

**MINUTES**  
**of the**  
**NINETY-FIFTH MEETING**  
**of the**  
**PUBLIC SCHOOL CAPITAL OUTLAY OVERSIGHT TASK FORCE**

**September 25, 2024**  
**State Capitol, Room 307**  
**Santa Fe**

The ninety-fifth meeting of the Public School Capital Outlay Task Force was called to order by Senator William P. Soules, chair, on Wednesday, September 25, 2024, at 11:14 a.m. in Room 307 of the State Capitol in Santa Fe.

**Present**

Sen. William P. Soules, Chair  
Rep. Eliseo Lee Alcon  
Rep. Tara Jaramillo, Designee for Rep.  
    Javier Martínez  
Ashley Leach, Designee for Secretary of  
    Finance and Administration Wayne  
    Propst  
Amanda Lupardus, Designee for Secretary-  
    Designate of Public Education  
    Mariana Padilla  
Cindy Montoya  
Sen. Mimi Stewart

**Advisory Members**

Sen. Michael Padilla  
Sen. Cliff R. Pirtle

**Guest Legislator**

Rep. Tara L. Lujan

**Staff**

Rebecca Griego, Records Officer, Legislative Council Service (LCS)  
Simon D. Suzuki, Staff Attorney, LCS  
Clinton Turner, Research and Fiscal Policy Analyst, LCS

**Guests**

The guest list is in the meeting file.

**Absent**

Rep. G. Andrés Romero, Vice Chair  
Johnny Benavidez  
Rep. Jack Chatfield  
LeAnne Gandy  
Julie Lucero  
Rep. Tanya Mirabal Moya  
Sen. George K. Muñoz  
Brandy Murphy  
Sen. Shannon D. Pinto  
Amber L. Romero  
Stan Rounds  
Sen. Joshua A. Sanchez  
Rep. Nathan P. Small

Rep. Brian G. Baca  
Rep. Ambrose Castellano  
Rep. Yanira Gurrola  
Sen. Leo Jaramillo  
Sen. Benny Shendo, Jr.

## **Handouts**

Handouts and other written testimony are in the meeting file and posted on the legislature's website.

## **References to Webcast**

The time reference noted next to each agenda item in this document is cross-referenced to the webcast of the task force meeting, which can be found at [www.nmlegis.gov](http://www.nmlegis.gov), under the "Webcast" tab. The presentations and task force discussions for agenda items can be found on the recorded webcast for this meeting.

## **Wednesday, September 25**

### **Welcome and Introductions (11:14 a.m.)**

Senator Soules welcomed task force members, guests and presenters to the meeting. Task force members and staff introduced themselves.

### ***Board of Education of the Zuni Public School District, et. al. v. State of New Mexico and the Public School Capital Outlay Council (11:19 a.m.)***

Ellen Venegas, assistant solicitor general, Civil Appeals, State Department of Justice, presented an update on the ongoing litigation in *Board of Education of the Zuni Public School District, et. al. v. State of New Mexico and the Public School Capital Outlay Council*. Ms. Venegas provided an overview of the case's history, an explanation of the central issues and an update on the current proceedings before the New Mexico Supreme Court. After Ms. Venegas' presentation, she answered task force members' questions. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=PSCO&Date=9/25/2024&ItemNumber=2>.

### **Update from the Public School Facilities Authority (PSFA) (11:58 a.m.)**

Iris Romero, executive director, PSFA, and Larry Tillotson, deputy director, Operations, Outreach and Quality Assurance, PSFA, presented on the PSFA's statewide maintenance efforts, the implementation of the PSFA's Facility Maintenance Assessment Report tool and school districts' progress in maintaining public school buildings. After the presentation, Ms. Romero and Mr. Tillotson answered task force members' questions. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=PSCO&Date=9/25/2024&ItemNumber=1>.

### **Upgrading High School Performing Arts Facilities (1:09 p.m.)**

Terry S. Davis, co-executive director, New Mexico High School Musical Theatre Awards; Reed Meschefske, head of theater and film, Santa Fe High School; and Mandolynn Browning, instructor, Department of Theatre, Aztec High School, presented a proposal for

funding to update high school performing arts facilities. After their presentation, Mr. Davis, Mr. Meschefske and Ms. Browning answered task force members' questions. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=PSCO&Date=9/25/2024&ItemNumber=3>.

**Funding Formula Follow-Up — Update on Research and Analyses (2:15 p.m.)**

Cally Carswell, principal analyst, Capital Outlay, Legislative Finance Committee (LFC), and Mark A. Montoya, senior policy analyst, Legislative Education Study Committee (LESC), provided an update regarding the LFC's, LESL's and PSFA's research and analyses of the Public School Capital Outlay Act's funding formula. Ms. Carswell and Mr. Montoya discussed their review of the funding formula, presented options to address deficiencies identified and provided recommendations to the task force. After their presentation, Ms. Carswell and Mr. Montoya answered task force members' questions. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=PSCO&Date=9/25/2024&ItemNumber=4>.

**Adjournment**

There being no further business before the task force, the meeting adjourned at 2:56 p.m.