

SENATE RULES COMMITTEE SUBSTITUTE FOR
SENATE BILL 172 & 242

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

AN ACT

RELATING TO THE LEGISLATURE; CREATING THE INTERIM HUMAN SERVICES COMMITTEE OF THE LEGISLATURE; CHANGING THE NAME OF THE JOINT INTERIM LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE TO THE LEGISLATIVE HEALTH COMMITTEE; CREATING A HEALTH UNIT OF THE LEGISLATIVE COUNCIL SERVICE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 2-13-1 NMSA 1978 (being Laws 1989, Chapter 349, Section 1) is amended to read:

"2-13-1. CREATION OF COMMITTEE--MEMBERS--APPOINTMENT--TERMS.--There is created a permanent joint interim committee of the legislature to be called the "legislative health [~~and human services~~] committee". The committee shall be composed of eight members. The New Mexico legislative council shall appoint four members from the house of representatives and four members from

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1 the senate. At the time of making the appointment, the
2 legislative council shall designate the [~~chairman~~] chair and
3 vice [~~chairman~~] chair of the committee. Members shall be
4 appointed so as to give the two major political parties in each
5 house the same proportionate representation on the committee as
6 prevails in each house; provided, in no event shall either of
7 such parties have less than one member from each house on the
8 committee. Members may be removed from the committee by the
9 legislative council, at the request of the committee [~~chairman~~]
10 chair, for nonattendance according to council policy.

11 Vacancies on the committee, however caused, may be filled by
12 the legislative council, or the council may reduce the size of
13 the committee by not making replacement appointments and in
14 such case need not readjust party representation. No action
15 shall be taken by the committee if a majority of the total
16 membership from either house on the committee rejects such
17 action."

18 Section 2. Section 2-13-2 NMSA 1978 (being Laws 1989,
19 Chapter 349, Section 2) is amended to read:

20 "2-13-2. DUTIES OF THE COMMITTEE.--The legislative health
21 committee shall conduct a continuing study of the programs,
22 agencies, policies, issues and needs relating to health [~~and~~
23 ~~human services~~], including review and study of the statutes,
24 constitutional provisions, regulations and court decisions
25 governing such programs, agencies and issues. The committee

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1 shall ~~[also study the full continuum of programs and services~~
 2 ~~available and needed for children, families and the aging~~
 3 ~~population]~~ oversee all aspects of medical assistance programs
 4 and other health-related programs of the human services
 5 department, the department of health, the aging and long-term
 6 services department and the children, youth and families
 7 department. The committee shall make an annual report of its
 8 findings and recommendations and recommend any necessary
 9 legislation to each session of the legislature."

10 Section 3. Section 2-13-3 NMSA 1978 (being Laws 1989,
 11 Chapter 349, Section 3) is amended to read:

12 "2-13-3. SUBCOMMITTEES.--Subcommittees shall be created
 13 only by majority vote of all members appointed to the
 14 legislative health committee and with the prior approval of the
 15 New Mexico legislative council. A subcommittee shall be
 16 composed of at least one member from the senate and one member
 17 from the house of representatives, and at least one member of
 18 the minority party shall be a member of the subcommittee. All
 19 meetings and expenditures of a subcommittee shall be approved
 20 by the full committee in advance of such meeting or
 21 expenditure, and the approval shall be shown in the minutes of
 22 the committee."

23 Section 4. Section 2-13-4 NMSA 1978 (being Laws 1989,
 24 Chapter 349, Section 4) is amended to read:

25 "2-13-4. REPORT.--The legislative health committee shall

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1 make a report of its findings and recommendations for the
2 consideration of each session of the legislature. The report
3 and suggested legislation shall be made available to the New
4 Mexico legislative council on or before December 15 preceding
5 each session."

6 Section 5. Section 2-13-5 NMSA 1978 (being Laws 1989,
7 Chapter 349, Section 5) is amended to read:

8 "2-13-5. STAFF.--The staff for the legislative health
9 committee shall be provided by the health unit of the
10 legislative council service."

11 Section 6. Section 2-17-1 NMSA 1978 (being Laws 1998,
12 Chapter 8, Section 21 and Laws 1998, Chapter 9, Section 21, as
13 amended by Laws 2003, Chapter 311, Section 1 and by Laws 2003,
14 Chapter 432, Section 1) is amended to read:

15 "2-17-1. [~~WELFARE REFORM OVERSIGHT~~] HUMAN SERVICES
16 COMMITTEE CREATED--TERMINATION.--The joint interim legislative
17 [~~"welfare reform oversight~~] "human services committee" is
18 created. The committee shall function from the date of its
19 appointment until December 15 prior to the first session of the
20 [~~forty-ninth~~] fifty-ninth legislature."

21 Section 7. Section 2-17-2 NMSA 1978 (being Laws 1998,
22 Chapter 8, Section 22 and Laws 1998, Chapter 9, Section 22) is
23 amended to read:

24 "2-17-2. MEMBERSHIP--APPOINTMENT--VACANCIES.--

25 A. The [~~welfare reform oversight~~] human services

1 committee shall be composed of twelve members. The New Mexico
 2 legislative council shall appoint six members from the house of
 3 representatives and six members from the senate. At the time
 4 of making the appointment, the legislative council shall
 5 designate the [~~chairman~~] chair and vice [~~chairman~~] chair of the
 6 committee.

7 B. Members shall be appointed from each house so as
 8 to give the two major political parties in each house the same
 9 proportionate representation on the committee as prevails in
 10 each house; however, in no event shall either party have less
 11 than one member from each house on the committee. At the
 12 request of the committee [~~chairman~~] chair, members may be
 13 removed from the committee by the New Mexico legislative
 14 council for nonattendance according to legislative council
 15 policy. Vacancies on the committee, however caused, may be
 16 filled by the legislative council, or the legislative council
 17 may reduce the size of the committee by not making replacement
 18 appointments and in that case need not readjust party
 19 representation.

20 C. An action shall not be taken by the committee if
 21 a majority of the total membership from either house on the
 22 committee rejects that action."

23 Section 8. Section 2-17-3 NMSA 1978 (being Laws 1998,
 24 Chapter 8, Section 23 and Laws 1998, Chapter 9, Section 23) is
 25 amended to read:

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1 "2-17-3. DUTIES.--

2 A. After its appointment, the [~~welfare reform~~
3 ~~oversight~~] human services committee shall hold one
4 organizational meeting to develop a work plan and budget for
5 the ensuing interim. The work plan and budget shall be
6 submitted to the New Mexico legislative council for approval.
7 Upon approval of the work plan and budget by the legislative
8 council, the committee shall:

9 (1) examine the statutes, constitutional
10 provisions and rules governing welfare reform in New Mexico;

11 (2) monitor and oversee the implementation of
12 the New Mexico Works Act;

13 (3) review issues related to [~~welfare reform,~~
14 ~~including~~] job training and public benefits programs and
15 related contracts; cash assistance; child care, transportation
16 and other job-related services; alleviation of poverty,
17 homelessness and hunger and other issues [~~that arise because of~~
18 ~~the devolution of the federal welfare programs to the states;~~
19 ~~and~~] related to helping New Mexicans rise out of poverty, take
20 part in the work force and earn a family-sustaining wage;

21 (4) make recommendations relating to the
22 adoption of rules and legislation, if any are found to be
23 necessary;

24 (5) conduct a continuing study of the
25 programs, agencies, policies, issues and needs relating to

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1 human services in New Mexico, including review and study of the
 2 statutes, constitutional provisions, regulations and court
 3 decisions governing such programs, agencies, policies, issues
 4 and needs; and

5 (6) study the full continuum of programs and
 6 services available and needed for children, families and the
 7 aging population.

8 B. The committee shall regularly receive testimony
 9 from the secretaries of human services; [~~labor~~] workforce
 10 solutions; children, youth and families; [~~and~~] health; higher
 11 education; and [~~the superintendent of public instruction~~]
 12 public education on poverty issues [~~arising from the~~
 13 ~~implementation of the New Mexico Works Act~~] and shall review
 14 proposed rules, schedules and formulae before adoption."

15 Section 9. Section 2-17-4 NMSA 1978 (being Laws 1998,
 16 Chapter 8, Section 24 and Laws 1998, Chapter 9, Section 24) is
 17 amended to read:

18 "2-17-4. SUBCOMMITTEES.--Subcommittees shall be created
 19 only by majority vote of all members appointed to the [~~welfare~~
 20 ~~reform oversight~~] human services committee and with the prior
 21 approval of the New Mexico legislative council. A subcommittee
 22 shall be composed of at least one member from the senate and
 23 one member from the house of representatives, and at least one
 24 member of the minority party shall be a member of the
 25 subcommittee. Any meeting or expenditure of a subcommittee

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1 shall be approved by the full committee in advance of that
2 meeting or expenditure, and the approval shall be shown in the
3 minutes of the committee."

4 Section 10. A new section of Chapter 2, Article 17 NMSA
5 1978 is enacted to read:

6 "[NEW MATERIAL] STAFF.--The staff for the human services
7 committee shall be provided by the legislative council
8 service."

9 Section 11. [NEW MATERIAL] HEALTH UNIT.--

10 A. The legislative council service shall establish
11 a "health unit", staffed by persons knowledgeable and
12 proficient in the areas of health coverage and delivery of
13 health care services, health care economics, research, law or
14 policy analysis.

15 B. The health unit shall staff the legislative
16 health committee, conduct research and develop policy options
17 regarding health coverage and access to health care services,
18 provider supply and quality of health care services, health
19 coverage and other health issues.

20 Section 12. TEMPORARY PROVISION--REFERENCES IN LAW.--All
21 references in law to the welfare reform oversight committee
22 shall be deemed to be references to the human services
23 committee. All references in law to the legislative health and
24 human services committee shall be deemed to be references to
25 the legislative health committee.

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