

## Overview of 2022 NM Legislative Session (30 days)

The 2022 session was only 30 days and limited to budget related and Governor prioritized bills. In an election year, a lot of the dynamics involved political posturing, and pure obstruction by the Republican minority.

The table below illustrates the productivity of our legislature in the short session. This is pretty accurate, except that some number of bills, particularly tax items and specific appropriations are rolled into huge omnibus tax and appropriations bills, which, if counted, would result in a slight increase in productivity.

Summary Of Legislation in 2022—30 Day Session	House	Senate
Total Bills Filed (excluding Joint Resolutions, Memorials, unused dummies)	211	219
Bills never heard by a committee	61 (29%)	59 (27%)
Bills Passed by one chamber	52 (25%)	27 (12%)
Bills Passed by both chambers—referred to Governor	38 (18%)	26 (12%)

Our work on legislation includes both supporting good legislation, and stopping bad legislation. This session, a lot of effort was expended stopping bad legislation, and together with our allies, **a lot of very bad legislation was stopped.**

In short 30-day sessions a lot of good legislation doesn't make it through assigned committees to passage by one or both chambers. Some of this legislation will be back in 2023 in the 60 day session.

### Successes for Indivisible SOS Committees

- Civil Rights & Criminal Justice Reform
  - Killed several Pre-Trial Release and Denial of Bail bills & one Joint Resolution. These “tough on crime/lock-em all up” bills, a Governor’s priority would have violated constitutional rights, disproportionately targeted people of color, increased prison and jail populations, and caused irreparable harm to innocent people who would be detained before being charged with any crime.
  - Bills that passed both chambers and have been or will likely be signed by the governor:
    - SB12: Creates an Attorney General’s Office for Missing Indigenous Persons
    - HB 22: Requires all state agencies to provide access to services for people with limited English

- HM: 11 & SM 6: Memorials to Study a Unified Jail and Prison System
  - In the budget bill, HB2, funds were included to add 8 positions to the Law Enforcement Academy Board, and \$250,000 was included to start the process of updating and revising the curriculum (they need \$1.5 million).
- Climate & Environment
  - Killed several bills to establish a Hydrogen Hub in NM. Along with most of the environmental advocate community, these bills would have increased emissions of greenhouse gases and caused serious harm to the environment. This was a Governor’s priority and fiercely political
  - Bills that passed both chambers and have been or will likely be signed by the governor:
    - HB37 Community Energy Efficiency Development Block Grants
    - HB Uranium Mine Clean-up
    - In the tax package—HB 163—a Solar Tax Credit
- Immigration & Partnership with Somos un Pueblo Unido
  - HB 2, the major appropriations bill passed by both chambers—after stripping cash assistance out of the Human Services Department budget for low income people, \$10 million was restored of the \$15.6 asked for.
  - HB163, the major tax bill passed by both chambers—after stripping tax rebates for low/moderate income filers, a new rebate was restored the last night of the session providing for \$500 rebates to most families, and \$250 for single filers for both 2021 and 2022, providing desperately needed cash assistance for low income essential workers.

## “Almost-but-not quite” for Indivisible SOS Committees

Republicans did whatever they could to run down the clock, particularly in the Senate. Most of these will likely be worked on in interim committees and re-introduced in 2023.

- Civil Rights & Criminal Justice Reform
  - An omnibus crime bill was introduced the last week of the session that included parts of many bills that were introduced and went through one or more committees. **Violence intervention and crime prevention grant programs were included.** Protections for judges, some new crimes and increased sentences were created related to threats and use of guns, and pre-trial monitoring was strengthened. The Senate ran out of time due to Republican delay tactics. The House would have likely passed this. The Senate compromised minimally with the tough on crime pressures from the governor. Future legislation will likely implement the more preventive measures in this bill.

- A bill to eliminate a life sentence for minors committing capital crimes was withdrawn because of pressure from governor, and sponsors will re-introduce in 2023.
- Climate & Environment
  - The House ran out of time to pass HB6—Clean Futures Act-- which requires 50% reduction in climate pollution by 2030, and 90% by 2050. Advocates wanted strengthened conditions added and will no doubt work to improve this bill for re-introduction in 2023.
  - SB 54 didn't quite make it through the Senate to prevent storage of radioactive waste in NM. Similar legislation moved through committees in the House but didn't make it to the floor.
  - HJR 2, the Green Amendment failed again for lack of support by majority leadership. It will likely come back again.
- Strengthening Democracy
  - SB 6 providing for elections security & SB 8 the Voting Rights Bill promoted by the Governor and Secretary of State, got stopped in the Senate just short of passage, by Republican delay tactics. The House would have passed, so this will likely be back in 2023.
  - Joint resolutions requiring change to the state constitution to allow independents to vote in primaries did not get very far but will likely be back in 2023.
- Gun Violence Prevention
  - HB 9, Unlawful Access to Firearms by a Minor, got a lot of press and was improved going through committees, but stalled. It will hopefully return in 2023.

**Because of limitations to the scope of permitted legislation in the short session, there were not meaningful bills that advanced for our Wildlife or new Behavioral Health Committees. There will likely be much more action in 2023. There was funding approved in budget legislation for behavioral health.**

### **Additional Wins We did not Work on Through Committees**

- HB132, Interest Rates for Certain Loans—also known as **Pay Day Lending**—passed both chambers, reducing rates on loans to poor folks from a maximum of 175% to a maximum of 36% with a fee for loans less than \$500. The Governor has said she will sign. People have been working on this for many session frustrated by the industry lobby pouring money into both Democratic and Republican campaigns.
- SB 140, the Opportunity Scholarship Act, provides for **free tuition and fees in any state college or university for any resident adult**. This will encourage many folks to go back to school. It included a huge appropriation that means access to the program is virtually unlimited, though funding may reduce that access in future years.
- Other Economic Justice wins:

- SB134 appropriates \$27 million annually in state funds to the Housing Trust Fund, which has been empty and was created in 2005. This is a big win for affordable housing for low-moderate income folks.
- The budget bill funds part of the Governor's New Mexico Food, Farm and Hunger initiative.
- The Health Security Act received full funding for 2<sup>nd</sup> and final year of study critical to providing a framework for its implementation. This will be important for 2023.

## **Lessons Learned**

- Watch interim committee activity between sessions to see evolving attitudes and check out reports made with data on areas of special interest. A lot of legislation starts getting shaped in interim committees.
- Send thank you emails to bill sponsors and committee chairs or committee members who help advance bills or kills of importance. Appreciation matters.
- SOS-wide letters helped...need to anticipate needs and get process in place
- When you watch hearings, the beginning is most important as many committee chairs poll those in the room and on-line. These polls are very quick, but can be important to committee debate later during the hearing. If you think you might speak, use the raise your hand function early, you can always take it down. Sometimes they will hear one side first followed by the other. They will often limit time to speak. They will also sometimes limit time for each side. If you know who is speaking and time is limited, defer to the most expert speakers, or keep your support or opposition very brief.
- Bill screening as they are filed helps target bills of interest to committees. I did this but for a 60 day session it would be great to have a small committee construct the full spreadsheet of bills highlighted for committee review and decision.
- Standardize the alert system and use SOS alerts rather than forwarding alerts from other organizations....the latter is sometimes faster, but many different types of alerts are confusing to members and some are easier to implement than others.
- Be aware of potential for bills you are tracking to get pulled into omnibus bills. This will always happen with budget and tax, but this year also happened too late with criminal justice reform. "Dummy bills" are filed at the end of the filing period, and are used to produce new versions of bills that get killed or to combine bills that get through part but not all of the committee process on their own. Your target bill can easily get swept into another vehicle, so mid-session it becomes important to keep an eye on these, and the screening team will also need to monitor these after filing deadline.
- When you are working hard on a bill, read the Fiscal Impact Report (FIR) on the bill. It provide a lot of information. This is where other state agencies have input to feasibility and cost of something, and you can see the Legislative Finance Council's analysis. This

information is very important as a bill approaches the Senate Finance and House Appropriations & Finance Committees.

- We may need a couple of people to keep an eye on budget and tax bills which go through many versions through the session. Many of the changes we care about may be in these bills.
- For Environmental, Health, and any Technical bills, review the regulatory content of the bill. The bill language often leaves a lot of ambiguity about implementation that will need to be clarified through regulation.