

1 SENATE BILL 263

2 **56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

3 INTRODUCED BY

4 Martin Hickey and Gerald Ortiz y Pino

5
6
7
8
9
10 AN ACT

11 RELATING TO THE LEGISLATURE; PROVIDING YEAR-ROUND STAFF TO THE
12 LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE; REQUIRING
13 COMPLIANCE WITH THE LEGISLATIVE HEALTH AND HUMAN SERVICES
14 COMMITTEE'S AND ITS SUBCOMMITTEES' REQUESTS FOR INFORMATION;
15 PROVIDING POWERS AND DUTIES; AMENDING AND ENACTING SECTIONS OF
16 THE NMSA 1978; MAKING AN APPROPRIATION.

17
18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

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

21 "2-13-1. CREATION OF COMMITTEE--MEMBERS--APPOINTMENT--
22 TERMS.--There is created a permanent joint interim committee of
23 the legislature to be called the "legislative health and human
24 services committee". The committee shall be composed of eight
25 members. The New Mexico legislative council shall appoint four

.223226.3

underscoring material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 members from the house of representatives and four members from
2 the senate. The house health and human services committee and
3 the senate health and public affairs committee or future
4 legislative standing committees that consider health and human
5 services affairs shall be represented. At the time of making
6 the appointment, the New Mexico legislative council shall
7 designate the [~~chairman~~] chair and vice [~~chairman~~] chair of the
8 committee. Members shall be appointed so as to give the two
9 major political parties in each house the same proportionate
10 representation on the committee as prevails in each house;
11 provided, in no event shall either of such parties have less
12 than one member from each house on the committee. Members may
13 be removed from the committee by the New Mexico legislative
14 council, at the request of the committee [~~chairman~~] chair, for
15 nonattendance according to council policy. Vacancies on the
16 committee, however caused, may be filled by the New Mexico
17 legislative council, or the council may reduce the size of the
18 committee by not making replacement appointments and in such
19 case need not readjust party representation. No action shall
20 be taken by the committee if a majority of the total membership
21 from either house on the committee rejects such action."

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

24 "2-13-2. DUTIES OF THE COMMITTEE.--The legislative health
25 and human services committee shall [~~conduct a continuing study~~

.223226.3

underscored material = new
[bracketed material] = delete

1 of]:

2 A. direct the director of the legislative health
3 and human services committee in the director's work;

4 B. monitor and oversee the programs, agencies,
5 policies, issues and needs relating to health and human
6 services, including [~~review and study~~] monitoring and oversight
7 of the statutes, constitutional provisions, regulations and
8 court decisions governing such programs, agencies, policies and
9 issues; [~~The committee shall also study~~]

10 C. monitor and oversee the full continuum of
11 programs and services available and needed for children and and
12 families and the aging population; [~~The committee shall~~] and

13 D. make an annual report of its findings and
14 recommendations and recommend any necessary legislation to each
15 session of the legislature."

16 SECTION 3. Section 2-13-5 NMSA 1978 (being Laws 1989,
17 Chapter 349, Section 5) is amended to read:

18 "2-13-5. COMMITTEE DIRECTOR AND STAFF.--

19 A. The position of "director of the legislative
20 health and human services committee" is created. The director
21 shall be hired by the legislative council service and shall
22 serve at the pleasure of the legislative health and human
23 services committee. The director shall be provided with the
24 necessary office space, supplies, equipment and assistants by
25 the legislative council service. The director's salary shall

.223226.3

underscoring material = new
[bracketed material] = delete

1 be set by the legislative council service.

2 B. The ~~[staff for the]~~ legislative health and human
3 services committee shall [be provided by the legislative
4 council service] have year-round staff assigned exclusively to
5 carry out the duties of the committee. The legislative council
6 service shall:

7 (1) provide an associate director of the
8 legislative health and human services committee; and

9 (2) contract for the services of individuals
10 with expertise in law, policy or finance related to health care
11 delivery and financing, behavioral health care, health data
12 information technology systems or grant writing, as needed."

13 SECTION 4. A new section of Chapter 2, Article 13 NMSA
14 1978 is enacted to read:

15 "[NEW MATERIAL] POWER TO CONDUCT HEARINGS AND ADMINISTER
16 OATHS--SUBPOENA POWER.--The legislative health and human
17 services committee may conduct hearings and administer oaths.
18 The legislative health and human services committee, or upon
19 recommendation of a subcommittee of the legislative health and
20 human services committee, shall have the power to subpoena,
21 which may be enforced through any district court of the state.
22 Process of the legislative health and human services committee
23 shall be served by any sheriff or any member of the New Mexico
24 state police and shall be served without cost to the
25 legislative health and human services committee or its

.223226.3

underscoring material = new
[bracketed material] = delete

1 subcommittees."

2 SECTION 5. A new section of Chapter 2, Article 13 NMSA
3 1978 is enacted to read:

4 "[NEW MATERIAL] COMPLIANCE WITH REQUESTS FOR
5 INFORMATION.--The human services department; the department of
6 health; the aging and long-term services department; the
7 corrections department; the children, youth and families
8 department; the early childhood education and care department;
9 the workforce solutions department; the interagency behavioral
10 health purchasing collaborative; and every other state agency
11 and political subdivision of the state shall, upon request,
12 furnish and make available to the legislative health and human
13 services committee, or any subcommittee of the legislative
14 health and human services committee consisting of three members
15 or more, documents, material or information requested by the
16 committee or any subcommittee of the committee consisting of
17 three members or more or the staff of the committee or
18 subcommittee."

19 SECTION 6. APPROPRIATION.--Three hundred fifty thousand
20 dollars (\$350,000) is appropriated from the general fund to the
21 legislative council service for expenditure in fiscal year 2024
22 to fund staffing for and the activities of the legislative
23 health and human services committee pursuant to this act. Any
24 unexpended or unencumbered balance remaining at the end of
25 fiscal year 2024 shall revert to the general fund.

.223226.3