



**MINUTES  
of the  
FOUR-HUNDRED-SECOND MEETING  
of the  
LEGISLATIVE COUNCIL**

**June 28, 2021  
Video Conference Meeting**

The four-hundred-second meeting of the Legislative Council was called to order by Senator Mimi Stewart, co-chair, at 10:30 a.m. on Monday, June 28, 2021, by video conference via an online platform.

**Present**

Rep. Brian Egolf, Co-Chair  
Sen. Mimi Stewart, Co-Chair  
Sen. Gregory A. Baca  
Sen. Craig W. Brandt  
Rep. Rebecca Dow  
Sen. Katy M. Duhigg  
Rep. Daymon Ely  
Rep. Doreen Y. Gallegos  
Sen. Linda M. Lopez  
Rep. Patricia A. Lundstrom  
Rep. Rod Montoya  
Sen. George K. Munoz  
Sen. Steven P. Neville  
Rep. Sheryl Williams Stapleton  
Rep. James G. Townsend  
Sen. Peter Wirth

**Absent**

**Special Advisory Members Present**

Rep. Eliseo Lee Alcon  
Sen. Pete Campos  
Rep. Christine Chandler  
Sen. Ron Griggs  
Rep. Georgene Louis  
Rep. Antonio Maestas  
Sen. Michael Padilla  
Rep. Andrea Romero  
Rep. Patricia Roybal Caballero  
Rep. Debra M. Sariñana  
Sen. Antoinette Sedillo Lopez  
Sen. Benny Shendo, Jr.

**Special Advisory Members Absent**

Rep. Gail Chasey  
Rep. Dayan Hochman-Vigil  
Sen. Stuart Ingle  
Sen. Mark Moores

Rep. Candie G. Sweetser  
Rep. Elizabeth "Liz" Thomson  
Rep. Christine Trujillo  
Sen. Pat Woods

**Guest Legislators**

Rep. Rachel A. Black  
Sen. William F. Burt  
Rep. Ambrose Castellano  
Rep. Meredith A. Dixon  
Rep. Kelly K. Fajardo  
Rep. Joanne J. Ferrary  
Sen. David M. Gallegos  
Sen. Martin Hickey  
Sen. Siah Correa Hemphill  
Rep. Joshua Hernandez  
Rep. Javier Martínez  
Rep. Roger E. Montoya  
Rep. Randall T. Pettigrew  
Sen. Harold Pope  
Rep. Jane E. Powdrell-Culbert  
Sen. Nancy Rodriguez  
Rep. Larry R. Scott  
Rep. Elizabeth "Liz" Stefanics

**Staff**

Raúl E. Burciaga, Director, Legislative Council Service (LCS)  
Amy Chavez-Romero, Assistant Director for Drafting Services, LCS  
Jon Boller, Senior Staff Attorney, LCS  
Anesa Serna-Espinoza, Assistant Director for Administration, LCS  
Jeret Fleetwood, Researcher, LCS  
Erin Bond, Research Assistant, LCS  
Nancy Martinez, Research Assistant, LCS  
Sara Wiedmaier, Research Assistant, LCS

**Executive Session**

On a motion made, seconded and passed, the council met in executive session. Upon returning from executive session, the council took action on the following items in open session at 1:30 p.m.

### **Requests for Use of Chambers**

Mr. Burciaga provided the council with two requests for use of the House and Senate chambers: one from Emerge New Mexico for September 18 and one from the Model United Nations program for November 17-19.

In response to a question, Mr. Burciaga explained that the council has historically authorized use of the chambers for both partisan and educational purposes over the past 10 years and that while that has been done at no cost to the organizations, the LCS does reserve the right to charge in the event of any extraordinary costs that may be associated with groups using the chambers.

In response to a question, Mr. Burciaga indicated that while a request for use of the chambers has never been denied by the council, there have been instances when the chambers were not available at a requested time because of conflicts such as special sessions.

On a motion made, seconded and passed, the council authorized the use of the House and Senate chambers by Emerge New Mexico on September 18 and by the Model United Nations program on November 17-19.

Representative Egolf recommended that staff develop a council policy allowing the LCS director to authorize use of the chambers, provided that leadership is notified of the director's decision.

### **Interim Committee Work Plans and Budgets**

The work plan, meeting schedule (including a meeting outside the State Capitol after September 30) and a budget of \$43,877 for voting members, \$46,014 for advisory members and \$3,600 for expert testimony for the Science, Technology and Telecommunications Committee were approved as submitted.

The work plan, meeting schedule (including a meeting outside the State Capitol after September 30) and a budget of \$22,533 for voting members and \$21,824 for advisory members for the Land Grant Committee were approved as submitted.

The work plan, meeting schedule and a budget of \$56,210 for voting members for the Revenue Stabilization and Tax Policy Committee were approved as submitted.

The work plan, meeting schedule and a budget of \$18,964 for voting members and \$25,113 for advisory members for the Military and Veterans' Affairs Committee were approved as submitted.

The work plan, meeting schedule and a budget of \$60,160 for voting members and \$74,579 for advisory members for the Water and Natural Resources Committee were approved as submitted.

The work plan, meeting schedule and a budget of \$22,088 for voting members and \$8,399 for advisory members for the Radioactive and Hazardous Materials Committee were approved as submitted.

The work plan, meeting schedule (including a meeting outside the State Capitol after September 30) and a budget of \$64,036 for voting members and \$48,856 for advisory members for the New Mexico Finance Authority Oversight Committee were approved as submitted.

The work plan, meeting schedule and a budget of \$33,177 for voting members and \$4,340 for advisory members for the Public School Capital Outlay Oversight Task Force were approved as submitted.

The work plan, meeting schedule (including a meeting outside the State Capitol after September 30) and a budget of \$65,070 for voting members and \$117,909 for advisory members for the Economic Development and Policy Committee were approved as submitted.

The work plan, meeting schedule (including a meeting outside the State Capitol after September 30) and a budget of \$32,132 for voting members, \$25,309 for advisory members and \$10,000 for professional services for the Transportation Infrastructure Revenue Subcommittee were approved as submitted.

The work plan, meeting schedule and a budget of \$12,766 for voting members and \$15,870 for advisory members for the Mortgage Finance Authority Act Oversight Committee were approved as submitted.

The work plan, meeting schedule and a budget of \$18,383 for voting members and \$13,214 for advisory members for the Investments and Pensions Oversight Committee were approved as submitted.

The work plan, meeting schedule (including a meeting outside the State Capitol after September 30) and a budget of \$54,217 for voting members and \$28,389 for advisory members for the Rural Economic Opportunities Task Force were approved as submitted.

The work plan, meeting schedule (including meetings outside the State Capitol after September 30) and a budget of \$73,696 for voting members and \$46,930 for advisory members for the Indian Affairs Committee were approved as submitted.

The work plan, meeting schedule (including meetings outside the State Capitol after September 30) and a budget of \$53,891 for voting members and \$154,933 for advisory members for the Legislative Health and Human Services Committee were approved as submitted.

The work plan, meeting schedule (including a meeting outside the State Capitol after September 30) and a budget of \$52,022 for voting members and \$66,237 for advisory members for the Courts, Corrections and Justice Committee were approved as submitted.

The work plan, meeting schedule and a budget of \$8,571 for voting members and \$3,292 for advisory members for the Tobacco Settlement Revenue Oversight Committee were approved as submitted.

The work plan and a budget of total costs of \$6,804 for meeting up to two times in Santa Fe for the Capitol Security Subcommittee were approved as submitted.

The work plan and a budget of total costs of \$7,149 for meeting up to one time in Santa Fe for the Interim Legislative Ethics Committee were approved as submitted.

Senator Baca indicated that several members of his caucus were displeased with the process used to appoint interim committees.

In response to a question, Senator Stewart and Mr. Burciaga explained that, while there is a Legislative Council policy requiring authorization by the council for an interim committee to meet outside the State Capitol after September 30, in part to allow both executive and legislative staff to remain in Santa Fe, requests by committees to do so are generally granted.

Senator Stewart explained that the New Mexico Sentencing Commission requested that the council appoint four members of the legislature to work with the commission on a two-year project to rewrite the Criminal Code. She noted that the request was made very recently and that leadership would need more time to make the appointments.

On a motion made, seconded and passed, the council authorized the speaker and the president pro tempore, in consultation with both minority floor leaders, to make the appointment of four legislators to work with the New Mexico Sentencing Commission on rewriting the Criminal Code.

### **Staff Reports**

Mr. Burciaga noted that about one-half of the \$2.15 million appropriated to the Department of Military Affairs and the Department of Public Safety for security costs associated with the regular session was expended for that purpose, with the other one-half reverting to the General Fund.

Mr. Burciaga reported that a memorial service for former legislator Edward C. Sandoval was scheduled for the morning of July 2, 2021.

In response to a question, Mr. Burciaga noted that staff will return to the office, full-time, by October 1. In response to another question, Mr. Burciaga said that no executive order had

been issued for other state agencies regarding their staff returning to their offices, and he agreed to provide the council with an update at the next meeting.

In response to a request, Mr. Burciaga agreed to provide a report on human resources procedures for at-will employees of the legislature.

In response to a question, Mr. Burciaga said that all necessary paperwork had been submitted to the Department of Finance and Administration; that \$300 payments to legislative staff were scheduled to be distributed; and that money had been transferred to the other legislative agencies to cover the Federal Insurance Contributions Act expenses required of employers.

In response to a question, Mr. Burciaga provided the council with an overview of the process for the legislature to call itself into extraordinary session and recounted that while the process has been initiated four times over the past 20 years, only one extraordinary session has been held.

In response to a request from a member, Mr. Burciaga agreed to draft certificates to initiate the process of calling the legislature into extraordinary session.

#### **Adjournment**

There being no further business, the meeting adjourned at 3:18 p.m.