

POLICY AND LEGISLATIVE ACTION NETWORK
TOOL KIT

2020 Edition

Produced and Distributed By:

THE DISABILITY COALITION

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INTRODUCTION

This Tool Kit has been produced as part of the Policy and Legislative Action Network (PLAN). The PLAN is supported by a grant from the Developmental Disabilities Planning Council, with additional funding provided by Disability Rights New Mexico. The purpose of the PLAN – and this Tool Kit – is to help individuals with disabilities, family members and advocates improve public policies affecting persons with disabilities.

What are public policy issues? They are questions about which programs get funding, and how much funding. About whether the state should start new services, or change or even eliminate existing programs. About who should qualify for state services, and the limitations of those services. About what the law should allow, encourage, require or prohibit. Questions that affect the quality of life of people with disabilities and their families and friends.

The process of decision-making in government – how the answers to those questions are decided – can be complicated. We hope this Tool Kit will make the process a little easier to understand.

But the most important thing is to make your voice heard. The Disability Coalition and Disability Rights New Mexico encourage you to get involved and let our state policy makers know about the needs of people with disabilities. In addition to this Tool Kit, DRNM and the Coalition provide information year-round on what's happening and how you can make a difference.

Thanks for making the voice of the disability community heard!

NEW MEXICO'S ELECTED OFFICIALS

Governor

The governor is elected every four years and can serve no more than two consecutive terms. The governor is considered the highest elected state official, and has the authority and responsibility of appointing the top positions of virtually all state agencies as well as the membership of a very large number of boards and commissions. However, many of these appointments, including the heads of state agencies, must be approved by the state Senate. If a governor is re-elected to a second four-year term, all of these top-level appointees must be confirmed again by the Senate even if they were approved during the governor's first term.

The governor has the power to veto bills passed by the Legislature. This includes the power to "line-item" veto any particular parts of a bill that appropriates funds, without having to veto the entire bill. That line-item veto power doesn't apply to other types of bills.

Lieutenant Governor

The lieutenant governor is elected as part of the same "ticket" as the governor. When the governor is out of the state, the lieutenant governor serves as acting governor. The lieutenant governor serves as the president of the state Senate and usually presides when the Senate is in session. If there is a tie vote in the Senate, the lieutenant governor gets to cast the deciding vote. Otherwise, the lieutenant governor votes only on ceremonial items such as memorials recognizing someone's service, and only with unanimous consent of the senators.

Secretary of State

The secretary of state, also elected every four years, is the state's top elections official and also has authority for ethics matters and records of businesses in New Mexico, among other duties. The primary job of the secretary of state is to oversee all state-wide elections and to maintain the rolls of registered voters. All candidate and lobbyist expenditure reports are available through the office of the secretary of state. The secretary of state is next in the line of succession after the governor and lieutenant governor and performs the functions of the governor's office when both of those officials are out of state.

Attorney General

The attorney general is the state's top legal official and provides legal advice to most state agencies that don't have their own in-house attorneys. The attorney general may represent the state in court proceedings, though private law firms are often paid to represent state agencies when they are sued. The attorney general is elected every four years. Through formal "opinion" letters, the attorney general can offer an interpretation on the provisions of state law. These opinions are generally followed by state agencies. State courts give consideration to such opinions but judges' orders are based on their own interpretations of law, and once court orders are issued they take precedence over AG opinion letters.

Other State Officers

The state treasurer is responsible for the management and oversight of state funds, and serves on several important boards that also play a role in monitoring state income and expenses. The state auditor oversees or conducts audits of all state agencies to assure that income and expenditures

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are accounted for accurately and appropriately. The treasurer and auditor are also elected every four years.

State Senators

The state is divided into 42 senate districts, with roughly the same population size. The elections for senator from each district are held every four years, two years apart from the elections in which the state-wide offices listed above are chosen. Every ten years, following the decennial census, the districts are adjusted to reflect population changes around the state, to assure that each district again has roughly the same population size. Every senator may introduce bills, memorials or other proposals, offer amendments, and vote on all matters coming before the full Senate for action. Senators must be at least 25 years old.

State Representatives

There are 70 state representatives and these positions are the only state positions that are elected every two years. The representatives' districts also are re-aligned every ten years. As in the Senate, state representatives each have equal authority to introduce measures, offer amendments, and vote on all matters proposed for action by the House of Representatives. Representatives must be at least 21 years old.

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WHO ARE YOUR STATE LEGISLATORS?

Wherever you live in New Mexico, you have a state senator and a state representative. Perhaps the most important first step in getting involved in the legislative process, and speaking up for persons with disabilities, is to find out who your own legislators are. If you don't know who your state senator or state representative is, it's easy to find out through the internet.

1. Log on to the state legislature's "Find Your Legislator" web page:
https://www.nmlegis.gov/Members/Find_My_Legislator
2. For your State Representative, choose "Search by Your Address" under House of Representatives
3. Enter your full home address in the box provided under "Address" and click on "Search"
4. You should now see a page with the number of the House district you live in and a picture of your Representative
5. Click on his or her name (it's a link) to get contact information; then click the back button on your browser to return to the page displayed at step 4.
6. Now click on the ▼ symbol at the far right side of the "Political Body" box to activate the menu options. Click on "Senate" and select "Search" again and you will see a picture of your State Senator. Click on his or her name for contact information. (You can use this same page to find out who your Representative in Congress is and who are your U.S. Senators.)

Make a note of which House district and which Senate district you live in, and the name of your representative and senator for future reference.

Now you know!

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Basic Flow Chart of the New Mexico Legislative Process

Bill is introduced by legislator and referred to committees (typically two)



Committee hearings, in order (first committee assigned holds first hearing)



If bill makes it through its committees, it goes to full chamber for action



Floor vote



If bill is passed by the full chamber, process repeats in the other chamber (introduction, committee referrals, committee hearings, floor vote)



If changes have been made in the other chamber, the House and Senate must agree on the same version of the bill



If one bill passes both chambers in the same form, it goes to governor for action (sign or veto)



If signed by the governor, the bill becomes law

HOW A BILL BECOMES LAW IN NEW MEXICO

In order to become law, a bill must be passed by both chambers of the legislature (House and Senate) and signed into law by the governor. By design, this is not an easy process. Here's the detailed process each bill must go through in order to become law:

Step 1 - Bill Drafting

Every proposed bill must be written in the form and style required by the rules of the House and the Senate. This service is provided to all legislators by bill drafters and attorneys working for the Legislative Council Service (LCS). Nearly all amendments offered to a bill going through the legislative process must also be drafted by LCS staff. Only a legislator or state agency official can request the LCS to draft a bill or an amendment, but a legislator can authorize a lobbyist or interested individual to work with LCS staff in crafting language for the bill or amendment.

Step 2 - Introduction

A bill (proposed law) can start in either chamber (House and Senate). The legislator who is proposing the bill or other measure is called the "sponsor" of the bill. Other legislators can add their names in support as "co-sponsors", and now a senator can sign on as the lead co-sponsor of a representative's bill and a representative can sign on as the lead co-sponsor of a senator's bill. A bill is introduced during an open session of the House or Senate when the bill number and title, which very briefly describes the bill, are read by the staff of the Chief Clerk. At that time, the bill is referred to committees for review. Most bills are assigned to two committees. Occasionally, a bill has only one committee assignment or may get three committee assignments. Because only certain types of legislation are permitted in a 30-day session (even-numbered years such as 2018), bills introduced in those sessions go first to the Rules Committee (House) or the Committees' Committee (Senate) to determine whether the bill is "germane" (appropriate to be considered) for the short session. This first committee review does not count as part of the typical two-committee assignment rule.

Step 3 - Committee Review and Action

The House and the Senate each have a number of committees (known as "standing" or "session" committees) that meet regularly during legislative sessions. (These committees are separate from the "interim" committees that meet between sessions.) The members of these committees are appointed at the beginning of each two-year legislative period. Each committee focuses on certain subject matters such as education, health, or taxation. Bills are typically assigned to the committees that deal with the subject matter addressed by the bill. Bills that call for state funding usually go first to a subject matter committee and then to the committee that deals with appropriations.

Bills must go through committees in the assigned sequence. In the Senate, for example, a bill that has been assigned to the Education Committee and then the Finance Committee must start with the Education Committee. It can't be heard in the Finance Committee until it has been acted on by the Education Committee. In order to get through the process and be enacted into law, a bill must usually be approved or otherwise passed along by *every* committee that considers it.

Each committee receives a significant number of bills to review during a legislative session. In general, bills will be heard in a committee in more or less the order in which they are received. A bill referred to a committee early in the session will usually be heard long before a bill referred later in the session, but there are many exceptions to this rule. Each committee has an agenda for each of its meetings that shows the bills scheduled to be heard during that meeting.

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There is a standard process for hearing bills in committees. The legislator sponsoring the bill is given an opportunity to explain the bill. The legislator will often be assisted by one or more people with expertise in the subject matter addressed by the bill. These individuals, who might be lobbyists, state agency staff, representatives of organizations or simply private citizens, are usually given a chance to further explain the purpose and/or provisions of the bill and help the sponsor respond to questions from committee members.

After the bill is presented by the sponsor, most committees provide an opportunity for the public to speak up ("testify") in support of or in opposition to the bill that is being heard. ***This is the only time in the legislative process when members of the public are invited to speak as part of the proceedings.*** Upon conclusion of the public testimony, members of the committee have an opportunity to ask questions of the bill's sponsor and to comment on the bill.

During the course of the hearing, a bill may be amended by majority vote of the committee members. This may be at the request of the sponsor to improve the bill or correct a problem with it, or it may be at the request of a committee member. The committee may also replace the entire bill with a substitute version if there are extensive changes being considered.

The committee hearing on a bill (as amended or substituted, if applicable) ends when the committee takes action on the bill, upon the motion of a committee member. A number of outcomes are possible, but the most typical committee actions are as follows:

"Do Pass": The committee approves the bill and sends it on to the next assigned committee, which will hold its own hearing on the bill.

"No recommendation": The bill moves forward, but without the committee's formal approval.

"Table": The bill is held in the committee. A tabled bill may be addressed again later by the same committee, perhaps after amendments have been offered, and a new vote taken, but it is more common that a bill that has been tabled moves no further. It has been "killed".

If the bill makes it through all its assigned committees, it is ready to proceed to a vote by the full chamber.

Step 4 - "Floor Vote": Action by the Entire Chamber

A bill that has moved through all its assigned committees is placed on the agenda ("calendar") for action by the entire membership of the chamber. This is referred to as the "floor vote". Bills may not be listed in numerical order on the calendar and may not be taken up in the listed order, particularly in the Senate, so a bill near the top of the list will not always be heard before a bill much further down on the list. This is especially true near the end of the legislative session.

The hearing on a bill in the full chamber begins with an introduction and explanation by the bill's sponsor. When he or she is finished with these opening remarks, other legislators may make comments or ask questions about the bill, which the sponsor has the opportunity to answer. All questions and answers are officially directed to the presiding officer in the chamber. Only legislators are permitted to participate in such discussion and debate, although the sponsor is generally allowed to have one or more experts with him or her on the floor of the chamber. The sponsor can consult with those experts prior to answering a question but the experts are not allowed to speak publicly. The public may observe these proceedings from the gallery or by watching a broadcast via the internet, but cannot participate in the debate.

There is a three hour limit to debate on a bill in the House; there is no limit to debate in the Senate. During the course of discussing a bill, any member of the chamber can propose amendments to the bill or offer a substitute version of the bill; such motions generally require a majority vote in order to be adopted. When

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discussion and debate are over, all legislators present vote for or against the bill. If a majority votes in favor of the bill, it passes and is sent to the other chamber (Step 5). If a majority votes against the bill, this is usually the end of the process and the bill goes no further.

Step 5 - Repeat Steps 2 to 4 in the Other Chamber

If a bill is passed in the chamber in which it was introduced, it is sent to the other chamber, where it is considered a new bill. The bill is introduced, and referred to committees. If it makes it through those committees, it is then subject to floor action and a vote in the second chamber.

Step 6 - Concurrence or Receding

In order for a bill to become law, it must be passed in the exact same form by both the House and the Senate. If a House bill is amended in the Senate, the amended bill (if it passes the Senate) is sent back to the House for "concurrence" (acceptance of the amendment). If a majority of the House membership votes to concur, the amended (Senate) version is approved, and the bill is sent to governor for action (Step 7). If the House votes *not* to concur with the Senate's amendment, the Senate is then asked to "recede" (withdraw the amendment). This requires another floor vote in the Senate. If the Senate agrees to withdraw its amendment, the House version of the bill is considered to have passed the Senate and is sent to the governor for action (Step 7). If the Senate refuses to withdraw its amendment, a conference committee of representatives and senators may be appointed to work out a compromise. If a compromise version of the bill is developed by the committee, each chamber must vote to accept the conference committee version in order to pass it on to the governor for action. The same process applies if a Senate bill is amended and passed in the House, with the roles reversed from the example above.

Step 7 - Action by the Governor

When the Legislature passes a bill, it is sent to the governor for action. If the bill reaches the governor more than three days before the end of the legislative session, he or she has three days to act. Otherwise, he or she has 20 days after the end of the session to act on the bill. In most cases, the governor has three general choices:

Sign the bill into law. This completes the process and the bill is enacted into law.

Line-item veto. If the bill includes an appropriation of state funds, the governor has the option (within certain limitations) of vetoing portions of the bill while signing the rest into law. This is referred to as a line-item veto. If a bill does not deal with appropriations or tax measures, the line-item veto is not available to the governor.

Veto the bill. The governor can veto any bill in its entirety. This essentially nullifies the action of the Legislature, and the bill does *not* become law. The Legislature can "override" a governor's veto and still enact a bill into law, but this can be done only by at least a 2/3 "supermajority" vote in both the House and the Senate, and such an override is extremely rare. If a bill passes in the last three days of the legislative session, the governor can veto it simply by ignoring it. This version of the veto is sometimes called the "pocket veto" but the effect is the same: the bill does not become law. (Note that if the governor fails to act on a bill that is passed and sent to the governor at least three days before the session's end, the bill becomes law even without the governor's signature.)

Effective date

The date on which a new law passed by the Legislature and signed by the governor takes effect varies. An effective date may be written into the bill (in a section titled "Effective Date" at the end of the bill), or there may be an emergency clause providing that the bill takes effect as soon as it's signed by the governor (for this to happen, there must be a section titled "Emergency" at the end of the bill and the bill must pass each

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chamber by a two-thirds vote). Otherwise, the law will become effective on the default date provided in the state constitution, which says that laws go into effect ninety days after the legislative session adjourns.

TYPES OF LEGISLATION

1. BILLS

The purpose of a bill is to enact new state law, or to amend existing state law, or both. In order to be enacted and become law, a bill must be passed in identical form by both the House and the Senate, and signed into law by the governor. A bill that simply makes an appropriation to an existing program is temporary in nature even if enacted; it authorizes the expenditure of funds in the year(s) indicated in the bill. With any other bill, the provisions of an enacted bill are incorporated into the compilation of New Mexico law.

Capital outlay requests – These measures seek authority to appropriate funds or to sell bonds to finance the design, purchase or construction of buildings, land, equipment or other property to be owned by the state or other governmental entity. Capital outlay requests go through a separate legislative process, but in order to be approved such requests must become part of a bill that then must be passed by the Legislature and signed by the governor in order to become law.

2. MEMORIALS

A memorial is a way for the Legislature to officially make a request, express an opinion, or to commemorate a person or an event. A memorial may honor a person, designate a day to highlight a cause, or express condolences. It may request that a state agency study an issue or convene a task force to do so, or ask the state's Congressional delegation to support or oppose something. A "joint" memorial is an action of the entire Legislature and must be passed by both the House and the Senate. A simple memorial is the action of either the Senate or House alone and does not have to be voted on by the other chamber.

Memorials do not have the force or effect of law. For example, a state agency does not have to comply with the request expressed in a memorial. Memorials do not require the governor's signature and are not subject to veto by the governor.

3. RESOLUTIONS

The most common use of a resolution is to propose an amendment to the state constitution. Such a proposal must be a "joint" resolution and must pass both the House and the Senate. Passage of such a resolution places the proposed amendment on the ballot of the next general election. In order to go into effect, any such proposal must be passed by the voters of New Mexico.

Resolutions are also used to ratify federal constitutional amendments, to change certain rules or procedures in the House or Senate, or to transfer state-owned property. Resolutions do not require the governor's signature and are not subject to veto by the governor.

SESSIONS OF THE LEGISLATURE

The Legislature meets in a regular session every year, beginning at noon on the third Tuesday of January. In odd-numbered years (such as 2019 and 2021), the session of the Legislature lasts for 60 days and must end at noon on the 60th day. There are no limitations to what can be considered in a “long” session. Any legislator can introduce a bill on any subject.

In even-numbered years (such as 2018 and 2020), the Legislature meets for only 30 days and must adjourn by noon on the 30th day. Because this is a “short” session, the New Mexico Constitution (Article IV, Section 5) imposes limits on what can be considered during such a session. The only bills that can be acted upon in a short session are these:

- Budgets, appropriations and revenue (tax) bills
- Bills on topics the governor has authorized to be considered in the session (by “executive message”)
- Bills vetoed in the last regular session

In a short session, each bill that is introduced is reviewed to determine whether it is “germane” (i.e. whether it meets these limitations). Memorials and resolutions are not subject to these limits so they do not have to go through this review process.

The legislature can also meet in a “special session”. A special session is called by the governor and can be scheduled at any time that the Legislature is not already in session. Sometimes a special session is called immediately after the end of a regular session, if a major issue such as the state budget was not completed during the regular session. Other times a governor may call the legislature into a special session to deal with an urgent topic that can’t wait until the next regular session. The only bills that can be heard in a special session are those that address the topic(s) that the governor identifies in the proclamation (often referred to as the “call”) for the special session.

The legislature can also call itself into session if at least 3/5 of the members of each chamber vote to do so. This is called an “extraordinary” session. The legislature has done this only once since New Mexico became a state in 1912.

HOW TO KEEP UP WITH WHAT'S HAPPENING AT THE LEGISLATURE
A Guide to the Legislative Web Page

www.nmlegis.gov

The state Legislature maintains a web page that provides a wealth of information about the Legislature as well as about its activities throughout the year. Through this web site you can find out who your legislators are and how to contact them, read bills that have been introduced, find out when committees are scheduled to meet and what bills they're scheduled to vote on, obtain publications by legislative committees or staff, and link to other on-line resources. You can create your own list of bills you're interested in and then check in at any time to find out where all of them are in the legislative process. And you can watch floor sessions of the House and Senate and all of their committee hearings. All this and more is at your fingertips if you have access to the internet.

The tabs at the top of the Legislature's web page (nmlegis.gov) are the principal gateway to this wealth of information.

Legislators

Under this tab, you can use "Find My Legislator" to find out who your state senator and representative are (see page 7 of this Toolkit for details), get contact information for them in their home district, find out where their offices and what their phone numbers are in the Capitol during the legislative session, and locate their seat on the floor of the House or Senate. The website also includes pictures of the legislators, which can help you recognize and connect with them at the Roundhouse.

The "Leadership" option tells you who serves as Speaker of the House, President Pro Tem of the Senate, and the other positions of leadership in each chamber. The "House" and "Senate" options show all the members of each body, and you can click on any member to find out information about them. The "Districts" option lists legislators by the number of the district that they represent, and "Political Composition" will show how many Republicans and Democrats are currently in each chamber.

Legislation

This is the tab to use to learn about bills, memorials and resolutions that have been introduced and their status in the legislative process. You can "Find Legislation by Number" by entering the bill number, indicating whether it is a House or Senate bill, and noting whether it is a bill, memorial, joint resolution, etc. You can use "Find Legislation by Sponsor" to show a list of all legislation introduced by a specific legislator. You can also search for any and all legislation that addresses a specific subject, or contains one or more key words. When you find the bill(s) you are looking for, you can click on each one, taking you to a page specific to that bill. You can read or download the bill, review any amendments that have been made, and see how far along the bill is in the legislative process. For those familiar with the legislature's old web site, you can still use the "Bill Finder" option to perform the same tasks.

The "Capital Outlay" option tracks funding requests for specific projects such as purchases of buildings or equipment, street repairs, water and sewer improvements, etc. You can find out what projects have been requested by whom, and which ones make it into the final version of the capital outlay bills that the legislature approves.

"Daily Bill Locator" will provide you with a list of all bills, memorials and resolutions that have been introduced, and it's updated daily during the session. The Locator shows the bill number, summary title, sponsor, the "legislative day" that it was introduced, the committees to which it was assigned, the action

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taken by committees, and the final entry shows the current location of the bill in the legislative process. The Locator on the website is a link-enabled document. (The locator is also available at the Roundhouse in hard copy format that obviously does not include links.) For more detail on a bill listed in the Locator, just click on the bill number. This link will take you to a page specific to that bill. Here you can download the text of the bill, get a copy of any action taken on the bill by committees (showing the committee vote as well as any amendments adopted), the vote on the bill in the House and/or Senate if the bill got that far, and a copy of the Fiscal Impact Report (FIR) on the bill.

An “FIR” is written up for virtually all bills and most memorials introduced in a legislative session. As the name would suggest, the FIR provides an analysis of what the cost, if any, to the state would be if the bill were enacted but, despite the title, the information it contains goes far beyond fiscal issues. It provides a summary of the bill’s provisions and identifies issues or concerns raised by the bill. The FIR is prepared by the staff of the Legislative Finance Committee, with input from the staff of relevant state agencies and others with knowledge of the topic covered by the bill.

The Locator uses lots of abbreviations that can be confusing, but there is also a “Key to Abbreviations” option that explains them.

“My Roundhouse” is a very useful tool for keeping track of legislation you are interested in. You can create your own version of a daily locator that keeps track of the bills and memorials you specify, and you can add to or delete from your list whenever you want. You have to register for this free service by entering a user ID and a password, and then follow the on-line instructions on how to create and maintain your list. Whenever you log in, your customized daily locator(s) will be displayed, showing the current status of each bill or memorial you have included.

Committees

This tab displays a list of all the “standing” (session) committees of the House and the Senate. Click on a committee to find out its regular meeting times and which bills are on its agenda for the next meeting. When the committee is meeting, a link to a webcast of the meeting will appear. Scroll down the page to see a list of the chair, vice chair, and other members of the committee.

Under this tab you can also find a list of all of the “interim” legislative committees – these are the committees that meet in between sessions of the Legislature. A few of these committees meet nearly every month during this interim period, but most meet from May or June through November and not all of them meet every month during that time. Click on a committee to find out which legislators are on the committee, when its next meeting will be and what’s on the agenda. You can also find agendas and handouts from previous meetings of the committees. (Sometimes handouts are made available in time for you to follow along while the committee is meeting, but this is unusual; you’ll usually have to wait until some time after the meeting to find the handouts online.)

What’s Happening

This tab gives you access to the schedules or agendas of floor sessions and standing committees of the House and the Senate. The House and the Senate each meet nearly every day during a legislative session, and they each have a calendar showing what's scheduled for action that day. These calendars include items such as introduction of legislation (when new bills are introduced), committee reports, and "third reading" of legislation, which is when bills are debated and voted on by the chamber.

Here you can also find the schedule for which House and Senate committees are scheduled to meet in the next few days, and which bills are scheduled for a hearing. Meeting times are approximate and meetings are

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often behind schedule. Bills are often added or dropped at the last minute. Nonetheless, the schedules are usually very helpful.

During the interim, in between regular sessions of the legislature, you can use this tab to find the schedules and agendas of the interim committees.

Webcast

During the legislative session, this tab will list the House and the Senate and their committees. When the House and/or Senate is in session, or when one or more committees are meeting, a link will be available to click on, allowing you to watch the House or the Senate floor session or the committee hearings. Sometimes the sound quality can be a challenge. Also, while the floor sessions have multiple cameras that zoom in on the legislator speaking, committee meetings typically have a single fixed camera that gives a rather distant view of the committee members and the back of the people presenting a bill. However, despite any technological shortcomings, one can usually follow the presentations and discussions in the committee meetings.

Interim committee meetings are also webcast, if they're held at the Capitol or, when the committee is on the road during the summer, if it meets at a location that offers that capability.

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CONSUMER ADVOCACY:
Changing the World One Step at a Time

“Never doubt that a small group of thoughtful committed citizens can change the world; indeed, it’s the only thing that ever has.”

- Margaret Mead

Individuals with disabilities, their family members, and disability advocates have a long record of starting and improving programs, services and protections for persons with disabilities in New Mexico. Most of the programs we now take for granted were started because these ordinary citizens convinced the state legislature to authorize or fund them. Programs that are the result of consumer initiatives in New Mexico include the Developmental Disabilities waiver program, the Medically Fragile waiver program, the Personal Care Services now provided through “Centennial Care” (the state Medicaid program), self-directed services (currently “Mi Via” and the Self-Directed Community Benefit in Centennial Care), the Traumatic Brain Injury Services Fund, and others.

Consumer input to public policy-makers such as the Legislature, the governor, and state agency officials is just as important today as it have ever been. And since New Mexico is a low-population state, even a small group of people with a consistent message can make a big difference.

Contacts with legislators before a legislative session begins are especially important because they provide an opportunity to educate lawmakers about the needs of people with disabilities in a more casual and unhurried environment. Legislators are always interested in what concerns people in their own district – after all, these are the people who elect them to office.

Any time during a legislative session is a good time to contact legislators about a pending bill. However, it is especially important to do so before the bill is going to be heard in a committee that a legislator serves on, or before it is going to be voted on by the full House or Senate.

How will you know when such a time has come? Elsewhere in this Tool Kit there is information on how to follow bills in the legislative process. The Disability Coalition will disseminate periodic alerts or informational emails to let you know when there is an opportunity for public input in the legislative process.

In addition, during the legislative session Disability Rights New Mexico provides a weekly update on bills and memorials.

THE DISABILITY COALITION

How to Talk to Your Legislator

- ❖ Be pleasant and non-confrontational. Thank the legislator for taking the time to talk with you and for the work he or she does as a legislator.
 - ◆ Legislators work long hours and don't get paid. Like everyone else, they like to feel appreciated for what they do.
 - ◆ Your legislator will be more receptive to what you're saying if he or she feels appreciated rather than attacked.
- ❖ Tell the legislator your name when you speak with him or her. Also give the legislator your name, address, phone number and e-mail address in writing.
- ❖ Be clear and specific about the issues you want to talk with the legislator about.
 - ◆ Tell your story. Be brief and to the point. If the legislator wants more information, you can go into more detail.
 - ◆ If possible, put your main points in writing. Your legislator can concentrate better on you and what you are saying – and remember it – if you supply the basic notes in a handout.
 - ◆ Be clear about what the problem is that you want the legislator to address.
 - ◆ Make specific recommendations about what you want the legislator to do to address the problem.
 - ◆ If possible, provide specific numbers or other documentation that supports your position. This might include names, facts and numbers, as well as studies or papers that document the relevant facts and issues.
 - ◆ If the legislator asks for information that you don't have with you at the time, offer to send it later – and make sure to follow up.
- ❖ Show how this issue relates to the legislator's district. Legislators are elected to represent their constituents in the Legislature in Santa Fe so they'll want to know that this is an issue for the people they represent.
- ❖ If you're having an impromptu chat with the legislator rather than a meeting that's been scheduled in advance, be particularly sure to keep it short and to the point.

THE DISABILITY COALITION

E-mailing legislators

- ❖ You can get e-mail addresses for legislators from the Legislature’s website: nmlegis.gov.
- ❖ Every legislator has an e-mail address, but keep in mind that not all of them use e-mail on a regular basis.
 - ◆ It’s increasingly common for legislators to list only the “official” e-mail address that they are assigned by the Legislature (format: firstname.lastname@nmlegis.gov). For some, this means they don’t use email very often; for others, it’s just a way of keeping their legislative correspondence separate from their personal account. A few of them don’t even list an email address. If you don’t get a reply, or if your legislator doesn’t list an e-mail address, a phone call or letter may be a better way to reach that particular legislator.
 - ◆ If the legislator lists another type of e-mail address, it usually indicates that they use e-mail on a regular basis and that e-mail can be a good way to contact that person.
- ❖ If you’re contacting the legislator about a specific bill, put the bill number in the subject line. If it’s about a topic rather than a particular bill, it’s helpful to show the topic in the subject line.
- ❖ Cover only one bill or topic in an e-mail message. If you want to contact the legislator about more than one bill or issue, send a separate e-mail.
- ❖ Keep the message short and to the point. Set out relevant information as clearly and briefly as possible.
- ❖ Be clear about what you are asking the legislator to do.
- ❖ Thank the legislator for considering your input.
- ❖ Give your full name, mailing address and phone number in the body of the e-mail.

THE DISABILITY COALITION

Phone Calls to Legislators

During the legislative session:

- ❖ You can reach any member of the Legislature by calling the legislative switchboard at 505-986-4300. You can get individual office numbers for particular legislators on the Legislature's website: nmlegis.gov.
- ❖ Legislators don't spend much time in their offices during the session, so if you call you'll probably speak to the legislator's secretary/assistant and leave a message.
 - ◆ Give your name and phone number, and your e-mail or mailing address if appropriate.
 - ◆ Leave a short and concise message for the legislator. If you want him/her to support or oppose a bill or an appropriation request, give the bill number or a very brief description of the appropriation request and whether you support or oppose it.
 - ◆ If you want to leave more information, keep it very short and dictate it clearly.
 - ◆ If you want the legislator to call you back, request that specifically.
- ❖ If you are able to talk directly with the legislator, the same rules apply: be brief, concise and clear about the information you're giving the legislator and what action you are requesting that he or she take.

During the interim:

- ❖ Remember, most legislators don't have staff except during the session. You will be calling the legislator at his or her home or workplace. Don't expect the legislator's family or co-workers to know about legislative issues.
- ❖ Phone numbers for legislators in their home districts are available on the legislative website (address above).
- ❖ The tips given above for talking with the legislator or leaving a message apply here too.

Always:

- ❖ Be pleasant and non-confrontational
- ❖ If you speak with the legislator directly, thank him or her for taking the time to talk with you.
- ❖ Be as clear and concise as possible about the information you are giving the legislator and make a clear request for what you'd like him or her to do to address the issue you're talking about.

THE DISABILITY COALITION

Writing Letters to Legislators

- ❖ Keep it short – one page if possible.
- ❖ Limit your letter to just one bill or topic. Letters are usually filed separately by bill number or topic. A letter covering more than one may be filed only in one file and your input on other bills or topics might be disregarded.
- ❖ If you're writing about a specific bill, mention the bill number and give a brief description of the topic at the beginning of your letter.
 - ◆ For example, "I'm writing to ask you to support HB 123, which would clarify requirements for court-appointed guardians for persons with disabilities."
- ❖ Introduce yourself – explain who you are and why you're interested in the topic.
 - ◆ For example, "I'm the mother of a person with a developmental disability who has been on the waiting list for DD waiver services for seven years."
- ❖ Tell the legislator how the issue affects you and/or your family personally – or how it affects your community.
 - ◆ For example, "I am a person with a disability who has a permit to use accessible parking spaces. People without permits frequently use these spaces illegally, which means the spaces aren't available to me and I can't go where I need to. SB 789 would improve enforcement of accessible parking restrictions. Please support this bill."
- ❖ Give your name, address and phone number so the legislator can contact you. If you want a reply to your letter, ask for one. If you wish, invite the legislator to call you to discuss the topic. But remember that during legislative sessions, legislators are extremely busy and may not be able to respond to you.
- ❖ Thank your legislator for considering your input.
- ❖ Don't send a form letter – a personalized statement has much more impact. Use form letters as guides to help you put the material in your own words.
- ❖ During the legislative session, mail can be sent to any legislator at
State Capitol
Santa Fe, New Mexico 87501
- ❖ Home addresses to reach legislators during the interim are available on the Legislature's website: nmlegis.gov.

THE DISABILITY COALITION

Giving Testimony to a Legislative Committee During the Legislative Session

- ❖ Members of the audience can speak only when invited to do so by the chair of the committee.
- ❖ When a committee is considering a bill, there is usually an opportunity for members of the audience to speak in support of or opposition to the bill. Pay attention so you're speaking as part of the appropriate group: supporters or opponents.
- ❖ When there are many people who want to comment on a bill, the committee chairperson may limit audience comment to only a few people on each side of the issue. This means you may not have an opportunity to address the committee on the bill you're interested in. Do NOT fuss or complain about this.
- ❖ When you speak in support or opposition:
 - ◆ Give your name.
 - ◆ State briefly who you are and why you're interested in the issue. (For example, "My name is Jane Sanchez and I'm the parent of a child who is on the waiting list for Developmental Disability waiver services.")
 - ◆ Thank the committee for giving you the opportunity to speak.
 - ◆ Keep your comments SHORT and to the point. Tell the committee why this issue is important to you and how it affects you, your family, or your community.
- ❖ "Going through the chair" – The parliamentary procedure used by the New Mexico Legislature calls for all debate to be directed through the chairperson.
 - ◆ The proper way to address the committee is to first address the chair: "Mr. (or Madam) Chairman, members of the committee..."
 - ◆ Even if you're invited to respond to a question from another legislator, the response technically goes through the chair, as in "Madam Chairman, Senator Jones..."
 - ◆ The chairperson probably won't enforce this rule too strictly with members of the public, but you should be aware of it.

DISABILITY RIGHTS NEW MEXICO

Disability Rights New Mexico (DRNM) is a private, non-profit organization whose mission is to protect, promote and expand the legal and civil rights of persons with disabilities. DRNM is the designated Protection and Advocacy agency for the state of New Mexico, with authority under federal law to monitor service-providing agencies, investigate alleged abuse or neglect of persons with disabilities, and to pursue administrative, legal and other remedies to protect the rights of persons with disabilities.

DRNM's mission reflects a belief that persons with disabilities are entitled to be treated with dignity and respect, free from abuse, neglect, exploitation and discrimination; and a belief that they are entitled to equal rights and to equally effective access to the same opportunities as are afforded to other members of society. This mission is intended to promote the independence, productivity, and full community inclusion of persons with disabilities; to promote consumer choice and consumer control of individual services; and to promote self-help through knowledge and self-advocacy skills.

DRNM SERVICES

Information/Referral: We can answer questions about the legal rights of persons with disabilities, and services they may be entitled to. We can also explain where to apply for disability services or how to get more information.

Client Advocacy: People with disabilities may be denied services or discriminated against; their rights may be violated; they may be subject to abuse or neglect. We can negotiate on an individual's behalf to resolve these problems, or support their own self-advocacy efforts. In some cases, we can represent persons with disabilities in a hearing or in court.

Policy/Systemic Advocacy: Some problems affect large numbers of people with disabilities, and can best be resolved through changes in funding, policies, regulations, or law. DRNM works with state agencies and the state legislature, or takes legal action, to improve and expand disability services or legal rights.

Training: We provide workshops and presentations on legal rights issues, and on how to obtain benefits or services. Handbooks and other materials on a variety of disability issues are available upon request.

Disability Rights New Mexico
3916 Juan Tabo Blvd. NE
Albuquerque, NM 87111
(505) 256-3100 or state-wide toll-free (800) 432-4682
On the web at www.drn.org
Email: info@drnm.org

THE DISABILITY COALITION

What is the Coalition?

The Disability Coalition is a cross-disability coalition of individuals with disabilities, family members and advocates, along with organizations and agencies that represent and advocate for the needs and interests of persons with disabilities. Although agencies and organizations that provide direct services often share common interests, the Coalition intentionally reflects only the perspective of persons with disabilities.

Purpose and Focus of the Coalition

The purpose of the Coalition is to promote a collaborative and coordinated approach to public policy issues affecting persons with disabilities, with particular emphasis on Medicaid programs that provide community-based supports and services, including long-term services through Centennial Care and the Developmental Disabilities waiver program. This allows Coalition participants with a common interest and perspective to communicate a consistent message to policy-makers. However, the Coalition's efforts do not and are not intended to replace or override any separate or additional efforts by members of the Coalition.

Efforts of the Coalition are coordinated through a Steering Committee representing organizations and agencies with past experience and an on-going component of public policy work, including legislative and administrative liaison activities related to Medicaid-funded disability programs.

Sponsored Events

The Disability Coalition sponsors or coordinates training and action-oriented events, including a pre-legislative-session forum held each January before the regular legislative session to provide information about disability-related issues to be addressed in the Legislature and training on legislative process and advocacy, and a gathering at the Capitol during the session. These events, known collectively as Disability Rights Awareness Days, will be held this year on January 17-18 and 23, 2020.

Communication and Outreach

The Coalition provides information regarding Medicaid programs and other issues of importance to the disability community, and developments in policy or practice in these programs and plans or recommendations that would affect them.

The Coalition advises its participants and others of opportunities to influence public policy related to Medicaid programs or other critical issues affecting persons with disabilities, and encourages input and testimony that reflects the "consumer" perspective on such matters. The Coalition encourages the dissemination of such information throughout all parts of the disability community.

Public Policy Work

The Coalition attempts to influence public policy by developing educational materials, analyzing legislative or administrative proposals, developing its own proposals, and educating policy-makers with respect to current programs as well as options or proposals being considered. This may be done through Coalition participants as well as Coalition staff.

Administration and Funding

The Coalition is administered by Disability Rights New Mexico (DRNM) and funded through a grant from the Developmental Disabilities Planning Council with matching funds provided by DRNM and additional funding provided by The Arc of NM, the Independent Living Resource Center, and New Vistas. In 2020, the Governor's Commission on Disability is also supporting Disability Rights Awareness Days.

THE DISABILITY COALITION

Steering Committee organizations and staff

The Arc of New Mexico (Veronica Chavez-Neuman, Pam Stafford)
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Developmental Disabilities Planning Council (Alice Liu McCoy)
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Disability Rights New Mexico (Gary Housepian, Jim Jackson)
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New Vistas (Sarah Michaud)
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Advisory Member

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