

ANNOUNCEMENTS

1. **2024 DUES** are due, Make check payable to Dottie Indyke and mail to 4760 Lluvia Encantada, SF 87507. Or click on the donate button on the SOS website. Many thanks to some 60 members who have paid.
2. **The TX/NM Indivisible Antiracism Program** - Presentation and discussion with special guest [Lydia CdeBaca-Cruz](#) from the [Indigenous Cultures Institute](#). Tuesday, February 20th at 7pm CT / 6pm MT [Zoom Link to Register](#)
3. [Activist Care Circle](#), it's a place for activists, by activists. We're kicking off with a free class for everyone on Wednesday, February 28th at 7pm CT / 6pm MT. [Sign up here!](#)
 - If you went on the Secy of State website in January to sign candidate petitions, your signature may not have taken. The site was down last month. If you're unsure, revisit the site and re-sign:
<https://www.electronicpetitions.elections.sos.nm.gov/petition>
4. A reminder if you are participating in writing CD2 postcard – there are three waves of cards, with different messages, each to be mailed on a separate date. The first mail date is next Monday, 2/26.

LEGISLATIVE SESSION

Bills that passed both Chambers:

- **Clean Transportation Fuel Standards (HB 41)** - Establishes benchmarks to reduce the carbon intensity of transportation fuels by 20% before 2030 and by 30% before 2040. The bill also incentivizes the production of lower-emission fuels by offering credits to producers. Passed the House with a 36-33 vote.
- **Oil and Gas Future Royalty Rates (HB 48)** - HB 4 adjusts royalty rates on oil and gas leases, increasing the maximum rate from 20 to 25 percent, to increase revenue for New Mexico schools. This adjustment addresses the long-standing unchanged rates since the 1970s.
- **Firearm Waiting Period (HB 129)** - Institutes a seven-day waiting period between when an individual purchases and takes ownership of a firearm. Passed in the House and Senate! This now moves back to the House, for concurrence on the Senate's amendments. Nine states have a waiting period and research shows that such legislation helps to prevent acts of gun violence by implementing a critical "cooling off"

period for those who may be in crisis. This is an important piece of common sense gun safety legislation.

- **Health Care Affordability Fund Stabilization (HB 7)** – Reena sponsored of this legislation to stabilize the Health Care Affordability Fund. Established in 2021, this fund has created programs that have lowered costs for tens of thousands of working New Mexicans and thousands of small businesses. It’s led to record enrollment on the Exchange, saved tens of millions of dollars for families.
- **Prescription Drug Transparency (HB 33)** - Works to increase price transparency within the prescription drug supply chain. Unanimously passed by the House.
- **Housing Fund & Changes (HB 195)** - Allocates \$75 million (I think it ended up being more) to create a dedicated Housing Development Fund within the New Mexico Finance Authority to help local communities build, acquire, and rehabilitate housing for middle and working-class New Mexicans. This would also include workforce housing, as well as housing for individuals with behavioral health needs and survivors of domestic violence.
- **Affirmative Consent to Prevent Sexual Assault (HB 151)** - Establishes a clear standard for affirmative consent at New Mexico colleges and universities to prevent sexual assault and harassment and create safer campuses.
- **Geothermal Resources Project Funds (HB 91)** - Creates the Geothermal Projects Development Fund and the Geothermal Projects Revolving Loan Fund to provide grants and loans for geothermal projects.
- **Federal Grant Matching Bill (HB 177)** - We shouldn’t be leaving federal infrastructure money on the table, but many of our communities lack the capacity and capital to compete for federal funds. This bill will help New Mexico unlock federal matching funds for important rural and infrastructure projects.
- **Workforce Development Fund (HB 5)** - Supports training and apprenticeship programs that train New Mexicans for in-demand trades such as welding, carpentry, and electrical.
- **State Budget (HB 2)** - The state budget proposal for fiscal year 2025 totals \$10.18 billion, up 6.5% from last year, while maintaining a robust 32% reserve. This budget contains some of the largest investments in education, housing, climate resiliency, health care access, public safety, and economic development in NM history.
- **Tax Package (HB 252)** - Makes New Mexico’s tax code more equitable, expands incentives for rural healthcare providers, supports local businesses and childcare providers, advances the state’s climate goals, and provides relief to families impacted by wildfires.

Bills that did not pass, but should have:

- **Paid Family Medical Leave (SB 3)** - Would have established a new program through the Department of Workforce Solutions to provide paid leave for employees to care for

a new child, a family member with a serious health condition, or to recover from a serious health condition themselves. Passed by the Senate, failed by **2 votes** in the House. This is the 5th or 6th time this program has been considered. Next time we will prevail.

- **Our bill, SB13**, reforming public safety –law enforcement and telecommunications
- Lots of firearm legislation proposed. Two of 12 bills passed.
- **Tribal Education Fund (134)** - New Mexico made history by unanimously passing the Tribal Education Fund in the House. The bill seeks to address the longstanding systemic barriers faced by Indigenous students in New Mexico. By allocating \$50 million to create a permanent revenue source, the bill aims to empower Tribal Education Departments to provide culturally relevant and community-based educational support.

Bills we had to kill repeatedly, but did it – Strategic Water Supply

1. Rachel Feldman provided her own summary of the session, which is comprehensive. It is appended to these notes.
2. Jayne Nordstrom ran into the governor at Home Goods over the weekend. She was very complimentary of our group and of Rachel.
3. Jana said that there ought to be a different set of rules to make 30-day sessions more efficient. So many memorials and trivial discussions take up too much time.
4. HB151, affirmative consent, passed. Valarie Morris asked members to please encourage the governor to sign this bill. She will write a sentence or two for guidance and Marti will distribute.
5. SB14, our law enforcement training bill, went nowhere this session. It was deemed not germane but hopefully will be introduced next year. During interim committee meetings, which take place between June and December, Rachel F will want some of us to give testimony about the bill.
6. Monica Gilboa reported that she attended the first meeting of the Standards and Training Council, one of the oversight boards established in our law enforcement legislation last year. Rachel F is a member of that group and she was proactive in suggesting changes such as more frequent meetings. Behavioral health representatives attended that meeting.
7. Related to the above, two other task forces have already met and a lot of suggestions will come from these groups to help make law enforcement's job easier. Our group will help advocate for some of these suggested changes.

OUR ELECTION STRATEGY FOR 2024

1. The election committee, chaired by Monica and Ricann, is scheduled to meet tomorrow (2/20/24) at 11 am by zoom. Co-chairs have created an initial plan, which will be developed with committee members and shared with full membership asap. Monica's mantras are (1) don't overwhelm members and (2) clear, not confusing.
2. The two basic prongs of the plan are: (1) Getting Gabe Vasquez elected to the US House in CD2; and (2) Helping others to get elected or un-elected. We will focus our attention on NM, including State House candidates, and move outward as we are able.
3. Blue CD2's focus this year is on re-electing Gabe Vasquez. The next campaign will likely be a voter registration push in the spring. After Labor Day, another round of postcards will be sent to 18-35 year-old non-voters, mostly Hispanic, encouraging them to vote. With Field Team 6, CD2 will also target Native Americans.
4. There will be actions managed by our group and suggested actions that individual members can take on their own.
5. Every Monday meeting agenda will contain links to actions in other places for members to choose from. These might include texting, calling, postcards/letters, canvassing to register voters and encourage voting. It was suggested that we prioritize actions in swing states considered crucial to the presidential election.
6. Every member who has resources to share with the group should distribute these through Monica and Ricann. For example, Chris Waddill mentioned actions suggested by Elect Women New Mexico.
7. Dottie Indyke suggested that if individual members want to write cards or letters, SOS might help by providing postage. We have thousands of first class stamps on hand for letter-writing, i.e. Vote Forward.
8. Liza Solomon asked if the elections committee can help recommend which candidates need money vs other things.
9. For the presidential race, the action will be in battleground states. We should have options for texting and calling closer to the general election.
10. Senators mentioned who will need our help include John Tester (WY), Sherrod Brown (OH), Tammy Baldwin (WI), Jackie Rosen (NV) and Colin Allred (TEX).
11. Paula Sabloff is working on texting for the Democrat's coordinated campaign.

12. Pam Rogers mentioned that the Israel/Gaza war may affect voting by young people and people of color.
13. Carol Ellerby suggested that we ask Laurie Merrill, e.d. of Free Flow, if we could attach QR codes to Free Flow bags that link to voter registration. Dottie will ask Laurie about this.

NEXT WEEK

We have invited all our local representatives to attend our meeting next week. Thus far only Andrea Romero has said she can come. We will serve bagels and coffee. PLEASE COME IN PERSON IF AT ALL POSSIBLE.

Rachel Feldman's Updates and Anecdotes on the 2024 Legislative Session

As of the day before session ends. I am at the Law Enforcement Academy in a day long meeting of the new Law Enforcement Standards & Training Council on Thursday and traveling to the East Coast on Friday for a week, so can't do a final day summary.

Bills of Interest Passed by Both Chambers as of (2/14, 9pm) (I may have missed a few....)

- HB 41 Clean Transportation Fuel Standards
- HB 129 7-day waiting period for firearm purchase
- HB 151 Affirmative Consent (my spies tell me that Girls Inc kids met with the Gov to get a message and it worked!)
- SB 5 Firearms near polling places
- SB 15 Healthcare Consolidation Oversight
- SB 17 Healthcare Delivery & Access Act
- HB 7 Health Care Affordability
- HB 211 Water Project Prioritize (waste water projects)
- HB 195 Housing Fund changes
- HB 134 Tribal Education Trust fund
- HB 182 Election Changes (first effort to regulate AI in elections)
- HB 91 Geothermal Resources Projects fund
- SB 216 NMFA Affordable Housing

Bills Needing to be Killed and Successfully Killed

- SB 122 Rebuttable Presumptions for Pre-Trial Release

- SJR 11 Denial of Bail
- SB 294 Strategic Water Supply—though this is apparently coming back from the dead on the last day of the session.

Bills to Watch with One more Floor Vote (may have missed these)

- HB 148 Water Projects fund
- SJM 2 Murdered & Missing Indigenous Task Force

Close but Failed

- SB 3 Paid Family & Medical Leave failed on House floor after passing the Senate by 2 votes.

Bills that made it through one chamber and died due to rationing legislative time (could not afford Republican filibusters)

- Most of the firearm legislation
- Human Trafficking & Exploitation
- All of the bills reforming the legislature
- Prohibiting library book banning

Good Bills Killed in Committee

- HB 25 Housing Discrimination based on income source
- SB 145 Dignity Not Detention
- HB 178 Reform State Game Commission
- HJR 10 Redistricting Commission (made it to 2 House committees but not House floor)

Good Bills that Died for lack of message from Governor (deemed not germane)

- Lots
- SB 13, HB 285 – Indivisible SOS bill to centralize recruiting for law enforcement, add mentorship functions, and incorporate public safety telecommunicators into law enforcement retention funds and training.

Stats

- 777 bills, resolutions, memorials filed in session

Themes This Session

- **Civility:** Folks on both sides were remarkably civil, though a great deal of snark and sarcasm was expressed by men, particularly in the Senate. Quite a

bit of graciousness on both sides. Tension on all the gun bills, paid family and medical leave, affirmative consent, and any challenges to gas and oil.

- **Legislative Reforms:** most proposals were joint resolutions that did not require a Governor message, but still didn't go past a first committee...there was no leadership support for investing legislative time in any of these bills.
- **Creating Trust Funds and Expendable Trust Funds** to channel excess revenues anticipated and to stabilize recurring spending. Trust funds work like endowments, investing long term with annual spending of up to 5% of principle, considered to be perpetual funding. Expendable Trust Funds are a set aside of funds to be spent over a defined time period (in most cases 3 years). There are other "funds" that support spending for less than 3 years, and don't involve investment strategy (e.g., firefighter and law enforcement recruitment or retention funds)—these require annual replenishment appropriations. Trust Funds (both types) Legislated this session, including creation, appropriation, updates to rules:
 - Tobacco fund (passed both chambers)
 - Higher Ed Trust Fund (passed both chambers)
 - Housing Trust Fund (passed both chambers)
 - Healthcare Affordability Fund (passed both chambers)
 - Government Accountability & Trust Fund (passed both chambers)
 - Match fund (passed both chambers) (used to match federal and other funds)
 - Land and Water Conservation Fund (passed both chambers)
 - Election Fund (passed both chambers) (funds state elections)
 - Workforce Development & Apprenticeship fund (passed both chambers)
 - Tribal Education Trust Fund (pending final action)
 - Early Education (passed both chambers)
 - Opportunity Enterprise Fund (modified by HB 195)
 - Lots of bills to form additional trust funds died in committees.
- **Culture Wars** References to culture war emerged in particular in debates over gun legislation, paid family and medical leave, and oil/gas regulation. The divides evident in the legislature that blow up debates are urban/rural (farm/ranch vs other), business owners/everyone else, oil/gas areas/vs rest of state, and second amendment defenders/vs everyone else. The debate over

“affirmative consent” brought out intense emotional stories and lectures from both those with sexual assault experience (personal/victim or professional) and those with evangelical bent-- (Senator Schmedes (R), who is not running in 2024, filibustered providing a history of sexuality and oppression of women going back to ancient times—talked about the depravity of men and sinfulness of people in general)

- **Criminal Justice Agenda**—This was a huge priority for the Governor, and only the 2 gun bills of the dozen she wanted and the law enforcement recruitment funds are making it through. Most proposals to increase criminal penalties were not heard—a couple may make it through related to murder/attempted murder. The judiciary committees do not believe increasing penalties makes anyone safer. The pre-trial bills offered were either not promoted or killed in first hearing, despite the Governor’s messages. Very few criminal justice bills were supported by the governor and so did not get heard. The funds for first responders are essentially throwing money at local agencies who have few resources to use it effectively, and will not likely accomplish the filling of vacancies. The one bill to prohibit contracting for federal immigration detention was defeated by no-shows and no votes from democrats on the Senate floor.
- **Water projects and funding**—this was a focus of many bills, some of which are making it through, though the Governor’s strategic water supply proposal was tabled in its first committee and declared “not ready for prime time” garnering no support from anyone who didn’t work for the Governor, and strong opposition from all the environmental groups.
- **Food insecurity and school lunches**—there was bipartisan support for funding in the appropriations bill for these services.
- **Gas/Oil**—many speeches from Republicans on how grateful we should all be for the wealth generated by oil/gas industries, and lots of opposition to any tightening of regulations.
- **Killing Legislative time**—It is hard to tell how coordinated the strategy is among republicans, but several legislators ask repetitive and pointless questions in both committees and on the floor to run down the clock and slow legislation., truly testing the patience of everyone present or watching. William Sharer (R) in the Senate openly orchestrates filibusters to torture the Senate –e.g., 5 hours on Paid Family Leave til 11pm. Both R senators and representatives come to floor sessions with amendments that make marginal changes but increase the time required, delaying action. (He read children’s

books the last hours of the senate a few years ago and successfully killed the voting rights act).

- **Potential influence of Indigenous Caucus**—There was some impressive legislation and strategy displayed by the unified Indigenous Caucus who demonstrated that it can mobilize the 23 nations in NM to achieve consensus on legislation, and take control over legislation that most directly impacts indigenous people. These efforts met with bipartisan and virtually unanimous support.
- **Power struggles between legislature & executive branch....**

Rising Stars

- **Andrea Romero** (Santa Fe) has grown and developed as an incredibly articulate thoughtful legislator. I was repeatedly impressed with her performance under fire carrying the waiting period for gun purchase bill, as well as other difficult contentious bills. She is my representative, and got off to a rough start 5-6 years ago. Since she was first elected, she went to law school and passed the bar.
- **Linda Serrato** is another Santa Fe representative who is very articulate and effective in explaining legislation in contentious debate. She is demonstrating a lot of leadership as well as supporting other less able legislators.
- **Derrick Lente** of Sandia Pueblo handled the Indigenous politics of taking back legislation masterfully. He also handled contentious flawed tax legislation and has moved into a leadership role in the tax subject matter in the house.

Appreciation for the Workhorses who Keep the Trains Running

- **Peter Wirth (Senate Majority Leader, Santa Fe)** provides terrific information about the Senate calendar as it unfolds (unlike the House), and is instrumental in setting priorities as to who to schedule legislation to increase chances of getting to the end. Also his office always responds to questions and is always helpful.
- **Gail Chasey (House Majority Leader, Bernalillo)** is very efficient, the time keeper and chief person to propose tabling motions to keep things moving. She has also always been responsive and helpful. She and her staff also engage with the National Conference of State Legislatures, in tracking what is going on in other states.

- **Reena Szczepanski (House Majority Whip, Santa Fe)** only in her second term but given her experience as Bryan Egolf's chief of staff, knows more about the House than most people. Terrifically responsive and helpful.
- **Mimi Stewart (Senate President/ProTem, Bernalillo)** not always readable, but works tirelessly on her priorities, including Paid Family & Medical Leave this year, handled the filibuster of that bill in the Senate standing for 5 hours, and handling bizarre debate with wry humor.
- **Nathan Small (chair House Appropriations & Finance)** a breath of fresh air after dominance by Rep. Lundstrom, he is always calm, seems incredibly patient, clear explanations and responses to all questions.
- **Christine Chandler (House Judiciary Chair, Los Alamos)** solid, consistent legislator supportive of many of the newer women legislators in the House.

Summary Comments

In these short sessions, getting all the budget and fund-related legislation done trumps everything and drives leadership to be particularly restrictive of what is determined to be germane (not advanced to any committee hearing). In both short and long sessions, the decision making about what is and isn't advanced to committee and decisions as to when to stop using legislative time, stopping bills in their tracks, is done behind closed doors by the leadership. This process is secret, not subject to criteria or rules that are discussed in public, and there is no accountability for decisions. Stricter rules on time for debate in committees, in the Senate, and limiting House debate time to less than 3 hours would permit more legislation to move. Public criteria regarding promoting legislation to committees, and calling floor legislation would be more democratic.

There is also a huge amount of time spent on introducing guests, speeches and testimonials on all sorts of people, lots of memorials that celebrate communities and assorted other topics, along with over-the-top protocols, pomp & circumstance. I suppose this provides speaking time for legislators to draw public attention and advertising their communities and businesses, which might offset their not being paid. But it is a horrible use of legislative time. While some of this might be inevitable, limiting it to an hour a day per chamber or some comparable limit would increase the productivity of the legislature.