

NEW MEXICO SENATE DEMOCRATS

For immediate release

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HEALTH EXCHANGE BILL SEEKS TO ENSURE DIVERSITY

One of the final bills introduced into the Senate calls for the creation of the New Mexico Health Insurance Exchange, which would be composed of a board of 17 voting directors chosen from a diverse field associated with the health care community. Senate Bill 589, introduced by Senator Benny Shendo Jr. (Bernalillo, McKinley, Rio Arriba, San Juan, Sandoval, District 22) would call for the board of directors to represent the state's Native American population, as well as the cultural, ethnic, cultural and geographic diversity of the state.

The governor would appoint eight of the directors with no more than four of the picks belonging to the same political party; the majority and minority leaders of both the Senate and the House of Representatives would each get to choose two directors. The final voting director would be the state superintendent of insurance, an ex-officio member. Once established, the health insurance exchange directors will serve staggered three-year terms. However, eight members of the initial board would be chosen by lot by the current Health Insurance Alliance and N.M. Medical Insurance Pool and serve four years, and the remaining eight would serve three years.

Four of the directors would also be required to have a composition of experience as a health care provider, a broker, a representative of a statewide health care planning entity, and one from a non-profit corporation. Four others would be representatives of health insurance carriers, and the remaining eight would have experience as health care consumers, advocates, small business owners and employees of a small business.

The bill also stipulates that the board take recommendations from an advisory committee made up many sectors of the health care community, ranging from providers to brokers to low-income advocates. An additional advisory committee composed of a representation of the state's various Native American tribes, would also offer input.

The bill also directs the medical assistance division of the Human Services Department to cooperate with the New Mexico Health Insurance Exchange to share information and facilitate transitions in enrollment between the exchange and Medicaid, the state children's health

insurance program and any other state public health coverage program. It also encourages the health exchange to contract and collaborate with exchanges in other states.

BILL TO BAN TEXTING WHILE DRIVING: NEXT STOP, SENATE FLOOR

The Senate Judiciary Committee passed Senate Bill 17, sponsored by Senator Peter Wirth (Santa Fe, District. 25), that outlaws texting while driving. The bill states, "A person shall not read, view, type or send a message on a mobile communication device while driving a motor vehicle. ..."

A first offense carries a \$25 fine, and increased fines for each subsequent offense within a five-year period. It would also prohibit the use of any personal wireless communication device by drivers younger than 18 with the same graduated fine schedule. The state will also be required to test for distracted driving issues as part of the driver's license exam.

SENATE EDUCATION COMMITTEE VOTES MONDAY ON RESOLUTION TO LIMIT STUDENT NUMBERS IN CLASSROOMS

Senate Joint Resolution 2, sponsored by Senate Majority Whip Tim Keller (Bernalillo, District 17) would allow voters to decide whether or not to amend the state constitution to enforce limits the number of students in public school classrooms.

Debate about the resolution exceeded time limits during Friday morning's hearing before the Senate Education Committee, which will vote on the resolution on Monday, February 18. Supporters at the hearing included the New Mexico School Board Association, NEA New Mexico, Albuquerque Public Schools, and the President of AFT's K-12 program.

SJR 2 sets out the following guidelines for classroom sizes: kindergarten through third grade, no more than 18 students per classroom; fourth through eighth grades, no more than 22 students; and freshman through senior years, no more than 25 students.

The Public Education Secretary would only be allowed to grant waivers to school districts unable to meet the requirements until the 2020-21 schoolyear.

"A teacher's first wish is to be able to devote more time to each student," Senator Keller said. "The question isn't whether or not the Legislature should mandate class sizes; it is whether voters should be able to decide if class sizes are a priority for New Mexico. Let them decide if we should commit to funding smaller class sizes."

The Senate Education Committee will meet Monday at 8 a.m. in Room 311.

LOTTERY SCHOLARSHIP BILL PASSES EDUCATION COMMITTEE

A committee substitute for Senate Bill 392, sponsored by Senate Majority Floor Leader Michael S. Sanchez (Valencia, Bernalillo, District 29), passed the Senate Education Committee on Friday on a 6-3 vote. SB392 would take a quarter of the money in the Tobacco Settlement Program Fund and direct it to the Lottery Scholarship Fund.

The Tobacco Settlement Program Fund was established through a class-action settlement between states and tobacco companies. Royalties and taxes on tobacco are put into the fund. Half of the money is earmarked to be spent on health and smoking cessation programs. An expert witness for SB 392, which will be heard next by the Senate Finance Committee, said the amount would be enough to help fund the Lottery for 1-2 years.

In other Senate Action:

* The Senate unanimously approved the appointment of Scott A. Verhines as New Mexico's State Engineer by a vote of 38-0. "This guy has the toughest job in the building," commented Senator Peter Wirth (Santa Fe, District 25). The state engineer, who oversees water matters for the state, will encounter many difficult issues this year, including the filing of a federal lawsuit against New Mexico by the State of Texas, which is demanding more water releases from the upper waters flowing from the Colorado high country through New Mexico via the Rio Grande.

* The constitutional amendment measure calling for the establishment of an independent elections office that was cited in yesterday's Senate Review is Senate Joint Resolution 10, sponsored by Senator Howie Morales, Catron, Grant, Socorro, District 28.

* Senate Bill 547 introduced by Senator William Soules (Dona Ana, District 37) seeks to declare a statewide emergency ban the controversial practice of horizontal hydraulic fracturing to harvest oil and natural gas. Also known as fracking, the procedure involves drilling a vertical hole then injecting water and chemicals at high pressure to the end to crack the adjoining walls. Then petroleum and/or natural gas is released through the cracks and pumped back up the original vertical hole. Opponents say the process allows the leftover chemicals used in the process seep down through the earth and contaminate everything around them.

* A bill that would create jobs and kick start the struggling New Mexico construction industry passed the Senate Judiciary Committee on Friday. Senate Bill 314, sponsored by Senator Benny Shendo (Bernalillo, McKinley, Rio Arriba, San Juan, Sandoval, District 22) would let local entities receive bonds from the state to develop areas within their jurisdiction or "zone." This bill, a.k.a. the Transportation Reinvestment Act, was included in the Senate Democrats Job Package that was released earlier in the session.

* Municipalities, cities and counties would file a resolution with their respective county clerk, which would be sent to the Department of Finance and Administration, the Legislative Finance

Committee and the cabinet secretary of the Department of Transportation. Bonds would then be issued and the local entity would partner with a developer to begin construction. Investing in these new “zones” will create future revenue through new property and gross receipts taxes.

* The Senate Public Affairs Committee unanimously passed the Social Media Privacy Bill. Senate Bill 371, sponsored by, Senator Jacob Candelaria (Bernalillo, District 26) prohibits potential employers from demanding social-media passwords from job applicants. The bill, which now heads to the Senate Judiciary Committee, does not impede an employer’s or company’s right to implement internet usage policies for its employees.

It is now illegal to coerce a potential employee or university applicant to reveal their social-media passwords in California, Delaware, Illinois, Maryland, Michigan and New Jersey.

“The ‘population’ of Facebook, if it were a nation, would make it the third-largest country in the world,” Senator Candelaria said. “The privacy of people with online networks is an issue that is garnering a lot of attention at the federal level. Protections for internet users should be put into place.

“Requiring job applicants to divulge their passwords in order to be considered for a job is wrong.”

* Senator Tim Keller will appear on this week’s edition of “Report from Santa Fe,” hosted by Lorene Mills. The senator will talk on topics ranging from gross receipts tax reform to PRC reform. The show airs on KNME Ch. 5, Albuquerque, Sunday at 8 a.m.; on KENW Ch. 3, Portales on Saturday at 6 p.m.; and on KRWG Ch 22, Las Cruces on Sunday at 6 a.m. It will also broadcast on the radio at 9:30 a.m. on Monday, on Albuquerque radio station KANW-FM, 89.1.