



MINUTES
of the
THREE-HUNDRED-SIXTY-SIXTH MEETING
of the
LEGISLATIVE COUNCIL
August 15, 2016
Santa Fe

The three-hundred-sixty-sixth meeting of the New Mexico Legislative Council was called to order on Monday, August 15, 2016, at 9:05 a.m. in Room 307 of the State Capitol by Representative Don L. Tripp, co-chair.

Present

Sen. Mary Kay Papen, Co-Chair
Rep. Don L. Tripp, Co-Chair
Sen. Carlos R. Cisneros
Rep. Brian Egolf
Rep. Doreen Y. Gallegos
Sen. Stuart Ingle
Sen. William H. Payne
Sen. Clemente Sanchez
Sen. Michael S. Sanchez
Sen. William E. Sharer
Rep. Sheryl Williams Stapleton

Special Advisory Members Present

Rep. Eliseo Lee Alcon
Sen. Pete Campos
Sen. Lee S. Cotter
Sen. Ron Griggs
Rep. Jason C. Harper
Rep. James Roger Madalena
Sen. Cisco McSorley
Sen. Michael Padilla
Sen. Benny Shendo, Jr.
Rep. Jim R. Trujillo

Absent

Rep. Alonzo Baldonado
Rep. Kelly K. Fajardo
Rep. Nate Gentry
Rep. Roberto "Bobby" J. Gonzales
Sen. John Arthur Smith

Special Advisory Members Absent

Rep. Gail Chasey
Sen. Daniel A. Ivey-Soto
Rep. Rick Little
Sen. Mark Moores
Sen. George K. Munoz
Rep. Andy Nunez
Sen. Cliff R. Pirtle
Rep. Jane E. Powdrell-Culbert
Rep. Dennis J. Roch
Rep. Debbie A. Rodella
Rep. Patricia Roybal Caballero
Rep. Carl Trujillo

Staff

Raúl E. Burciaga, Director, Legislative Council Service (LCS)
Amy Chavez-Romero, Assistant Director for Drafting, LCS
Kathy Pacheco-Dofflemeyer, Assistant Director for Administration, LCS
John Yaeger, Assistant Director for Legislative Affairs, LCS
Jeret Fleetwood, Researcher, LCS

Approval of Minutes

On a motion made, seconded and passed, the minutes of the June 27, 2016 meeting were approved as submitted.

Approval for Use of Chambers

Mr. Burciaga explained that there were three requests for use of the chambers:

- Representative James E. Smith requested use of the chambers in early September for a tournament of the New Mexico Speech and Debate Association;
- a congressional field hearing might require use of the chambers in early October; and
- Steve Shaw, house sergeant-at-arms, requested use of the chambers for a Sandoval County leadership program.

On a motion made, seconded and passed, the council approved all three requests for use of the chambers.

House Food Services

Denise Ramonas, house chief clerk, provided the council with a brief overview of the operation of the house food services. She explained that the long-time house food services manager had announced near the end of the 2015 session that she would not be returning in 2016. Ms. Ramonas said that she began researching options, including interviewing caterers, after the 2015 session, but because no viable options emerged, the assistant manager from the 2015 session agreed to manage food services for the 2016 session. However, Ms. Ramonas noted that she was not satisfied with that arrangement and was requesting authorization from the council to explore as many other options as possible, including issuing a request for proposals (RFP) for management of food services during the session.

The council had a discussion about various aspects of the house-run coffee shops and their ongoing management, including:

- the difficulty in maintaining high-quality food at affordable prices, all while hiring a staff that only stays employed for a few months out of the year;
- whether food services employees are paid overtime after 40 hours each week;
- whether the salary offered to the food services manager of the coffee shops, while above market value in Santa Fe, is enough to attract candidates because of the short employment time;

- paying managers a salary versus hourly wages;
- potential problems that could come from issuing an RFP, such as an entity that is interested primarily in profits taking over the operation;
- the importance of flexibility for whomever does take over management of the food services, in terms of hours worked each day and special events, such as Representative Rodella using the first-floor kitchen to prepare enchiladas for the house;
- income tax issues related to tips for food services employees;
- that decisions on RFPs, including one for management of food services, likely would not be brought before the council;
- various options for future management of food services, including allowing food truck owners or local culinary schools to run food services during sessions;
- potential offers that might persuade the previous long-time manager to return; and
- the possibility of issuing a request for information (RFI), which is less formal than an RFP, to determine more about how outsourcing management of food services might work.

On a motion made, seconded and passed, the council directed staff to issue an RFI for management of food services. Staff was also directed to contact the previous manager and beg her to return.

Staff Reports

Anna Martin, intern, LCS, was introduced to the council.

Mr. Burciaga indicated that, pursuant to the passage of House Bill 2 in 2016, an appropriation of \$50,000 was made to the LCS for a study pertaining to the advisory staff of the Public Regulation Commission. He informed the council that after an RFP was issued and responses were received, the LCS selected the National Regulatory Research Institute to conduct the study.

Mr. Burciaga noted that the July 26-27 meeting of the Courts, Corrections and Justice Committee had been canceled due to the projected lack of a quorum or sufficient members for a special subcommittee.

Mr. Burciaga also noted that Senator Sue Wilson Beffort and Representative W. Ken Martinez had resigned their seats in the legislature. He explained that both members represented multicounty districts and that each county commission for the respective counties that the two members represented would meet to recommend replacements to the governor.

Members of the council congratulated Mr. Burciaga on being named staff chair of the National Conference of State Legislatures.

Mr. Burciaga also discussed budget issues in light of the state's projected budget shortfalls in fiscal year (FY) 2016 and FY 2017. He noted that the Legislative Finance Committee would meet within the next week to discuss consensus revenue estimates and that planning for a special session might begin after that. Mr. Burciaga also noted that four vacancies exist, two in the LCS and two in Legislative Building Services, and that there are no current plans to fill them pending final decisions on the current budget. He also indicated that cuts to payments for dues to some organizations must be reviewed cautiously, as some payments for annual dues that have already been made cannot be recovered.

In response to a question, Mr. Burciaga explained that a special appropriation had been passed for improvements to the State Capitol. He said that items such as re-roofing the capitol and some necessary maintenance on the capitol parking structure would likely still be completed, but other items, such as new chairs for members, would likely have to wait.

There being no further business, the council adjourned at 10:02 a.m.