquerque  
Rep. Keith J. Gardner, Roswell  
Sen. Timothy Z. Jennings, Roswell  
Sen. Timothy M. Keller, Albuquerque  
Sen. Gay G. Kernan, Hobbs  
Rep. Ben Lujan, Santa Fe  
Rep. Rodolpho "Rudy" S. Martinez, Bayard  
Sen. Howie C. Morales, Silver City  
Rep. Henry Kiki Saavedra, Albuquerque  
Sen. William E. Sharer, Farmington  
Rep. Thomas C. Taylor, Farmington  
Rep. Jim R. Trujillo, Santa Fe

*Designees*

Rep. Ray Begaye, Shiprock  
Sen. Mark Boitano, Albuquerque  
Rep. Donald E. Bratton, Hobbs  
Rep. Zachary J. Cook, Ruidoso  
Sen. Kent L. Cravens, Albuquerque  
Rep. Miguel P. Garcia, Albuquerque  
Sen. Clinton D. Harden, Jr., Clovis  
Rep. Sandra D. Jeff, Crownpoint  
Sen. Carroll H. Leavell, Jal  
Rep. Antonio "Moe" Maestas, Albuquerque  
Sen. Steven P. Neville, Aztec  
Rep. Debbie A. Rodella, Española  
Sen. Nancy Rodriguez, Santa Fe  
Sen. Bernadette M. Sanchez, Albuquerque  
Sen. John M. Sapien, Corrales  
Rep. James R.J. Strickler, Farmington  
Rep. Don L. Tripp, Socorro  
Rep. Luciano "Lucky" Varela, Santa Fe  
Sen. Peter Wirth, Santa Fe

*Staff*

Pam Ray  
Doris Faust  
Kate Ferlic  
Tim Crawford

*RSTP Membership  
2010*

*Voting*

Rep. Edward C. Sandoval, Chair, Albuquerque  
Sen. John Arthur Smith, Vice Chair, Deming  
Sen. Carlos R. Cisneros, Questa  
Rep. Nathan P. Cote, Las Cruces  
Rep. Anna M. Crook, Clovis  
Sen. Dianna J. Duran, Tularosa  
Sen. Tim Eichenberg, Albuquerque  
Rep. Keith J. Gardner, Roswell  
Sen. Timothy Z. Jennings, Roswell  
Sen. Timothy M. Keller, Albuquerque  
Sen. Gay G. Kernan, Hobbs  
Rep. Ben Lujan, Santa Fe  
Rep. Rodolpho "Rudy" S. Martinez, Bayard  
Sen. Howie C. Morales, Silver City  
Rep. Henry Kiki Saavedra, Albuquerque  
Sen. William E. Sharer, Farmington  
Rep. Thomas C. Taylor, Farmington  
Rep. Jim R. Trujillo, Santa Fe

*Designees*

Rep. Ray Begaye, Shiprock  
Sen. Mark Boitano, Albuquerque  
Rep. Donald E. Bratton, Hobbs  
Rep. Zachary J. Cook, Ruidoso  
Sen. Kent L. Cravens, Albuquerque  
Rep. Miguel P. Garcia, Albuquerque  
Rep. Roberto "Bobby" J. Gonzales, Taos  
Sen. Phil A. Griego, San Jose  
Sen. Clinton D. Harden, Jr., Clovis  
Rep. Sandra D. Jeff, Crownpoint  
Sen. Carroll H. Leavell, Jal  
Rep. Antonio "Moe" Maestas, Albuquerque  
Sen. Steven P. Neville, Aztec  
Rep. Debbie A. Rodella, Española  
Sen. Nancy Rodriguez, Santa Fe  
Sen. Bernadette M. Sanchez, Albuquerque  
Sen. John M. Sapien, Corrales  
Rep. James R.J. Strickler, Farmington  
Rep. Don L. Tripp, Socorro  
Rep. Luciano "Lucky" Varela, Santa Fe  
Sen. Peter Wirth, Santa Fe

*Staff*

Pam Ray  
Doris Faust  
Ric Gaudet

(d) discussing the effectiveness of and necessity for existing tax exemptions, deductions and credits, their fiscal impact to state revenue and how to augment collections in a cost-effective manner;

(e) determining the progress of the taxation and revenue department in



establishing a tax expenditure budgeting system;

(f) reviewing the potential revenue impact and side effects of increasing the gross receipts tax, increasing the motor vehicle excise tax or reducing pyramiding in the gross receipts tax system; and

(g) considering methods to offset the volatility of revenue from oil and gas production in addition to retaining 10 percent reserves;

(2) examine property tax issues, including:

(a) yield control;

(b) possible changes to the limitation on property tax;

(c) the effect on property tax revenue of various mechanisms in New Mexico to finance economic development, including tax increment financing, public improvement districts and industrial revenue bonds;

(d) the extent of the use of industrial revenue bonds;

(e) the ability of counties to value property;

(f) determining if the current property tax system in the state can be improved or should be revised;

(g) how other states value property for tax imposition and impose, limit and collect property tax;

(h) the long-term effects of the limitation on property transfers;

(i) the differential in residential property taxes resulting from the property tax limit;

(j) whether the limit on residential property tax has the effect of increasing commercial property tax rates; and

(k) if one percent of state-assessed property should be allocated to the property tax division of the taxation and revenue department for training assessors, valuing property and providing information technology services;

(3) review the personal income tax amendments and corporate income tax proposals and the fiscal and administrative effects of each; and

(4) review findings of pension and investment committees.

Other matters the committee proposed to address included:

(1) a review of the effect on tax revenue or tax policy of holding local governments harmless for an unlimited time into the future when eliminating gross receipts taxes;

(2) updates on the national effort to streamline sales taxes and sales tax policy;

(3) the implementation of new policies to increase the effective collection of the weight distance tax and the collection, revenue impact, distribution and expenditure of gasoline and other fuel taxes and a comparison with the needs and uses identified;

(4) information on various forms of tax reform of interest to the committee;

(5) a review of oversight of and access to data from local gross receipts tax collections and distributions;

(6) the impact of state regulation on state revenue and an examination of options to improve the efficiency of regulatory action and reduce the time to receive approval for, or issue, a license by the department of environment; the energy, minerals and natural resources department; the construction industries division of the regulation and licensing department; the state engineer; the alcohol and gaming division of the regulation and licensing department; and other agencies;

(7) a review of the renewable development district bills regarding the positioning of liens above mortgage or other tax liens;

(8) the cause of the differential in natural gas prices between the San Juan basin and other natural gas hubs; the arguments for and against additional pipelines to transport the gas; and a review of the magnitude of the royalties received by the state from natural gas;

(9) the possibility of converting all exemptions to credits or deductions for better tracking and evaluation;

(10) federal tax law changes and the effect of de-linking state income taxes from federal income taxes; and

(11) an update from the department of transportation to:

(a) determine the shortfall in road maintenance and repair revenue;

(b) discuss methods for increasing road fund revenue receipts; and

(c) compare road tax collection mechanisms in New Mexico with those in other states.

For the 2010 interim, the committee proposed to:

(1) examine state taxes and discuss each tax based on sound tax policy principles and the contribution to state revenue made by each tax;

(2) review the revenue status of the state, examine the implementation and effectiveness of revenue enhancement methods already adopted and discuss the need and opportunities for further revenue enhancement;

(3) continue to review the effectiveness and value to the state of tax incentives and review exemptions, deductions and credits to determine the state's ability to track and identify methods to determine value;

(4) review the implementation and effect of the tax amnesty program and identify taxes where amnesty was most heavily used by taxpayers, and follow the implementation of the gaming tax credit and the business retention gross receipts tax;

(5) examine the effectiveness and efficiency of appropriations and revenue generation programs in the taxation and revenue department and other state departments that generate revenue to determine if such funds are fully used for the purposes for which they were raised;

(6) identify methods of obtaining data and information on a more timely basis;

- (7) review trends in state investment earnings; and
- (8) respond to the requests of the government restructuring task force.

Other matters the committee proposed to address included:

- (1) ongoing property tax issues;
- (2) the relative costs and benefits of holding local governments harmless when the legislature reduces gross receipts taxes;
- (3) the effectiveness of collecting the weight distance tax after recent cuts to the department of public safety and a review of balances in the state road fund;
- (4) use of industrial revenue bonds in the state, including revenue lost and value of the benefits gained by local communities;
- (5) a review of oversight of and access to data from local gross receipts tax collections and distributions;
- (6) the progress of the implementation of solar energy loan districts;
- (7) New Mexico's ability to tax internet transactions; and
- (8) the balances in and performance of severance tax and land grant permanent funds and the revenue from gaming in New Mexico.

## **Science, Technology and Telecommunications Committee**

*2009, 2010*

The science, technology and telecommunications committee was created by the New Mexico legislative council in 2009 as the successor to both the information technology and telecommunications committee, which was initially created with the enactment of the Information Technology Management Act in 2009, and the Los Alamos national laboratory oversight committee, which was created by the council for each interim beginning in 2002. Under its new name and combined charge, the committee was created for the biennium on May 7, 2009 and May 12, 2010.

During the 2009 interim, the committee proposed to:

- (1) review and monitor:
  - (a) current statewide and local broadband networking efforts, including the role of libraries and their needs, and telecommunications issues relating to the New Mexico integrated strategic broadband initiative;
  - (b) ongoing operations of the department of information technology and the information technology commission, with emphasis on security, performance and standards, disaster recovery and business continuity;
  - (c) the status of enterprise-wide information technology initiatives, including statewide network services, statewide human resource accounting and management reporting (SHARE)

*STTC Membership  
2009*

*Voting*

Rep. Roberto "Bobby" J. Gonzales, Chair, Taos  
Sen. Stephen H. Fischmann, Vice Chair, Mesilla Park  
Rep. Janice E. Arnold-Jones, Albuquerque  
Sen. Vernon D. Asbill, Carlsbad  
Sen. Kent L. Cravens, Albuquerque  
Sen. Dede Feldman, Albuquerque  
Sen. Phil A. Griego, San Jose  
Sen. Linda M. Lopez, Albuquerque  
Rep. Jane E. Powdrell-Culbert, Corrales  
Rep. Debbie A. Rodella, Española  
Rep. Nick L. Salazar, Ohkay Owingeh  
Rep. Luciano "Lucky" Varela, Santa Fe  
Rep. Richard D. Vigil, Ribera

*Advisory*

Sen. Mark Boitano, Albuquerque  
Sen. Carlos R. Cisneros, Questa  
Rep. Karen E. Giannini, Albuquerque  
Rep. Ben Lujan, Santa Fe  
Sen. Richard C. Martinez, Española  
Rep. Kathy A. McCoy, Cedar Crest  
Sen. William H. Payne, Albuquerque  
Rep. Danice Picraux, Albuquerque  
Sen. John M. Sapien, Corrales  
Rep. Don L. Tripp, Socorro  
Rep. Jeannette O. Wallace, Los Alamos

*Staff*

Gordon Meeks  
Chase Van Gorder  
Ralph Vincent

*STTC Membership  
2010*

*Voting*

Sen. Stephen H. Fischmann, Chair, Mesilla Park  
Rep. Roberto "Bobby" J. Gonzales, Vice Chair, Taos  
Rep. Janice E. Arnold-Jones, Albuquerque  
Sen. Vernon D. Asbill, Carlsbad  
Sen. Kent L. Cravens, Albuquerque  
Sen. Dede Feldman, Albuquerque  
Sen. Phil A. Griego, San Jose  
Sen. Linda M. Lopez, Albuquerque  
Rep. Jane E. Powdrell-Culbert, Corrales  
Rep. Debbie A. Rodella, Española  
Rep. Nick L. Salazar, Ohkay Owingeh  
Rep. Luciano "Lucky" Varela, Santa Fe  
Rep. Richard D. Vigil, Ribera

*Advisory*

Sen. Mark Boitano, Albuquerque  
Sen. Carlos R. Cisneros, Questa  
Rep. Karen E. Giannini, Albuquerque  
Rep. Ben Lujan, Santa Fe  
Sen. Richard C. Martinez, Española  
Rep. Kathy A. McCoy, Cedar Crest  
Sen. William H. Payne, Albuquerque  
Rep. Danice Picraux, Albuquerque  
Sen. John M. Sapien, Corrales  
Rep. Don L. Tripp, Socorro  
Rep. Jeannette O. Wallace, Los Alamos

*Staff*

Gordon Meeks  
Ralph Vincent  
Jeret Fleetwood

system, email, E-911 emergency systems interoperability and service systems; and

(d) the status of such initiatives as innovative digital education and learning in New Mexico (IDEAL-NM), smart-grid initiatives and geospatial information sharing;

(2) hear a report on the status of the supercomputing facility, including its funding, general utilization and enterprise systems;

(3) examine infrastructure related to the management of electronic records in state government;

(4) review alternative energy development, specifically renewable energy resource zones and renewable energy net metering, and review the regulation of commercial wind generation and renewable energy transmission facilities;

(5) receive testimony on new technologies from Los Alamos national laboratory and Sandia national laboratories, including "horizon" technology activities in energy and recommendations to the legislature on these endeavors;

(6) examine the federal communications commission mandate for state and local

governments to convert existing mobile radio systems to narrow band kilohertz by 2013;

(7) review the use of federal stimulus funding that affects science, technology and telecommunications in the state;

(8) hear a progress report on the implementation of the New Mexico Research Applications Act;

(9) review health care technology developments in New Mexico;

(10) assess the health of the aerospace industry in New Mexico and which incentives might be appropriate and supportive of the industry; and

(11) study the status of telecommunications competition.

During the 2010 interim, the committee proposed to review:

(1) recommendations to reorganize, streamline and improve the functions of the department of information technology, the public regulation commission (utilities and telecommunications) and the energy, minerals and natural resources department;

(2) unnecessary duplication of information technology systems, especially geographic information system components of different agencies that rely on the same database;

(3) interoperability among the state's data systems, the status of information technology security measures and disaster recovery and business continuity concerns;

(4) energy efficiency technologies;

(5) the status of renewable energy projects, including dairy biomass, solar, wind farm, algae biofuel and geothermal projects;

(6) broadband status and competitiveness for medical purposes, education, research and economic development and the respective roles of Qwest and the department of information technology in deploying broadband capacity;

(7) smart grid development;

(8) the status of the New Mexico renewable energy transmission authority;

(9) the location and operations of encanto gateways (the supercomputer) and contracts;

(10) the status of the national solar observatory role of New Mexico state university;

(11) the spaceport authority's payload plans, aerospace research, development, deployment and enterprises and potential recruitment of payload launches for low-orbit solar electric power generation;

(12) "horizon" technology research at Sandia national laboratories and Los Alamos national laboratory that may have economic development potential in New Mexico, including research in turbines and dairy technologies; and

(13) venture capital perspectives on New Mexico's emerging technology enterprises.

# Tobacco Settlement Revenue Oversight Committee

2009, 2010

<i>TSROC Membership 2009</i>	<i>TSROC Membership 2010</i>
<i>Voting</i> Rep. Gail Chasey, Co-Chair, Albuquerque Sen. Mary Jane M. Garcia, Co-Chair, Doña Ana Sen. Dede Feldman, Albuquerque Rep. Danice Picraux, Albuquerque Sen. John C. Ryan, Albuquerque Rep. Gloria C. Vaughn, Alamogordo	<i>Voting</i> Rep. Gail Chasey, Co-Chair, Albuquerque Sen. Mary Jane M. Garcia, Co-Chair, Doña Ana Sen. Dede Feldman, Albuquerque Rep. Danice Picraux, Albuquerque Sen. John C. Ryan, Albuquerque Rep. Gloria C. Vaughn, Alamogordo
<i>Advisory</i> Sen. Rod Adair, Roswell Sen. Sue Wilson Beffort, Sandia Park Rep. Ray Begaye, Shiprock Rep. Karen E. Giannini, Albuquerque Sen. Linda M. Lopez, Albuquerque Sen. Mary Kay Papen, Las Cruces	<i>Advisory</i> Sen. Rod Adair, Roswell Sen. Sue Wilson Beffort, Sandia Park Rep. Ray Begaye, Shiprock Rep. Karen E. Giannini, Albuquerque Sen. Linda M. Lopez, Albuquerque Sen. Mary Kay Papen, Las Cruces
<i>Staff</i> Sandy Mitchell Michael Hely Roxanne Knight	<i>Staff</i> Sandy Mitchell Karen Wells Roxanne Knight

The tobacco settlement revenue oversight committee is created in Section 2-19-1 NMSA 1978 as the body responsible for monitoring the use of revenues received by the state under the Master Settlement Agreement with tobacco companies and to recommend program funding levels for each fiscal year. Section 6-4-9 NMSA 1978 provides that in each fiscal year, an annual distribution shall be made from the tobacco settlement permanent fund to the tobacco settlement program fund of an amount equal to 50 percent of the total amount of money distributed to the tobacco settlement permanent fund in each fiscal year until it is less than an amount equal to 4.7 percent of the average of the year-end market values of the fund for the immediately preceding five calendar years.

The tobacco settlement revenue oversight committee planned to continue its oversight duties for the programs that receive funding through the tobacco settlement program fund and to receive testimony regarding the balances in and projected revenues for both the tobacco settlement program fund and the tobacco settlement permanent fund.

For both the 2009 and 2010 interims, the committee proposed to:

(1) monitor the status of the revenue and reserves for the tobacco settlement permanent fund and the use of tobacco settlement program funds through committee oversight and evaluation of those programs recommended by the committee and funded by the legislature; review the enforcement requirements under the Master Settlement Agreement; compare recommended funding levels by the centers for disease control and prevention with funding levels in New Mexico; and examine the implications of appropriating tobacco settlement revenue a year in advance of its receipt;

(2) meet, hear testimony regarding tobacco settlement-related issues and prepare recommendations of program funding levels for fiscal years 2011 and 2012, based on the committee's program evaluation process; and

(3) make recommendations as necessary for changes in legislation relating to and regarding use of the tobacco settlement revenue.

In addition, the committee proposed during the 2009 interim to review the impact of the amendment to the law regarding distribution to the tobacco settlement program fund and the tobacco settlement permanent fund to address the budget solvency issues for fiscal years 2009 and 2010.

The committee also proposed for the 2010 interim to:

(1) evaluate the current method of making allotments from the tobacco settlement program fund and determine whether changes are necessary to limit the impact of potential shortfalls in tobacco settlement revenue; and

(2) provide guidance and recommendations to the government restructuring task force by examining the programs overseen by the committee with an eye toward making the programs more efficient and cost-effective and by garnering and relaying feedback from state agencies on ways to increase the efficiency of those programs.

## **Water and Natural Resources Committee**

*2009, 2010*

The water and natural resources committee, which was originally created by the New Mexico legislative council in 1998, was created for the biennium on May 7, 2009 and May 12, 2010.

The committee proposed to focus on the following topics and issues during the 2009 interim:

(1) issues involving wildlife, livestock or agriculture, including:

- (a) elk management and population and landowner compensation; and
- (b) seizure of stray livestock and brand inspection;

(2) use and designation of land and water for recreation and other purposes, including:

- (a) new state park projects, including Pecos state park;
- (b) off-highway motor vehicle registration and regulation;
- (c) boat registration legislation;
- (d) the Rio Grande trail project; and
- (e) suggestions on making the Valles Caldera national preserve self-sufficient;

(3) water management, adjudications, research, litigation and projects, including:

(a) creation of a subcommittee to hear from the acequia community on October 26, the day before the committee's October 27-28 Española meeting, and a report to the full committee on acequia issues;

*WNRC Membership  
2009*

*Voting*

Sen. Phil A. Griego, Chair, San Jose  
Rep. Andy Nuñez, Vice Chair, Hatch  
Rep. Paul C. Bandy, Aztec  
Rep. Ray Begaye, Shiprock  
Rep. Joseph Cervantes, Las Cruces  
Sen. Mary Jane M. Garcia, Doña Ana  
Rep. Thomas A. Garcia, Ocate  
Rep. William J. Gray, Artesia  
Sen. Clinton D. Harden, Jr., Clovis  
Rep. Dona G. Irwin, Deming  
Rep. Larry A. Larrañaga, Albuquerque  
Rep. Kathy A. McCoy, Cedar Crest  
Sen. George K. Muñoz, Gallup  
Sen. Steven P. Neville, Aztec  
Sen. Gerald Ortiz y Pino, Albuquerque  
Sen. Mary Kay Papen, Las Cruces  
Sen. Sander Rue, Albuquerque  
Rep. Mimi Stewart, Albuquerque

*Advisory*

Sen. Rod Adair, Roswell  
Sen. Vernon D. Asbill, Carlsbad  
Sen. Carlos R. Cisneros, Questa  
Rep. Anna M. Crook, Clovis  
Rep. Brian F. Egolf, Jr., Santa Fe  
Rep. Nora Espinoza, Roswell  
Rep. Candy Spence Ezzell, Roswell  
Sen. Dede Feldman, Albuquerque  
Sen. Timothy Z. Jennings, Roswell  
Sen. Gay G. Kernan, Hobbs  
Rep. Ben Lujan, Santa Fe  
Rep. James Roger Madalena, Pueblo of Jemez  
Sen. Cisco McSorley, Albuquerque  
Rep. Danice Picraux, Albuquerque  
Sen. Nancy Rodriguez, Santa Fe  
Rep. Henry Kiki Saavedra, Albuquerque  
Rep. Jeff Steinborn, Las Cruces  
Rep. James R.J. Strickler, Farmington  
Rep. Don L. Tripp, Socorro  
Sen. Peter Wirth, Santa Fe

*Staff*

Jon Boller  
Gordon Meeks  
Jeret Fleetwood

*WNRC Membership  
2010*

*Voting*

Rep. Andy Nuñez, Chair, Hatch  
Sen. Phil A. Griego, Vice Chair, San Jose  
Rep. Paul C. Bandy, Aztec  
Rep. Ray Begaye, Shiprock  
Rep. Joseph Cervantes, Las Cruces  
Sen. Mary Jane M. Garcia, Doña Ana  
Rep. Thomas A. Garcia, Ocate  
Rep. William J. Gray, Artesia  
Sen. Clinton D. Harden, Jr., Clovis  
Rep. Dona G. Irwin, Deming  
Rep. Larry A. Larrañaga, Albuquerque  
Rep. Kathy A. McCoy, Cedar Crest  
Sen. George K. Muñoz, Gallup  
Sen. Steven P. Neville, Aztec  
Sen. Gerald Ortiz y Pino, Albuquerque  
Sen. Mary Kay Papen, Las Cruces  
Sen. Sander Rue, Albuquerque  
Rep. Mimi Stewart, Albuquerque

*Advisory*

Sen. Rod Adair, Roswell  
Sen. Vernon D. Asbill, Carlsbad  
Sen. Carlos R. Cisneros, Questa  
Rep. Anna M. Crook, Clovis  
Rep. Brian F. Egolf, Jr., Santa Fe  
Rep. Nora Espinoza, Roswell  
Rep. Candy Spence Ezzell, Roswell  
Sen. Dede Feldman, Albuquerque  
Sen. Timothy Z. Jennings, Roswell  
Sen. Gay G. Kernan, Hobbs  
Rep. Ben Lujan, Santa Fe  
Rep. James Roger Madalena, Pueblo of Jemez  
Sen. Cisco McSorley, Albuquerque  
Rep. Danice Picraux, Albuquerque  
Sen. Nancy Rodriguez, Santa Fe  
Rep. Henry Kiki Saavedra, Albuquerque  
Rep. Jeff Steinborn, Las Cruces  
Rep. James R.J. Strickler, Farmington  
Rep. Don L. Tripp, Socorro  
Sen. Peter Wirth, Santa Fe

*Staff*

Jon Boller  
Kim Bannerman  
Jeret Fleetwood

- (b) state engineer jurisdiction over deep nonpotable aquifers;
- (c) a report from the institute for public law at the university of New Mexico on stakeholder suggestions on changing the adjudication process;
- (d) a report from the middle Rio Grande conservancy district and the mid-region council of governments on the state of levees in the middle Rio Grande;



- (e) a report from New Mexico state university on water conservation methods;
  - (f) a report from the department of environment on the status of the water conservation fund;
  - (g) the status of the Navajo, *Abeyta*, *Aamodt* and Pecos water settlements and the Gila river planning process;
  - (h) an update on federal legislation authorizing the Ute pipeline;
  - (i) the status of the strategic water reserve;
  - (j) an update on projects endorsed by the water trust board;
  - (k) an update on the state and regional water plans;
  - (l) a report from the Buckman direct diversion project board;
  - (m) inter-basin water transfers;
  - (n) the New Mexico institute of mining and technology aquifer mapping project;
  - (o) the Utton transboundary resources center ombudsman program;
  - (p) formation of new regional water associations;
  - (q) outstanding national resource waters designation of certain areas in New Mexico; and
  - (r) availability of federal stimulus money for water projects; and
- (4) the use of renewable energy payments as an alternative to renewable energy portfolio standards to promote the use of renewable energy in New Mexico.

During the 2010 interim, the committee planned to focus on:

- (1) land and water issues, including:
  - (a) reports required by statute from the state engineer, interstate stream commission and energy, minerals and natural resources department;
  - (b) the interstate stream commission contract with Intel on offset rights;
  - (c) an adjudications status update;
  - (d) the Gila river planning process status;
  - (e) acequia issues;
  - (f) lower Rio Grande public water works authority issues;
  - (g) ground water administration, including ground water modeling and implementation of conservation regulations as applied to ground water, conservation and beneficial use;
  - (h) dam safety and liability issues;
  - (i) ongoing and projected annual costs of water projects and programs;
  - (j) final *Aamodt* settlement terms/benefits;
  - (k) the deep well permitting process;
  - (l) an Utton center and Joe M Stell ombudsman program update;
  - (m) use of return-flow credits in water rights administration;

- (n) aquifer mapping projects; and
- (o) flood control levee and flood plain mapping issues;
- (2) agriculture issues, including:
  - (a) merging the organic commodity commission with the New Mexico department of agriculture;
  - (b) soil and water conservation commission programs;
  - (c) dairy operation waste disposal rules;
  - (d) elk depredation issues;
  - (e) commercial hemp production; and
  - (f) trends in agriculture; and
- (3) natural resource issues, including:
  - (a) a New Mexico forest and watershed restoration institute presentation; and
  - (b) the effect of incorporation by Anthony, New Mexico, on colonias funding.

**SUBCOMMITTEES, TASK FORCES  
AND  
SPECIAL INTERIM COMMITTEES**



## Disabilities Concerns Subcommittee

2010

Laws 2010, Chapter 24 created a permanent six-member interim disabilities concerns subcommittee of the legislative health and human services committee. The subcommittee is charged with continuing a study of the programs, agencies, policies, issues and needs relating to individuals with disabilities, including review and study of the programs, statutes, constitutional provisions, regulations and court decisions governing programs, agencies and issues relating to individuals with disabilities. In a one-day meeting during the 2010 interim, the subcommittee planned to examine:

- (1) the status of the guardianship alliance;
- (2) the status of adult protective services;
- (3) the impact of cuts to the developmental disabilities waiver program; and
- (4) departments' responses to federal incentives to implement the Money Follows the

Person in New Mexico Act.

The subcommittee also planned to receive reporting:

- (1) pursuant to House Memorial 56 (2010) and Senate Bill 1 (2010), both concerning brain injuries resulting from school athletic activities; and
- (2) regarding direct caregiver training.

### *DCS Membership 2010*

#### *Voting*

Sen. Nancy Rodriguez, Chair, Santa Fe  
Sen. Rod Adair, Roswell  
Rep. Keith J. Gardner, Roswell  
Rep. Antonio Lujan, Las Cruces  
Sen. Mary Kay Papan, Las Cruces  
Rep. Danice Picraux, Albuquerque

#### *Staff*

Michael Hely  
Karen Wells  
Zelda Abeita

## Government Restructuring Task Force

2010

Laws 2010, Chapter 101 created the government restructuring task force for the 2010 interim and directed it to study the current resources of the state's agencies, programs, services, funding and policies and the public needs served by them, including the:

- (1) recommendations of the governor's committee on government efficiency;
- (2) need for consolidation of agencies and elimination or reduction of redundant programs or services;
- (3) current and projected staffing needs of state agencies for full-time, part-time, term, temporary and contract employees; and

*GRTF Membership  
2010*

*Voting*

Sen. Tim Eichenberg, Chair, Albuquerque  
Rep. Patricia A. Lundstrom, Vice Chair, Gallup  
Patrick Baca  
Rep. Paul C. Bandy, Aztec  
Rep. Keith J. Gardner, Roswell  
John Gasparich  
Dr. Dan Lopez  
Sen. Linda M. Lopez, Albuquerque  
Michelle Lujan Grisham  
Rep. Rick Miera, Albuquerque  
Sec. Katherine B. Miller  
Sen. Steven P. Neville, Aztec  
Jim O'Neill  
David Ortiz  
Sen. William H. Payne, Albuquerque  
Sen. John Arthur Smith, Deming  
Rep. Luciano "Lucky" Varela, Santa Fe

*Advisory*

Sen. Carlos R. Cisneros, Questa  
Sen. Mary Jane M. Garcia, Doña Ana  
Rep. Joni Marie Gutierrez, Mesilla  
Sen. Stuart Ingle, Portales  
Sen. Lynda M. Lovejoy, Crownpoint  
Rep. James Roger Madalena, Pueblo of Jemez  
Rep. Al Park, Albuquerque  
Rep. Jeannette O. Wallace, Los Alamos

*Staff*

Raúl E. Burciaga  
Jonelle Maison  
Kim Bannerman  
Leslie Porter

(4) current and projected revenue estimates for the next three to five fiscal years. Additionally, the task force was charged with soliciting public input, studying the restructure of state government that occurred from 1975 to 1978, examining all laws governing state government and recommending legislation or changes. All state agencies were required to provide information to the task force as needed.

In studying the specific areas outlined in the task force's charge, members generally agreed that nothing was off the table — all three branches of government and their respective agencies and programs would be subject to review and possible restructuring. In determining what essential services state government should provide, the task force proposed to:

(1) have the New Mexico legislative council direct each interim committee to include, as a major part of each work plan, any findings and recommendations on the restructuring of any of the agencies or programs that each committee reviews or oversees;

(2) review the structure of state government as it exists and currently operates as well as how the structure is set out in law;

- (3) identify areas of large expenditures;
- (4) examine the inventory of state agencies, boards and commissions created in law;
- (5) assess the effectiveness and efficiency of the various agencies and programs, particularly in light of the task force's consideration of what essential services should be provided;
- (6) request presentations by agencies to help the task force identify redundancies or duplications and the benefits or consequences of consolidating or eliminating certain programs or services;
- (7) explore the provision of online services to realize concomitant reduction in staff and offices; and
- (8) review the sources of revenue, including efforts for better leverage of existing funding and to identify alternative revenue sources.

# Public School Capital Outlay Oversight Task Force

2009, 2010

<i>PSCOOTF Membership 2009</i>	<i>PSCOOTF Membership 2010</i>
<i>Legislative</i>	<i>Legislative</i>
Rep. Rick Miera, Co-Chair, Albuquerque	Rep. Rick Miera, Co-Chair, Albuquerque
Sen. Cynthia Nava, Co-Chair, Las Cruces	Sen. Cynthia Nava, Co-Chair, Las Cruces
Sen. Vernon D. Asbill, Carlsbad	Sen. Vernon D. Asbill, Carlsbad
Rep. Keith J. Gardner, Roswell	Rep. Keith J. Gardner, Roswell
Sen. Timothy Z. Jennings, Roswell	Sen. Timothy Z. Jennings, Roswell
Rep. Larry A. Larrañaga, Albuquerque	Rep. Larry A. Larrañaga, Albuquerque
Sen. Lynda M. Lovejoy, Crownpoint	Sen. Lynda M. Lovejoy, Crownpoint
Rep. Ben Lujan, Santa Fe	Rep. Ben Lujan, Santa Fe
Rep. W. Ken Martinez, Grants	Rep. James Roger Madalena, Pueblo of Jemez
Sen. Sander Rue, Albuquerque	Rep. W. Ken Martinez, Grants
Rep. Henry Kiki Saavedra, Albuquerque	Sen. Sander Rue, Albuquerque
Sen. John Arthur Smith, Deming	Rep. Henry Kiki Saavedra, Albuquerque
	Sen. John Arthur Smith, Deming
<i>Other</i>	<i>Other</i>
Sec. Veronica Garcia	Sec. Veronica Garcia
Cecilia J. Grimes	Cecilia J. Grimes
Leonard Haskie	Lisa Grover
Robbie Heyman	Leonard Haskie
Anna Lamberson	Robbie Heyman
Kilino Marquez	Kilino Marquez
Elizabeth Marrufo	Elizabeth Marrufo
Sec. Katherine B. Miller	Sec. Katherine B. Miller
Dr. John Mondragon	Dr. John Mondragon
Bud Mulcock	Mike Phipps
Mike Phipps	Ernesto Valdez
Ernesto Valdez	
<i>Staff</i>	<i>Staff</i>
Sharon Ball	Sharon Ball
Paula Tackett	Leslie Porter
Aldis Philipbar	Tom Pollard
Tom Pollard	

Created by Laws 2005, Chapter 274, Sections 10 and 11, the public school capital outlay oversight task force serves as the permanent entity overseeing the implementation of the work of the public school capital outlay council and the public school facilities authority as they implement the state's standards-based public school capital outlay funding methodology. The task force consists of 25 members, including the respective secretaries of public education and finance and administration; the speaker of the house of representatives; the president pro tempore of the senate; the respective chairs of the house appropriations and finance, house education, senate finance and senate education committees; four minority party members, two from each house; a member of the Indian affairs committee, annually alternating between the senate and house; a member of the house and a member of the senate, each of whom represents districts that include federal impact aid districts; seven public members, two appointed

by the speaker, two appointed by the president pro tempore and three appointed by the governor; and three superintendents, two of whom must be from federal impact aid districts, appointed by the New Mexico legislative council in consultation with the governor.

Pursuant to statute, the task force proposed to focus on the following activities during the 2009 interim:

- (1) monitoring the progress and effectiveness of programs administered pursuant to the Public School Capital Outlay Act and the Public School Capital Improvements Act;
- (2) monitoring the existing permanent revenue streams to ensure that they remain adequate long-term funding sources for public school capital outlay projects;
- (3) monitoring the overall progress of bringing all public school facilities up to the statewide adequacy standards developed pursuant to provisions in the Public School Capital Outlay Act; and
- (4) overseeing the work of the public school capital outlay council and the public school facilities authority, particularly as they continue to implement the statewide process for making grant awards.

Additionally, the task force proposed to focus on the following issues and report the results of its analyses and oversight, together with any recommendations, to the governor and the legislature before the start of the 2010 regular legislative session:

- (1) the relationship of current economic conditions to providing funding for adequacy and space flexibility;
- (2) revisions to the statewide adequacy standards and funding needed for implementation of revisions to the standards, if necessary;
- (3) a review of capital outlay funding resources and requirements for charter schools;
- (4) establishment and oversight of a work group to examine the costs and benefits of the statutory requirement for the bonding of subcontractors as specified in Senate Joint Memorial 71 (2009);
- (5) a review of the distribution and expenditure of federal stimulus funds for public school capital outlay; and
- (6) a review of the use of out-of-state contractors and subcontractors on public school projects.

## **Regulatory Process Subcommittee**

*2010*

The regulatory process subcommittee was created by the New Mexico legislative council on June 29, 2010 as a subcommittee of three interim bodies: the revenue stabilization and tax policy



committee; economic and rural development committee; and courts, corrections and justice committee. The subcommittee proposed to:

(1) review and analyze what impact state agencies' rulemaking has had on public safety, economic development, consumers and the environment;

(2) review the revised model state Administrative Procedures Act;

(3) review state agencies' interpretation of legislation and their rulemaking authority and adjudicatory functions in meeting legislative mandates;

(4) determine any necessary legislative action on regulatory processes; and

(5) prepare a subcommittee report and provide the report to the revenue stabilization and tax policy committee, economic and rural development committee and courts, corrections and justice committee.

*RPS Membership  
2010*

*Members*

Sen. Bernadette M. Sanchez, Chair, Albuquerque  
Rep. Edward C. Sandoval, Vice Chair,  
Albuquerque  
Rep. Zachary J. Cook, Ruidoso  
Sen. Tim Eichenberg, Albuquerque  
Rep. William J. Gray, Artesia  
Sen. Linda M. Lopez, Albuquerque  
Rep. Patricia A. Lundstrom, Gallup  
Sen. Howie C. Morales, Silver City  
Sen. George K. Munoz, Gallup  
Sen. Steven P. Neville, Aztec  
Rep. Al Park, Albuquerque  
Rep. Debbie A. Rodella, Española  
Sen. John C. Ryan, Albuquerque  
Sen. William E. Sharer, Farmington  
Rep. Mimi Stewart, Albuquerque  
Rep. Don L. Tripp, Socorro  
Rep. Jim R. Trujillo, Santa Fe  
Sen. David Ulibarri, Grants

*Staff*

Peter Kovnat  
Sandy Mitchell

## **Retirement Systems Solvency Task Force**

*2009, 2010*

The retirement systems solvency task force was created by Laws 2009, Chapter 288, which calls for the task force to:

... study the actuarial soundness and solvency of the retirement plans of the public employees retirement association and the educational retirement association and the health care plan of the retiree health care authority and prepare a solvency plan for each entity. The solvency plans shall include analyses and recommendations that address:

- (1) employer and employee contributions;
- (2) retirement eligibility;
- (3) the number of retirement plans;
- (4) retirement benefits;
- (5) investment policy and asset allocation;
- (6) disability retirement and benefits;

<i>RSSTF Membership 2009</i>	<i>RSSTF Membership 2010</i>
<i>Legislative</i>	<i>Legislative</i>
Rep. Mimi Stewart, Co-Chair, Albuquerque	Rep. Mimi Stewart, Co-Chair, Albuquerque
Rep. Richard J. Berry, Albuquerque	Sen. Pete Campos, Las Vegas
Sen. Pete Campos, Las Vegas	Sen. Phil A. Griego, San Jose
Sen. Phil A. Griego, San Jose	Rep. John A. Heaton, Carlsbad
Rep. John A. Heaton, Carlsbad	Sen. Steven P. Neville, Aztec
Sen. Steven P. Neville, Aztec	Sen. John Arthur Smith, Deming
Sen. John Arthur Smith, Deming	Rep. Thomas C. Taylor, Farmington
Rep. Luciano "Lucky" Varela, Santa Fe	Rep. Luciano "Lucky" Varela, Santa Fe
<i>Other</i>	<i>Other</i>
Tito Chavez, Co-Chair	Tito Chavez, Co-Chair
Diego Arencon	Diego Arencon
Oscar Arevalo	Oscar Arevalo
Charles Bowyer	Charles Bowyer
Bill Fulginiti	Bill Fulginiti
Jan Goodwin	Jan Goodwin
David Heshley	David Heshley
Emily Kane	Emily Kane
Michelle Lewis	Michelle Lewis
Alexis Lotero	Alexis Lotero
Bruce Malott	Bruce Malott
Andrew Padilla	Andrew Padilla
Wayne Propst	Wayne Propst
Ronald Sanchez	Ronald Sanchez
Terry Slattery	Terry Slattery
Christine Trujillo	Christine Trujillo
Jeff Varela	Jeff Varela
<i>Staff</i>	<i>Staff</i>
Raúl E. Burciaga	Raúl E. Burciaga
Jonelle Maison	Doris Faust
	Tom Pollard
	Claudia Armijo

- (7) actuarial assumptions;
- (8) health insurance plan benefits and eligibility;
- (9) the costs of health insurance plans; and
- (10) member services.

The law calls for solvency plans no later than October 2010; however, the task force proposed to have all or most of the analyses and recommendations ready by December 2009, in time for the 2010 regular session. To prepare solvency plans, the task force proposed to:

- (1) examine each of the retirement systems and the various plans or options offered within each system and use existing studies, analyses and comparisons of the three systems to determine what additional information is needed;
- (2) review and compare employer, employee and, if applicable, retiree contributions across each system as well as with retirement systems in other states that have defined benefit, defined contribution or other plans;
- (3) review the eligibility requirements for the various types of public employees and

each system's benefits for retirees;

(4) examine and compare actuarial assumptions of the two retirement systems and of the retiree health care system against other or similar health care plans; and

(5) review administrative and member services across all three systems.

As part of reviewing actuarial and other information of the three systems, the task force proposed that it contract for additional studies, analyses and comparisons. In terms of the item in the solvency plans related to investment policy and asset allocation, the task force planned to coordinate its work on that issue with the interim legislative investments oversight committee.

In 2010, the task force amended its 2009 work plan by proposing to issue a request for proposals for a fiscal status analysis of the public employees retirement association and educational retirement board plans and the retirement health care authority health care plan.

The task force planned to report the results of its analyses and oversight, together with any recommendations, to the governor and the legislature before the start of the 2011 regular legislative session.

## Senate Rules Committee

*2009, 2010*

<i>SRC Membership 2009</i>	<i>SRC Membership 2010</i>
Sen. Linda M. Lopez, Chair, Albuquerque Sen. Peter Wirth, Vice Chair, Santa Fe Sen. Kent L. Cravens, Ranking Member, Albuquerque Sen. Dianna J. Duran, Tularosa Sen. Dede Feldman, Albuquerque Sen. Stuart Ingle, Portales Sen. Timothy Z. Jennings, Roswell Sen. Michael S. Sanchez, Belen	Sen. Linda M. Lopez, Chair, Albuquerque Sen. Peter Wirth, Vice Chair, Santa Fe Sen. Kent L. Cravens, Ranking Member, Albuquerque Sen. Dianna J. Duran, Tularosa Sen. Dede Feldman, Albuquerque Sen. Stuart Ingle, Portales Sen. Timothy Z. Jennings, Roswell Sen. Michael S. Sanchez, Belen
<i>Staff</i> provided by the senate chief clerk's office	<i>Staff</i> provided by the senate chief clerk's office

The senate rules committee is the only standing committee of the legislature allowed to meet during the interim. Upon the approval of the voters in 1986, Article 4 of the constitution of New Mexico was amended to add Section 42, which allows the committee to operate during the interim to conduct hearings and take testimony on the confirmation or rejection of gubernatorial appointments. The senate rules committee then makes its recommendations to the next session of the legislature.

# Uranium Policy Subcommittee

2009

*UPS Membership  
2009*

*Voting*

Rep. Patricia A. Lundstrom, Co-Chair, Gallup  
Sen. Lynda M. Lovejoy, Co-Chair, Crownpoint  
Sen. Vernon D. Asbill, Carlsbad  
Rep. John A. Heaton, Carlsbad  
Sen. David Ulibarri, Grants  
Rep. Jeannette O. Wallace, Los Alamos

*Staff*

Damian Lara  
Joshua Sanchez

The New Mexico legislative council created the uranium policy subcommittee on July 27, 2009 to address the issues of abandoned uranium mines, uranium mill tailings, resulting ground water contamination and related health issues. Members were appointed from the Indian affairs committee and the radioactive and hazardous materials committee, including former members of the ad hoc uranium mining and tailings task force that had met with the New Mexico congressional delegation and other federal officials in Washington, D.C., earlier in the year.

## Other Committees

Certain interim legislative committees meet only when a topic or situation arises within their purview, including the committee on compacts, which was created by Laws 1999, Chapter 252 to review proposed new Indian gaming compacts or proposed amendments to existing Indian gaming compacts; request modifications to proposed compacts or amendments; and make recommendations to the legislature.

## **APPOINTMENTS TO OTHER BODIES**



In addition to interim committee work, members of the legislature served by appointment on committees and task forces of organizations such as the national conference of state legislatures, the council of state governments and the energy council. Although these are important assignments for the members serving on these bodies, the appointments are too numerous for inclusion in this report. A complete list of these appointments is available in the legislative council service library.

## Capitol Buildings Planning Commission

*2009, 2010*

<i>CBPC Membership 2009</i>	<i>CBPC Membership 2010</i>
<p><i>Legislative</i> Rep. Ben Lujan, Co-Chair, Santa Fe Sen. Stuart Ingle, Roswell Sen. Timothy Z. Jennings, Roswell Rep. Thomas C. Taylor, Farmington</p> <p><i>Other</i> Sec. Arturo Jaramillo, Co-Chair Sec. Stuart Ashman Chief Justice Charles W. Daniels Sec. Gary Giron Treasurer James B. Lewis Sec. Katherine B. Miller Commissioner Patrick H. Lyons</p> <p><i>Designees</i> Robert Apodaca Lawrence Barreras Dennis Garcia Della Gutierrez Larry Kehoe Emilio Martinez Rick Martinez Katherine Moss Joyce Pankey Patrick Simpson Clarence Smith Max Valerio</p> <p><i>Staff — LCS</i> Roxanne Knight Paula Tackett Ric Gaudet Tom Pollard</p> <p><i>Staff — PCD</i> LeMoyne Blackshear Larry Miller Bill Taylor</p>	<p><i>Legislative</i> Rep. Ben Lujan, Co-Chair, Santa Fe Sen. Stuart Ingle, Roswell Sen. Timothy Z. Jennings, Roswell Rep. Thomas C. Taylor, Farmington</p> <p><i>Other</i> Sec. Arturo Jaramillo, Co-Chair Sec. Stuart Ashman Sec.-Designate Dannette Burch Chief Justice Charles W. Daniels Sec. Gary Giron Treasurer James B. Lewis Sec. Katherine B. Miller Commissioner Patrick H. Lyons</p> <p><i>Designees</i> Ruth Dygert Fern Goodman Larry Kehoe Emilio Martinez Rick Martinez Patrick Simpson Clarence Smith Max Valerio</p> <p><i>Staff — LCS</i> Roxanne Knight Paula Tackett Raúl E. Burciaga Ric Gaudet Tom Pollard</p> <p><i>Staff — PCD</i> LeMoyne Blackshear Larry Miller Bill Taylor</p>

The capitol buildings planning commission is an intergovernmental agency that was created in 1997 to conduct long-range facilities master plans for all state agencies in Santa Fe. Over the years, its master planning jurisdiction has been expanded to include the major metropolitan areas of New Mexico and an inventory of all state facilities for the development of a statewide master plan, pursuant to Section 15-10-1 NMSA 1978. Since its inception, the commission has developed metropolitan area master plans and endorsed legislation to study and finance the construction of state government facilities, and it recently developed guidance materials for the review process of lease-purchase financing agreements. The commission works with the general services department and other state agencies in developing recommendations for addressing deferred maintenance on state facilities and disposal strategies for aging facilities no longer able to serve their mission. Using life-cycle costing, the commission works with the general services department in developing recommendations on whether the state should lease, lease-purchase or purchase needed additional facilities.

The commission consists of:

- (1) four members of the legislature, two from each house appointed by the New Mexico legislative council;
- (2) the secretary of general services;
- (3) the state treasurer;
- (4) the secretary of transportation;
- (5) the secretary of cultural affairs;
- (6) the secretary of finance and administration;
- (7) the chair of the supreme court building commission; and
- (8) the commissioner of public lands.

Each of the nonlegislative members may name a designee to serve in the member's place. As set out in statute, the legislative council service provides staff for the commission in coordination with the staff architect and other staff of the property control division of the general services department.

The commission publishes a detailed annual report of its work that may be found on the legislature's web site at [www.nmlegis.gov](http://www.nmlegis.gov).

## **Educational Commission of the States**

*2009, 2010*

New Mexico became a member of the educational commission of the states in 1967 when it entered into the Compact for Education. As enumerated in Section 11-8-5 NMSA 1978, the commission has the authority to:

- (1) collect, correlate, analyze and interpret information and data concerning educational needs and resources;
- (2) encourage and foster research in all aspects of education, but with special reference



to the desirable scope of instruction, organization, administration, and instructional methods and standards employed or suitable for employment in public educational systems;

(3) develop proposals for adequate financing of education as a whole and at each of its many levels;

(4) conduct or participate in research of the types referred to in this article in any instance where the commission finds that such research is necessary for the advancement of the purposes and policies of this compact, utilizing fully the resources of national associations, regional compact organizations for higher education and other agencies and institutions, both public and private;

(5) formulate suggested policies and plans for the improvement of public education as a whole, or for any segment thereof, and make recommendations with respect thereto available to the appropriate governmental units, agencies and public officials;

(6) do such other things as may be necessary or incidental to the administration of any of its authority or functions pursuant to this compact.

<p><i>ECS Membership 2009</i></p> <p><i>Legislative</i> Sen. Cynthia Nava, Las Cruces Rep. Sheryl Williams Stapleton, Albuquerque</p> <p><i>ECS Membership 2010</i></p> <p><i>Legislative</i> Sen. Cynthia Nava, Las Cruces Rep. Sheryl Williams Stapleton, Albuquerque</p>
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## **Health Care Reform Working Group**

**2010**

Senate Joint Memorial 1 of the 2010 legislative session requested that the superintendent of insurance convene a health care reform working group with membership drawn from the department of health, human services department, legislative finance committee, legislative health and human services committee, insurance division of the public regulation commission, New Mexico medical insurance pool and New Mexico health insurance alliance. The group's charge was to:

(1) receive input and recommendations from the public and from advisory groups for consideration and present to the governor and the legislature recommendations and proposed action steps for administrative, legislative, regulatory, operational and financial initiatives necessary to implement and supplement any federal health care reform legislation;

(2) make recommendations regarding:

(a) the creation of any exchanges or other entities designated in any federal legislation;

(b) the creation of any other entities the health care reform working group considers necessary to supplement any federal reforms;

(c) whatever changes in state regulations are necessary to reconcile differences or conflicts between federal and New Mexico insurance regulations;

(d) the state's strategies to get access to any federal money available for health care work force development, medicaid, community clinics, addressing health care disparities and health care information systems;

(e) any restructuring of medical assistance programs to maximize federal funds; and

(f) other health-related issues;

(3) receive recommendations from consumers; advocates; licensed health care providers; health insurers; payers, including employers and federal and state agencies; Native American nations, tribes and pueblos; and other interested parties as it deems necessary; and

(4) present its recommendations to the governor, legislative finance committee and legislative health and human services committee by October 1, 2010.

<i>HCRWG Membership 2010</i>	
<i>Voting</i>	
Deborah Armstrong, Chair	
Sen. Sue Wilson Beffort, Sandia Park	
Rep. Ray Begaye, Shiprock	
Rep. Gail Chasey, Albuquerque	
Sen. Dede Feldman, Albuquerque	
Rep. Keith J. Gardner, Roswell	
Rep. Joni Marie Gutierrez, Mesilla	
Sam Howarth	
Sen. Gay G. Kernan, Hobbs	
Rep. Larry A. Larrañaga, Albuquerque	
Sen. Howie C. Morales, Silver City	
Mike Nuñez	
Sen. Mary Kay Papen, Las Cruces	
Rep. Danice Picraux, Albuquerque	
Thomas Rushton	
<i>Advisory</i>	
Rep. Donald E. Bratton, Hobbs	
Sen. Clinton D. Harden, Jr., Clovis	
Sen. Cisco McSorley, Albuquerque	
Sen. Nancy Rodriguez, Santa Fe	
Rep. Edward C. Sandoval, Albuquerque	
<i>Staff</i>	
Michael Hely	
Karen Wells	

## Uniform Law Commission

*2009, 2010*

Chapter 2, Article 4 NMSA 1978 provides for the creation of a "commission for the promotion of uniformity of legislation in the United States", whose purpose is to confer with commissioners from other states concerning uniform laws. The uniform law commission is the national organization to which New Mexico's commissioners belong. The director of the legislative council service and the dean of the university of New Mexico school of law are ex-officio members.

<i>NMULC Membership 2009</i>	<i>NMULC Membership 2010</i>
<i>Legislative</i>	<i>Legislative</i>
Rep. Joseph Cervantes, Las Cruces	Rep. Joseph Cervantes, Las Cruces
Rep. Zachary J. Cook, Ruidoso	Rep. Zachary J. Cook, Ruidoso
Sen. Cisco McSorley, Albuquerque	Sen. Cisco McSorley, Albuquerque
Sen. William H. Payne, Albuquerque	Sen. William H. Payne, Albuquerque
<i>Public</i>	<i>Public</i>
Jack Burton, Albuquerque	Jack Burton, Albuquerque
Thomas P. Foy, Bayard	Thomas P. Foy, Bayard
Philip Larragoite, Albuquerque	Philip Larragoite, Albuquerque
Raymond G. Sanchez, Albuquerque	Raymond G. Sanchez, Albuquerque
	<i>Governor's appointees</i>
	Daniel Ivey-Soto, Albuquerque
	Rep. Al Park, Albuquerque

THE  
LEGISLATIVE COUNCIL SERVICE



# The Legislative Council Service

## *Duties*

The legislative council service (LCS) is the staff agency created by law to serve all legislators. Among the major services it provides are: bill drafting; research and preparation of information memoranda; preparation of other memoranda, including bill analyses and arguments for and against specified legislation; bill indexing; production of publications on legislative actions; daily bill location and cumulative action; reference and spot research; library services, including maintenance of the legislative research library; bookkeeping and accounting for the legislature, including the year-round house and senate chief clerks' offices and the leadership staff; staffing, research and drafting for interim committees; certain joint housekeeping functions for the house and senate; and preparation of major research studies.

The LCS maintains several publications for the legislature's use both during legislative sessions and during the interims. See the *Publications* heading below for a list and descriptions of these documents.

The LCS is effectively the drafting agency for the state. In addition to work drafted at the request of individual legislators, the LCS assists the permanent legislative committees and the executive and judiciary with preparation of their bill drafts. By law, all requests are confidential unless released by the person making the request.

Projects requiring a great amount of staff time must be requested through and approved by the New Mexico legislative council.

Section 2-3-8 NMSA 1978 sets forth the duties of the LCS as follows:

- A. to assist the legislature of the state of New Mexico in the proper performance of its constitutional functions by providing its members with impartial and accurate information and reports concerning the legislative problems which come before them; and by providing digests showing the practices of other states and foreign nations in dealing with similar problems;
- B. when so requested, to secure information for and to report to the legislators of this state on the social and economic effects of statutes of this state or elsewhere by cooperating with the legislative service agencies in other states and other reference agencies and libraries;
- C. to furnish to the members of the legislature of this state the assistance of expert draftsmen, qualified to aid the legislators in the preparation of bills for introduction into the legislature;
- D. to recommend to the legislature measures which will improve the form and working of the statutes of this state, and clarify and reconcile their provisions;

E. to provide for the legislature adequate staff facilities and to provide the adequate expert assistance without which no legislature can properly perform its required functions;

F. to prepare and index for printing as promptly as possible after the adjournment of each session the session laws therefore, which compilation shall include all resolutions and acts that the legislature has adopted or passed during the session, and have received the approval of the governor when such approval is necessary.

### ***Policies***

The established policies for the LCS were continued through this biennium. The prime concern of the LCS remains in the field of assistance to legislators, particularly in bill drafting and in the compiling of data and memoranda.

The LCS is headed by a director who is hired by and responsible to the New Mexico legislative council. The staff of the LCS is composed of such personnel as the director deems necessary.

Because of the impartial and technical nature of the work of the LCS, employees are hired without regard to party affiliation, and they refrain from participating in partisan politics.

The law also permits the director to hire temporary personnel to handle the extra workload of legislative sessions. The LCS hires additional receptionists, proofreaders, word processors, bill historians, bill clerks, billroom and mailroom clerks, central telephone operators and print shop workers during each session. The LCS may also contract with experts to provide drafting services during the session.

### ***Staff — as of June 30, 2010***

<u>Name</u>	<u>Position</u>
Zelda Abeita	Library Assistant
Jeffrey Anaya	Print Service Operator I
Sharon Ball	Researcher III
Kim Bannerman	Staff Attorney I
Jon A. Boller	Staff Attorney III
Raúl E. Burciaga	Director
Blanca DeLira	Financial Assistant I
Kathleen Dexter	Researcher II
Doris Faust	Staff Attorney II
Jeret L. Fleetwood	<i>Locator</i> Coordinator and Committee Staff
Krystin Fresquez	Word Processor I
Diann Garcia	Receptionist
Robert Garcia	Financial Assistant I
Ric Gaudet	Researcher I

Renee Gregorio	Researcher II
Mark Guillen	LIS Manager
Sandra Hareld	Receptionist
Michael Hely	Staff Attorney I
Pamela L. Jensen	Proofreader II
Maha Khoury	Staff Attorney II
Tracey R. Kimball	Senior Legislative Librarian
Roxanna Knight	Researcher III
Peter Kovnat	Staff Attorney I
Robert W. Lange	Proofreader I
Jonelle G. Maison	Senior Bill Drafter
Cristina M. Martinez	Word Processor I
Fernando Martinez	Print Service Operator I
Carrie McGovern	Proofreader I
Gordon Meeks, Jr.	Bill Drafter II
Sandra Mitchell	Staff Attorney I
Kathy Pacheco-Dofflemeyer	Assistant Director/Administration
Tom Pollard	Research and Fiscal Policy Analyst
Leslie Porter	Research Assistant I
J. Pamela Ray	Staff Attorney III
Francis Rivera	IT Specialist/Network Administrator
Anita A. Rodriguez	Word Processing Supervisor
Robert J. Rodriguez	Office Administrator Print Shop
Brad Schroeder	Systems Analyst
Anesa Serna-Espinosa	Financial Assistant I
Andrea Shapiro	Proofreader I
Tamar Stieber	Proofreader I
Karen Wells	Researcher I
Patric Worth	IT Specialist/Network Administrator
John Yaeger	Assistant Director/Legislative Affairs

***Staff Changes — July 1, 2008 through June 30, 2010***

***Additions***

- In 2008* Sandra Mitchell was hired as a staff attorney I on November 17, 2008. Francis Rivera was hired as an IT specialist/network administrator on November 15, 2008.
- In 2009* Mark Harben was hired as a research assistant I on January 12, 2009. Peter Kovnat was hired as a staff attorney I on October 31, 2009.

Andrea Shapiro was hired as a proofreader I on June 24, 2009.

- In 2010* Kim Bannerman was hired as a staff attorney I on January 18, 2010.  
Sandra Hareld was hired as a receptionist on May 17, 2010.  
Leslie Porter was hired as a research assistant I on April 3, 2010.

#### ***Promotions and Lateral Transfers***

- In 2008* Kate M. Ferlic was promoted to staff attorney II on July 1, 2008.  
*In 2009* Mark Harben became the records officer on September 14, 2009.  
*In 2010* Raúl E. Burciaga was promoted to director on June 12, 2010.

#### ***Resignations and Retirements***

- In 2008* Cleo Griffith retired from her position as a bill drafter III on December 31, 2008.  
Doug J. Williams resigned from his position as a researcher II and transferred to the public employees retirement association on November 14, 2008.
- In 2009* Tim Crawford resigned from his position as the records officer on July 10, 2009.  
Larry D. Matlock resigned from his position as a research assistant I on May 29, 2009.  
Cyndi Romero retired from her position as a financial assistant I on May 1, 2009.  
Chase Van Gorder resigned from his position as a staff attorney II on September 4, 2009.
- In 2010* Kate M. Ferlic resigned from her position as a staff attorney II and transferred to the economic development department on January 22, 2010.  
Mark Harben resigned from his position as the records officer on June 19, 2010.  
Jennie Lusk resigned from her position as a staff attorney II and transferred to the higher education department on April 2, 2010.  
Andrea M. Martinez resigned from her position as a receptionist and transferred to the legislative finance committee on May 21, 2010.  
Aldis Philipbar resigned from her position as a research assistant I on March 10, 2010.  
Paula Tackett retired from her position as the director on June 11, 2010.

#### ***Special Notes***

Paula Tackett retired in June 2010 after nearly 23 years as LCS director — or, as she sometimes referred to her multifaceted job, the legislature's "head janitor". Other than a few acting directors during transition times, Paula was only the third person to serve as director since the LCS was established in 1951. Prior to becoming director, she worked for several years as a staff attorney and served briefly as assistant director under her predecessor, Homer Clay Buchanan, for a total of 28 years with the LCS.

If Paula's presence seemed, at times, like sharing an office with a whirlwind, it was partly due to her vivacious personality and mostly due to the demands of the job. Besides covering the director's extensive statutory duties — administering the drafting, legal and research agency of the legislature; serving on several state and interstate boards and commissions; overseeing the capitol facilities and grounds — Paula also served on many committees and task forces that dealt with her pet topics of



capital outlay, education and art. She was a driving force behind the establishment of the capitol art foundation and the permanent art collection that now draws thousands of tourists to the capitol each year, even in a city saturated with art venues. She served on the public school capital outlay council for 16 years during the era of the *Zuni School District v. State* lawsuit and its radical effect on public school facilities funding. She managed — and lived through — two major renovations of the capitol; design and construction of the capitol parking facility; and LCS moves from the third floor to temporary quarters across the street, back to the third floor again and, finally, up to the fourth floor. Despite her inclinations to the contrary, she helped the legislature transition out of the typewriter-and-mimeograph age into the computer age with the development of an integrated information system to serve all legislative entities. She worked with the New Mexico compilation commission during its transition from sending statute compilations to be published by a national company to self-publishing. Her *tour de force*, however, may have been her involvement with the legislature's annual capital outlay legislation, which ballooned from a manageable bill of a few hundred projects in her early years as director to a massive bill containing thousands of projects in her final years. She participated in the difficult decisions to revoke funding from inactive projects during the state's budget crisis in 2009 and 2010 and topped off her LCS career pulling all-nighters to serve as an expert witness on a capital outlay void bill that, at times, stumped attorneys in three agencies.

A self-described "political process junkie", Paula was perfectly comfortable in the thick of political negotiations. Her tenure spanned several leadership changes in the house and senate, as well as changes in the governor's office, and over time she became a master of the art of compromise. She worked with, outlasted and, if the occasion warranted, took the shine off hundreds of legislators and legislative staff members over the years. Her energy, smile, wit, sense of humor, institutional memory, soft heart, benevolence with flowers and comical lack of willpower around all things chocolate will be missed.

Cleo Griffith retired in 2008 after 12 years as a bill drafter with the LCS and eight years, prior to joining the LCS in 1996, as an analyst for the house taxation and revenue committee. Though she drafted legislation in all areas of the law, she primarily focused her efforts and her unrelenting attention to detail on taxation and revenue issues. During her time with the LCS, she staffed the interim revenue stabilization and tax policy committee, New Mexico finance authority oversight committee, investments and pensions oversight committee, tobacco settlement revenue oversight committee, professional tax study committee and blue ribbon tax reform commission. Cleo held a bachelor's degree in political science from Mount Holyoke college and a JD with honors from George Washington university law school. Her interests extended far beyond law and finance, however; her office was filled with photos from her many travels abroad and, in the summertime, with blossoms from her butterfly bushes, rose bushes and peonies, which will no doubt bloom even more fully with her retirement.

Steve Thomas — landscaper extraordinaire who could keep flora from disparate climate zones thriving on the capitol grounds, never lost his sense of humor while picking gum wrappers from under

bushes and was always extremely generous to anyone with a compost pile — retired in March 2010 after nearly three decades on the LCS grounds crew. First hired to work on the custodial crew in 1983, Steve transferred to the landscaping crew a year later and eventually became the grounds supervisor, a job he held for 15 years. Perhaps because he came from the upper midwest, Steve always preferred winter over summer, and he could often be found before daylight on the snowiest of mornings clearing the parking lot. In his last few months at the capitol, Steve's work developing the capitol grounds into the diverse and unique ecosystem it has become was the subject of an extensive local radio interview. With his retirement, he looked forward to spending more time with his family, including his young daughter Deja, and spending even more time outdoors than he did while at work, especially hunting, fishing and applying his considerable landscaping talents to his own yard.

### ***Activities***

A major function of the LCS is the drafting of legislation.

With the length of sessions set by the constitution, the continuing use of the techniques developed over the years permits drafters to fulfill the legislative requests expeditiously. The *Legislative Drafting Manual* facilitates the production process by answering most of those questions relating to form and style that plague those who prepare legislation. Wide use of the manual by private attorneys, state agency staff attorneys and employees of the legislature promotes uniformity in drafts, amendments and format, reduces errors and eliminates uncertainty.

The greatest aid to rapid and accurate bill production by the LCS is the process developed and followed in detail for each request. When a bill request is made of the LCS, it is logged by number, name of requester and subject matter, and a file is opened. An entry is also made that includes, in addition to the above information, the name of the drafter assigned to the project. When a drafter has completed a given assignment, the file is sent to the proofreading department for an initial proofing and review of format, style and correct citations in bills. From there, the file is sent to the word processing department, where the contents are entered into the LCS word processing system and printed in the form and style specified in the drafting manual as well as in house and senate rules.

After the bill is in its final form and has been thoroughly second-proofed, with all corrections made, it is transmitted to a bill clerk for duplicating, and the required number of copies are assembled and sent to the delivery drawer. Upon delivery, a notation is made on the file copy of the date and name of the persons making, and taking delivery of, the bill. The above procedure is the minimum process given each request.

The drafter, in preparing a bill for introduction, must thoroughly research the matter involved and may find it necessary to hold several conferences with the requester or to confer with those best informed about the subject. Such work inevitably adds many hours or even days to the processing time.

In addition to bills, the LCS is also responsible for processing capital outlay project requests. During the first half of each regular session, the LCS capital outlay staff drafts project descriptions for introduction on the floor of the house and senate; following the midpoint bill introduction deadline,

capital outlay staff members draft the capital outlay, reauthorization and, in certain years, general obligation bond bills based on final funding decisions. When necessary, as was the case in the 2009 and 2010 sessions, the capital outlay staff also drafts bills to void appropriations from prior years and to change funding sources for ongoing projects. Capital outlay projects are reported through a separate locator system and are indexed by sponsor, location and subject.

Another vital function of the LCS is the research and preparation of information memoranda. Legislators may request a detailed and comprehensive summary of any information necessary to their deliberations. A memorandum may supply a single needed fact or an exhaustive survey of a field of interest. As with bill drafts, all memoranda are confidential, and not even the fact that they have been requested may be divulged to anyone unless released by the requester.

Requests for other services performed by the LCS have been steadily increasing over the years. These include requests for information or services, other than bill drafts or information memoranda, that are of sufficient importance for separate files to be opened. The LCS staff provides speeches; press releases; suggested language for house and senate certificates of congratulations or condolence; compilations of bill sponsorship for legislators; and answers to legislators' requests for information, such as information on the laws of other states, statistics, material from other agencies and other data.

In addition to handling more than 9,000 information requests during the biennium that required enough staff time to warrant a separate file, the LCS also received approximately 8,500 additional information requests by telephone, email and in-person contact. The legislature's web site, which now handles a great number of information requests that were once handled by staff, received well over one million hits during the same period. Requests come from citizens, news media, legislative service agencies of other states, survey publications and private industry, as well as from legislators and state agencies. Questions cover a variety of subjects and include queries from students of all ages.

### ***Library***

The LCS library is an important resource in providing information for and about the legislative process. The library staff responds to requests from legislators and legislative staff, governmental agencies and a wide array of members of the public in and outside of New Mexico.

Special print materials include a historical collection of New Mexico bills, house and senate journals, session laws and statute compilations. The library keeps a comprehensive database of state legislators from 1912 to the present, tracks significant internet resources and maintains a select collection of reports, online resources, periodicals and other material focusing on legislative issues.

The library staff prepares several LCS publications; collects and distributes studies and reports on issues affecting New Mexico; and serves as a liaison to the state publications program of the state library.

### ***Publications***

The LCS publishes many annual reports and studies requested by the legislature, as well as other materials of importance to the legislature and the general public. Publications prepared during the

biennium and available from the LCS include the following.

- *Biennial Report of the Legislative Council and Legislative Council Service 2008-2010*
- *Capital Outlay Projects, General Obligation Bond Projects and Reauthorizations*
  - ▶ *Forty-Ninth Legislature, First Session, 2009*
  - ▶ *Forty-Ninth Legislature, First Special Session, 2009*
  - ▶ *Forty-Ninth Legislature, Second Session, 2010*
  - ▶ *Forty-Ninth Legislature, Second Special Session, 2010*
    - a list of all capital outlay projects that received funding, were approved for the general election ballot, were reauthorized, were reverted or were voided during the session
- *Committee Handbook for the New Mexico State Legislature*
- *Constitutional Amendments Proposed by the Legislature in 2009 and 2010 — Brief Analysis and Arguments For and Against*
- *Directory of Permanent Legislative Staff*
- *Drafting Manual, Legislative*
- *Economic Summary, New Mexico*
  - a quarterly review of economic trends and conditions in New Mexico and the nation
- *Ethics Guide, Legislative*
- *Highlights*
  - ▶ *of the Forty-Eighth Legislature, Second Special Session, 2008*
  - ▶ *of the Forty-Ninth Legislature, First Session, 2009*
  - ▶ *of the Forty-Ninth Legislature, First Special Session, 2009*
  - ▶ *of the Forty-Ninth Legislature, Second Session, 2010*
  - ▶ *of the Forty-Ninth Legislature, Second Special Session, 2010*
    - a summary of the most important legislation that passed and became law, as well as detailed information about the general appropriation act, special appropriations, revenue measures and capital outlay projects
- *Index to Special District Governments in New Mexico*
- *Index to Revenue Sources of New Mexico*
- *Information Bulletin:*
  - ▶ *The Legacy of Uranium Mining and Milling in New Mexico*
- *Inventory of Statutory Executive Boards and Commissions*
- *Legislative Council Service — Who We Are, What We Do*
- *Legisletter*
  - a biweekly calendar of interim committee meetings, locations and agenda items

- *New Mexico State Legislature*
  - a booklet explaining the legislature and how a bill becomes law, prepared for legislators to give to constituents
- *Organizational Chart of New Mexico State Government*
- *Piecemeal Amendment of the Constitution of New Mexico, 1911-1996*
- *Proofing Manual, Legislative*
- Reports of special studies conducted under direction of the legislature
- *Style Manual, Legislative*

The LCS also prepares the following reference publications during or shortly following each session.

- *Bill Locator*
  - ▶ *Daily*
  - ▶ *Semifinal*
  - ▶ *Final*
    - a cumulative record of all action on bills, memorials and resolutions, current through the previous day (during session) or through the governor's final action
- *Bill Sponsorship List*
  - a record of all legislation introduced by each member of the legislature (reference copy only)
- *Capital Outlay Requests*
  - lists of all capital outlay requests sponsored and introduced during the session
- *Concordance*
  - a list of all bills and proposed constitutional amendments that passed both houses, arranged numerically by chapter to bill and bill to chapter
- *Conflicts List*
  - ▶ *Weekly*
  - ▶ *Final*
    - a list of all bills that propose to amend, repeal, compile, recompile or make other changes to the same section of law
- *Directory of Legislative Offices*
- *Index to Bills, Memorials, Resolutions and Substitutes*
  - ▶ *Forty-Ninth Legislature, First Session, 2009*
  - ▶ *Forty-Ninth Legislature, First Special Session, 2009*
  - ▶ *Forty-Ninth Legislature, Second Session, 2010*
  - ▶ *Forty-Ninth Legislature, Second Special Session, 2010*
    - a multilevel, cross-referenced index of all introduced legislation, including proposed tables of changes to the NMSA 1978 and enacted changes to names of entities, funds,

acts and other statutory terms

- *Journal of the House and Journal of the Senate*
  - records of the proceedings of the house and senate prepared by each chamber and formatted for publication by the LCS
- *Legislative Handbook*
  - a handbook that includes house and senate rules; various committee and legislator information lists, including standing committees, committee assignments by committees and members, legislators' occupations, seniority lists, floor seating charts and preceding interim committee lists; parliamentary procedure information; information on current public officials; maps of congressional, public regulation commission, judicial and public education commission districts; information on executive departments, district judges, district attorneys and public education commission members; lists of county officials; classification of counties; the official decennial census population of the state, counties and municipalities; a history of political control of legislative sessions; a list of legislative leaders since statehood; a list of governors and lieutenant governors and their terms; a list of female legislators since statehood; and the legislative staff code of conduct
- *Subject Index to Bills, Memorials and Resolutions*
  - ▶ *Weekly*
  - ▶ *Semifinal*
  - ▶ *Final*
    - a multilevel, cross-referenced index of all subjects covered by introduced bills, memorials and resolutions
- *Table of Changes*
  - ▶ *Proposed* (weekly)
  - ▶ *Final*
    - a list of all substantive sections of law being amended, repealed, compiled or recompiled by bill (proposed) or chapter (final)
- *Veto Messages*
  - a bound compilation of the governor's messages regarding the governor's reasons for vetoing bills
- *Voting Record*
  - each roll call vote abstracted from the journals of the house and senate

The LCS produces numerous lists and documents for the legislature and the public that pertain to interim committee work, including interim committee lists, which are updated as necessary; interim committee reports; unofficial elections candidates lists; and lists of legislators' names, addresses and phone numbers, also updated as necessary.

### ***Legislative Information System***

Supporting and developing projects in the legislative information system (LIS) is an ongoing function of the information technology (IT) staff at the LCS. With continual user support and system maintenance, the IT staff has been able to enhance both the network infrastructure and quality of service. Major IT projects during the 2008-2010 biennium include the following.

#### **A. Wireless access.**

During 2008, the wireless system was upgraded to an improved system configured to work with the many barriers within the building that affect wireless connections. Wireless kiosk systems were set up on the third floor of the capitol to provide guest users the ability to conduct research or look at their personal email. In 2010, additional access points were added to a number of locations due to the increasing demand of users, both public and private.

#### **B. Network infrastructure.**

Major improvements made to the network infrastructure include the installation of new switches and routers that provide higher data throughput and improve the manageability, reliability and efficiency of the entire system. A new core switch is scheduled for 2011 because the current switch has nearly reached the end of its life cycle.

#### **C. Legislative web site.**

Enhancing the legislature's web site has been an ongoing project, with constant data updates and the addition of features to make a more user-friendly environment for the public and internal users. New search functions were added during this biennium to make it easier for users to access data efficiently. In 2008, a complete makeover of the web site was presented and implemented that improved overall use of the information posted on the site. Twitter has been implemented as the primary notification tool for legislative web site users. Audio webcasting of interim committee meetings held at the capitol is available on the web site.

#### **D. Servers.**

Servers are constantly being upgraded with increased disk storage and memory to keep up with the high demand for data and processes. The life cycle for all servers in the system is four to five years, and nearly half of the servers were due for replacement with more efficient and reliable equipment during this biennium. Most of the servers in the system are clustered, providing a redundancy that is essential to maintaining uptime throughout the network and providing high availability and scalability of services 24 hours a day, seven days a week. Virtualization was introduced in 2010, and the LIS staff has reduced the number of physical servers from 16 to eight, with the option to virtualize even further. Also in 2010, the storage area network, or SAN, was replaced with a more efficient and reliable one.

#### **E. Backup system.**

The network backup system was designed and implemented to keep the legislature's daily operations running efficiently and to ensure quick data recovery and management. All data from all servers are backed up nightly to disk and, from there, backed up to tape as well and stored to an off-site

location — a reliable process that ensures data integrity. A new backup system is scheduled to be put in place as the old one is due for replacement; this will improve reliability and give the end user the option to recover files.

F. Internet connection.

The internet connection system at the legislature was initially constructed of two separate T-1 frame relay connections, a system designed to provide redundancy to support the business needs of the legislature, employees and other users. The T-1 connections were removed during this biennium because redundancy was not being provided throughout the system as intended, and an ethernet-based connection, which is better able to accommodate the legislature's modest but steady increase in inbound and outbound internet traffic, was installed. With the increasing demand for bandwidth, the internet connection was upgraded to a DS3 connection.

G. Webcasting.

In 2008, video and audio webcasting hardware was installed and configured to produce a live internet webcasting feed to network users during legislative sessions. Video webcasting of the house and senate floor sessions was added to the web site, along with audio webcasting of house standing committee hearings.

H. Network system.

Approximately half of the network system devices will soon be due for replacement with more secure and redundant ones. All anti-spam devices were replaced during the biennium with more efficient and robust devices, establishing a more secure communication between the internal network and external users. An improved content filtering system was set up and is working effectively, considering the amount of traffic on the network and the malware that exists.

I. Software.

Most software applications used by staff members and legislators were upgraded. In addition, client system updates and patches were installed, and the anti-virus/anti-spyware program that is being used will be replaced in the coming fiscal year to achieve greater manageability and security.

J. Security.

With security concerns in mind, a third-party entity conducted a network assessment in early 2008 that provided IT staff with information on potential vulnerabilities and ways to secure the internal network infrastructure. Since then, an intrusion detection system and other security measures were added to the legislature's security plan.

In addition to these projects and others that are included in the 2008-2010 strategic plan, support and service continue to be top priorities, and these are provided by a combination of in-house staff, local vendors and consultants.

***Print Shop***

Legislative branch publications are produced in the print shop of the LCS, which is a complete printing and binding facility. The print shop is responsible for a variety of duties, including large,



professional duplicating jobs and logistical support for committees. During special sessions, all bills, memorials and resolutions are printed in the print shop rather than through state printing, as they are during regular sessions. During sessions, the print shop operates in shifts and brings in temporary employees to assist its three permanent employees. The print shop performs printing services for all of the legislative agencies.

***Bill Room Complex***

During regular sessions, the bill room complex is maintained by LCS staff members. Here, introduced bills are received in quantity from state printing or the LCS print shop and are distributed as rapidly as possible:

- A. to each member of the house and senate;
- B. to each county clerk, district judge, radio and television station, newspaper and general library of each state-supported institution of higher learning;
- C. upon written request, to each state department, commission, board, institution or agency, each elected state official, each incorporated municipality, each district attorney, each ex-governor, each member of the New Mexico congressional delegation and each public school district in the state;
- D. to any person who pays the amount specified by law; and
- E. to each of not more than two other addresses that may be specified by each member of the legislature as recipients for the member's district (applicable only to 60-day sessions).

The bill room also serves as one of the nerve centers of communication during a session. It contains mail and message boxes for each legislator. Thousands of pieces of mail are sorted and processed for delivery to legislators and staff. *Bill Locators*, daily calendars and other informational materials are all available here. The legislative switchboard and message center, located near the bill room complex, is staffed by highly qualified operators. Even during the haste and urgency of the next-to-last legislative day, the LCS, together with the bill room complex, keeps materials, information and messages flowing smoothly.



BUILDINGS AND GROUNDS,  
CAPITOL ART FOUNDATION  
AND  
TOURIST INFORMATION SERVICES



## **Buildings and Grounds**

By law, the care, custody and maintenance of the state capitol, former state library facility (now the capitol north annex) and surrounding grounds are vested in the New Mexico legislative council. The director of the legislative council service (LCS) is responsible for all matters pertaining to these buildings and grounds and is also, by policy, responsible for the care, custody, control and maintenance of the recently constructed state capitol parking facility.

Under the supervision of the building superintendent, crews of custodians, electricians, plumbers, mechanics, carpenters and painters perform the routine functions of maintenance and custodial services for the complex. Normal maintenance systems have been established to reduce major repairs and ensure operation of all equipment at maximum efficiency.

Landscaping improvements, under the supervision of the director of the LCS, have continued with the replacement and addition of more shrubs, trees and flowers. The landscape of the state capitol was designed to conserve water and to reduce the hours of staff time necessary to maintain the well-groomed areas. The appearance of the grounds receives an increasing amount of praise each year and was the subject of a local radio broadcast during the biennium.

The legislative council is responsible for the security at the capitol, including limited access to parking facilities, permit parking and a security force under the LCS that is enhanced during each legislative session.

### ***Capitol North***

The legislative building services department, under the direction of the director of the LCS, continues to be responsible for the maintenance and custodial work at the capitol north annex, the first three-branch building in the state. It provides offices for the legislative education study committee, legislative finance committee, secretary of state and administrative office of the courts, as well as some legislative offices for members of the house.

## **Capitol Art Foundation**

The capitol art foundation was created in 1992 in response to senate and house memorials passed by the legislature requesting the legislative council service and the capitol art selection committee to establish a nonprofit foundation to assist in the acquisition of art for display in the state capitol. The New Mexico legislative council approves the membership of the foundation based on recommendations from the foundation board.

The mission of the capitol art foundation is to collect, preserve, display and interpret works of art by New Mexico artists and other relevant works of art that reflect the rich and varied history, cultures

and art forms of the state. The foundation also promotes public appreciation and understanding of the art, history and culture of New Mexico by displaying art and artifacts of historical or cultural significance in temporary exhibitions at the capitol. The foundation, which is composed of art professionals from around the state, is committed to public education programs that address the needs of a diverse audience, and it seeks to promote goodwill and understanding through its programs. Beginning in 1993, the foundation developed and continues to update and implement a five-year plan that addresses all aspects of the foundation's large mission and day-to-day operation and keeps the interests of a diverse public foremost at all times.

The capitol art collection was established with the purchase of 14 works of art and 17 art furniture groupings, using funds set aside during renovation of the capitol for the purchase of art under the state's one percent for the arts program. Subsequent acquisitions of art for the collection have been purchased with proceeds from fundraising activities and charitable donations to the foundation. Funds are needed for framing, securing installations (to protect the works from damage and theft), routine maintenance, occasional conservation and restoration, associated administrative costs and the development and publication of educational materials to accompany the art, which is installed permanently in public areas of the capitol.

As the central mission of the capitol art foundation, acquiring art for the collection is an ongoing project. The executive director/curator works with arts organizations, artists and art collectors throughout the state and region and the appropriate committees of the foundation to identify suitable works of art for the collection. Once a work of art is acquired, through purchase or gift, suitable framing or other preparation and installation occurs as soon as possible in fulfillment of the foundation's mission and its responsibilities to donors. The more than 100,000 people who visit the capitol each year see, under one roof, a collection of art that reflects the wide aesthetic, cultural and technical diversity and virtuosity that is New Mexico art.

The missions of the capitol art foundation and New Mexico's fine art and folk art museums, while different, are complementary. Recognizing that New Mexico's art organizations can most benefit one another and the public by cooperating and sharing resources, many New Mexico museum professionals serve on the foundation's board of directors and on its various committees. Several projects and programs have been jointly developed by the foundation and other arts organizations, and more are planned. The foundation, with its unique and highly visible mission, and the capitol art collection have become welcome additions to New Mexico's arts community.

## **Tourist Information Services**

The state capitol is a tourist attraction second only to the museums of New Mexico, with thousands of visitors touring the capitol each year. Tourist information services, which are an important

part of the duties of the LCS, are provided by one full-time and two part-time employees and, during the peak summer tourist season, by college students hired as seasonal guides.

Basic tours are given for such varied groups as senior citizens, students, art collectors, architects and foreign dignitaries. The spring season is a particularly active time for students from throughout New Mexico to tour the capitol. The tour is the first view of state government in action for the majority of these students. Others who tour the capitol come from throughout the United States and the world, including numerous visitors from Germany, China and Russia. Specialty tours are conducted for visiting foreign dignitaries, and publications about the capitol are available in Italian, Spanish, Chinese and German. Visitor tours include the rotunda with its mosaic great seal, galleries of the house and senate, offices of the legislators, committee rooms, permanent art collection and reception areas of the governor, lieutenant governor and secretary of state, as well as a discussion on the symbolism of the building and the Zia sun symbol of New Mexico.

The director of information and tours and the tours guides research New Mexico's prime legislative issues, cultures and current affairs, Native American history and the five state capitols that have housed the legislature in order to be well-versed in the history of the state and the operation of its government. In addition, they research New Mexico art traditions and tour New Mexico state museum art exhibits in order to provide comprehensive information about the capitol art collection. The tourist information services staff field questions daily about state, city, county and federal departments, agencies and programs both by phone and at the reception counter located in the east lobby.





# APPENDIX



**STATEMENT OF APPROPRIATIONS AND EXPENDITURES  
of the  
LEGISLATIVE COUNCIL SERVICE**

Year Ending June 30, 2009

Appropriations	\$5,999,500
Expenditures:	
Org. 0000	
personal services	4,078,124
contractual services	132,365
other costs	466,074
other financing sources	-0-
Org. 0100	
other costs	333,615
 Total Expenditures and Encumbrances	 5,010,178
Reversion to General Fund	<u>\$989,322</u>

**STATEMENT OF APPROPRIATIONS AND EXPENDITURES  
of the  
LEGISLATIVE COUNCIL SERVICE**

Year Ending June 30, 2010

Appropriations		\$5,812,100
Expenditures:		
Org. 0000		
personal services		4,025,042
contractual services		188,812
other costs		461,280
other financing sources		-0-
Org. 0100		
other costs		440,079
 Total Expenditures and Encumbrances		 5,115,213
Reversion to General Fund		<u>\$696,887</u>