The 2017-2018 legislature represented a new page for conservation issues in the New Mexico legislature. Worries about losing a conservation champion in Senate Majority Leader Michael Sanchez were allayed by the ascension of conservation champion Senator Peter Wirth to the Majority Leader post. In the House of Representatives, Santa Fe Representative Brian Egolf took over as Speaker of the House. This legislature represented a new high water mark for pro-conservation leadership, and its ability to support the conservation community to both stop anti-conservation bills and advance pro-conservation legislation.

2017 was an exploratory year for introducing proactive legislation from CVNM and the environmental community. With the House led by conservation champion Representative Brian Egolf, proactive conservation legislation was back on the table, with the solar tax credits, community solar, and Renewable Portfolio Standards bills making appearances. While those legislative pieces weren't successfully signed into law, real progress was made on educating legislators on those issues.

The 2018 legislative session had all the hallmarks of a sleepy short budget session going in. There appeared to be an agreement on the budget, and nobody was particularly eager to take on significant or complex legislation going into an election season. That all changed in mid-December when the Public Service Company of New Mexico (PNM) introduced legislation designed to release them from their investment in the San Juan Generating Station, a large coal-fired power plant outside of Farmington.

This legislation catapulted CVNM to the middle of the most contentious bill of the legislative session. Traditionally, PNM has attempted to leverage huge lobbying resources in the State Capitol to push their priorities through. Their legislative strategy had been to simply out-muscle opponents by surrounding legislators and decision-makers with a deluge of industry voices repeating the same message. What was remarkable about 2018 is that not only were we invited to the table to work with PNM on improvements to the bill, but when those negotiations didn't yield enough progress, we were able to stand together as an environmental community to make sure that an incomplete version of the legislation didn't get through.

This session represents a new level of success for our work in the Capitol – the environmental lobby won't be bullied or out-muscled. Together with our conservation champions, we've proven that we can stop even the best-resourced anti-conservation measures in their tracks. Read more about PNM’s San Juan Coal Plant bill in our 2018 Issue Spotlight on page 7 in this Scorecard.

In 2019, with the possibility of a pro-conservation Governor at the helm, the opportunities to move New Mexico forward will be significant. We've got our sights set on ambitious legislation dealing with increasing New Mexico’s investment in clean energy like wind and solar and advancing protections for clean air, clean water, and our vibrant New Mexico communities. Please use the Scorecard to make sure you know who your legislator is, how they're performing on conservation issues and to ensure that they know how they're doing representing you.
Join Conservation Voters New Mexico today!

We take on tough fights to protect New Mexico, but these efforts in the State Capitol and around the state require financial resources. We can only win when we work together. Please join other New Mexicans in becoming a Conservation Voter today! Membership is easy; just submit the enclosed envelope with your membership contribution or join online at www.CVNM.org and click “Donate.”

Communicate with the Governor and your Legislators

Whether you’re congratulating your legislators on their score or expressing your disappointment, be direct, courteous and polite.

Calling your legislator directly and sending letters through regular mail remain by far the most effective ways to communicate with your legislators.

The Governor and Lieutenant Governor can always be contacted at the State Capitol. Except during the legislative session, state legislators should be contacted in their home districts, as listed on pages 18 and 19.

CVNM Cycle of Accountability

Conservation Goals for the Legislature are Evaluated and Prioritized

Conservation policy goals are communicated to legislators

Lobbying and Grassroots Mobilization

Endorsement of Pro-Conservation Candidates

Legislative Results Communicated to the Public through the Scorecard

ELECTION

Public elects or rejects candidates

LEGISLATIVE SESSION

Legislature enacts or rejects conservation agenda

Campaign Assistance and Grassroots Mobilization

stories & themes

3 Legislation to address the Carlsbad Brine Well sinkhole came up again during both the 2017 and 2018 legislative sessions. The Carlsbad Brine Well is an abandoned salt cavern created by an oil and gas company on the verge of collapsing in the city of Carlsbad. The company that created the sinkhole went bankrupt before cleaning up their mess (but not before they were able to donate $20,000 to Gov. Susana Martinez’s campaign coffers from 2010-2014). The measures sought funding across a broad scope of sources, including funds earmarked for cleaning up leaking storage tanks, capping oil and gas wells and funding water projects. While the legislature rejected these measures to raise important environmental funds, it did ultimately include funding for the cleanup needs through the general fund. While CVNM acknowledges the need for cleanup for the Carlsbad Brine Well due to the danger it represents to the residents of Carlsbad, we will continue to push the Martinez administration to hold the oil and gas industry accountable for the danger it poses to our health and safety. The company that left this mess should never have been allowed to do so without funds set aside to address issues like the brine well.

• Another year, another strong message from the legislature that tax credits for solar energy installations are important for New Mexicans. Senate Bill 79 would have reinstated the solar tax credit that expired in 2016, making solar more accessible for more New Mexican families. Despite passing with strong support in both the House and Senate in the 2018 legislative session, the tax credits were pocket vetoed by Governor Susana Martinez for the second time in four years, showing that she is out of step with the values of New Mexicans. Gov. Martinez talks a lot about jobs, but when presented with an opportunity to support one of the fastest growing, job-creating industries in the state, she chose to put the private profits of campaign contributors in the oil and gas industry who see solar as a threat to their bottom line over the children to breathe.

• After the 2017 session, Governor Martinez vetoed 10 bills. Her vetoes included bills CVNM supported - House Bill 144/Senate Bill 6 - that legalizes industrial hemp and establishes a research program to study it. In vetoing these bills, the Governor failed to include messages articulating her rationale for the vetoes, violating the New Mexico Constitution. In April, the New Mexico Supreme Court issued a final judgment that the vetoes were invalid, and the bills became law. In juridical hemp is a versatile, fast-growing and drought-resistant crop that requires little pesticides or herbicides, and would serve to diversify New Mexico farmers’ cash crops.

• In the 2018 session, CVNM introduced two legislative memorials asking the Governor to allocate some of New Mexico’s Volkswagen cheating scandal settlement funds to begin electrifying school bus fleets in New Mexico and expand electric vehicle charging infrastructure. The state is receiving these funds as a part of the court settlement against Volkswagen after they were caught falsifying diesel emissions testing for their vehicles. Neither memorial passed the House or Senate, as oil and gas interests tend to see electric vehicles as an existential threat and worked hard to kill the non-binding memorials.

The 2017 Renewable Portfolio Standard

During the 2017 legislative session, one of the most ambitious clean energy proposals that the state of New Mexico has ever seen was introduced. The Renewable Portfolio Standard (RPS) is a requirement that for-profit, investor-owned utilities (IOUs) like PNM, as well as rural distribution co-ops, provide a certain percentage of electricity to consumers from clean energy sources like wind and solar. Currently the state is on track to require IOUs to deliver 20% of energy to customers from clean sources by the year 2020.

CVNM staff, along with staff from Environment New Mexico and 350.org, worked with Senator Mimi Stewart to draft the Clean Energy Jobs Act that would increase the wind and solar standard to 80% by the year 2040. This timeline would result in a steady increase in the amount of solar and wind energy produced in the state, and a corresponding increase in the jobs that the clean energy industry in the state supports. In the solar industry alone, New Mexico added over 1,000 jobs just in 2016. Modeling from the Union of Concerned Scientists indicates that increasing the wind and solar standard this way can result in as much as $6 billion dollars in private capital investment in the state. As the costs of clean energy continue to plummet, an ambitious wind and solar standard is a proven method of ensuring that power bills get smaller over time and that the price of electricity remains more consistent.

The bill was introduced in the Senate and referred to both the Senate Conservation Committee and the Senate Corporations Committee. The Clean Energy Jobs Act, Senate Bill 312, had its first committee hearing in the Senate Conservation Committee on February 28th. New Mexicans who support our state using more clean energy like wind and solar filled the room. With overwhelming support from the public and committee members, the bill passed on a 6-3 party line vote.

From Senate Conservation, the Clean Energy Jobs Act moved to the Senate Corporations Committee chaired by Senator Clemente Sanchez. Unlike in Senate Conservation, advocates needed to press Chair Sanchez to schedule the bill at all in order for it to continue moving. The bill was eventually scheduled for action in the Corporations Committee, and once again the committee convened in front of a room packed full of advocates there in support. As the bill was presented and Senator Stewart opened the floor for questions, it slowly became clear that one Senator in particular was struggling to understand the basics of the bill and even the science behind it: Senator Sanchez. His comments on the importance of clean energy to address climate change! "It will all turn again, and we’ll start getting the rains in the regular cycles like we always do." A sitting state senator in charge of a committee seemed to lack a basic understanding of the effects that climate change is having on the planet, and on our state. A year later, and we’re still not getting the rains. Fires are burning hotter and earlier in northern New Mexico, and the Rio Grande is running dry as early as it ever has. It’s past time to get our transition to clean energy into high gear.

Unfortunately, Chairman Sanchez and Senator Mary Kay Papen joined anti-conservation legislators on the committee to vote down the bill, going against a vast majority of New Mexicans that support increased investments in clean energy.

The Clean Energy Jobs Act was the first salvo in moving New Mexico to the forefront as a clean energy leader. Clean energy like wind and solar is a win-win for New Mexico because it plays to our strengths and puts New Mexicans first by creating homegrown jobs. We need our decision-makers to put politics aside and support emerging sectors, such as clean energy, that have proven successful in job creation and economic development. It will take changes of heart for legislators like Senator Sanchez, and a change in the Governor’s office. This bill is a priority for the 2019 legislative session, and we’re confident that we’ll get it passed with the help of Conservation Voters like you.

I n December 2017 and January 2018, CVNM was part of an intense negotiation of a PNM-backed bill on the closure of San Juan Generating Station, the coal-fired power plant near Farmington, New Mexico. This piece of legislation (Senate Bill 47) became one of the most contentious and well-covered bills of the legislative session. But the full story of this debate hasn’t been fully told, and – spoiler alert – it’s mostly good news. The negotiations didn’t quite get to the finish line, but we made enormous progress to build on for the coming year.

As context, San Juan Generating Station must and will close in the coming years. PNM – the majority owner – has already set a deadline of 2022 for the plant’s closure. The economic reality for PNM is that, like most of the coal plants in the country, coal is no longer the cheapest or most reliable source of energy. Coal power plants are also New Mexico’s largest sources of air and climate-changing pollution. But the closure of San Juan Generating Station can wreak havoc on local economies and families, particularly those families who work at the generating station and the nearby mine. Any consideration of closure must take into account the well-being of these families; the economic vitality of San Juan County, the City of Farmington, the Navajo Nation, and neighboring jurisdictions; and the tax base of the school district and local governments.

The original bill PNM backed was silent on the economic impact to the Four Corners area. CVNM and environmental coalition allies insisted on an investment for economic development in Farmington and surrounding communities, as well as a commitment that replacement energy would be clean and competitively bid so that ratepayers get the lowest rates for their electricity.

To its credit, PNM largely came to agree. The negotiations revealed a growing reason for hope that New Mexico is poised to make tremendous gains in the shift from coal to clean energy, while also helping the most affected communities begin the process of diversifying their economies. In short, our negotiations brought about a broad consensus among legislative leadership, community organizations, environmental groups and the state’s largest utility that it is time to jump-start New Mexico’s clean energy economy, bring new jobs and diversify the economies of parts of our state that have been heavily reliant upon extractive industries.

Unfortunately, within the short, 30-day session, there were several issues which could not be resolved to the satisfaction of lawmakers and the environmental community, such as who would own replacement power and where the line should be drawn between the role of the State Legislature and that of the Public Regulation Commission in setting policy. We are nevertheless confident and hopeful that we can continue working toward resolution of these remaining matters.

Noah Long
CVNM Board President
HB 2: Independent Redistricting Commission, CA (Trujillo/Dooley) This bill would have created an independent redistricting commission to develop redistricting plans for state and congressional offices, reducing the impact of gerrymandering.

HB 7: State Ethics Commission, CA (Dwayne/Stenbro/Steinborn/McCamley/Eighty) This bill would have created an independent ethics commission authorized to investigate, issue opinions, and administer the laws governing standards of conduct of members of the legislative and executive branch, employees, contractors and lobbyists. HB 19 passed the House (64-0) and the Senate (39-9). It was killed in the House at the request of the voters in the general election in November 2018.

**SR 16: Appointed Three-Member PCR, CA (Chatteron) SR 16 would have amended the constitution to provide for a three member board of Public Regulation Commission (PCR) to be appointed by the governor. This would have overtly politicized the make-up of the PCR. SR 16 died in the Senate Rules Committee.

**HB 62/63: Tax Credit for Renewable Energy (Marra/Steinborn/Garcia/McClure) These bills would have reinitiated and extended the tax credit for residential and commercial solar generation.

HB 254: Game Commission Legislative Appointments (Taylor) HB 254 would have revised the membership of the Game Commission. It was an emergency measure and Senate Rules Committee. HB 254 was combined with HB 31, SB 41 and died in the Senate Corporations and Transportation Committee.

**SB 157: State Game Commission Mission & Purpose (McQueen) This bill would have clarified the mission and purpose of the State Game Commission.

**SB 81: Wildlife Trafficking Act (Stewart/Chasey) SB 81 passed the Senate (27-12) and was combined with SB 154 and HB 280, passed the House. HB 472 would have prohibited the import and sale of firewood from countries where members of the Game Commission are present.

**SB 107: State Steam Comments Membership (Wirth) This bill would have changed the composition of the State Steam Comments Commission to allow the representatives appointed by the commission’s actions and help remove political bias. SB 107 did not pass in the Senate Agriculture and Water Resources Committee.

**SB 265: Investor-Owned Utility Procurement Process (Steinborn/Monroe) SB 265 would have required utilities to engage in an organized or sponsored competition with the objective of killing coyotes for prizes or penalties. SB 265 died in the House Senate Committee.

**SB 307: NM Wildlife Protection & Public Safety Act (Trujillo/Wright) SB 307 would have prohibited the discharge of any weapon or munition in the use or trespass on private property and land.

**SB 81: Wildlife Trafficking Act (Stewart/Chasey) SB 81 passed the Senate (27-12) and was combined with HB 154 and HB 280, passed the House. HB 472 would have prohibited the import and sale of firewood from countries where members of the Game Commission are present.

**HB 109: Wild Animal Bills & Attack Procedures (Garcia Richard) HB 109 defined procedures for handling wild animals that have bitten or attacked HB 210 died in the Senate Judiciary Committee.

HB 39: Tax Credit for Low Income Households (Rubio) HB 39 died in the Senate Environment and Natural Resources Committee.

**HB 406: Inter-Basin Water Right Transfer Requirements (Trujillo) HB 406 died in the Senate Environment and Natural Resources Committee.

**SB 80: State Agency Post-Contract Audits (Rue/L. Trujillo) SB 80 died in the Senate Environment and Natural Resources Committee.

**SB 144: Utility Acceptance of Gov’t Renewable (L. Trujillo/Schuster) SB 144 died in the Senate Environment and Natural Resources Committee.

**SB 407: Defense of Foodborne Animals (Steinborn/Cotterman) SB 407 would have prohibited the disbursement of funds to organizations that conduct or support research for the purpose of cruelty to or abuse of food animals.
restrictions on changing public lands from state to federal jurisdiction, thereby restricting the federal government’s designation of national monuments.

**SB 364** died in the Senate Judiciary Committee. **SB 375**: Royalty Rates on State Trust Lands (Morales) This bill would have granted the commissioner of public lands the authority to increase the royalty rate and its point of sale from $0.50 per barrel of oil and $0.25 per cubic foot of gas, to $1 per barrel of oil and $0.50 per cubic foot of gas. **SB 413** died in the Senate Corporations and Transportation Committee. **SB 431**: Oil of Gas Reclamation Fund (Morales) SB 431 would have required approval of water rights by the State Engineer prior to the use of the water for right. This bill would have lessened the overabundance of water rights. **SB 435**: No Use of Water Rights Before Approval (Martinez) SB 435 would have required approval of water rights by the State Engineer prior to the use of the right. This bill was drafted too broadly and may have prevented use of eminent domain by Renewable Energy Transmission Authority (RETA) to facilitate construction of renewable energy transmission lines. **SB 452**: Ambitious Renewable Energy Targets (Martinez) SB 452 would have required approval of water rights by the State Engineer prior to the use of the right. This bill would have lessened the overabundance of water rights. **SB 475**: Do Not Blow Your Own Horn (Alcon) SB 475 would have required approval of water rights by the State Engineer prior to the use of the right. This bill would have lessened the overabundance of water rights.

**2018 Vote Descriptions**

**JLM 6**: Water Settlement Funds for Electric School Buses (Bernalillo Caballeros; Lopes) JLM 6 was a joint memorial that requested that the State’s $8 million Volkswagen settlement funds be used to acquire electric school buses, as diesel school bus emissions negatively affect the health of children and communities. JLM 6 died in the House Energy, Environment and Natural Resources Committee.

**HB 77**: Energy Storage System Tax Credits (Sarlatina) HB 77 would have established a tax credit for consumers and for businesses who installed a storage system for electricity generated by renewable resources. The bill established a cap for the amount of the tax credit, the aggregate amount of tax credits per year, and would have expired at the end of 2023. **HB 78**: Energy Storage System Tax Credits (Sarlatina) HB 78 proposes changing elections to softmax so that local elections occur at the same time as general elections. Having all elections scheduled together would most likely result in higher turnout for local elections, resulting in more accurate representation of voters’ support for conservation issues. HB 78 passed the House 51-10 and passed the Senate 25-15. The bill was signed by the Governor on March 7, 2018.

**HB 122/ SB 70**: NM Unit Water Fund Projects (Martinez; McCamley; Morales) HB 122/ SB 70 would have made amendments to the New Mexico Unit Fund to provide for a unit stream commission for shovel-ready water projects in southwest New Mexico that were alternatives to a GLA River diversion. HB 122 died in the House Agriculture and Water Resources Committee. SB 70 died in the Senate Finance Committee.

**HB 167**: Agriculture & Vegetable Seed Law Prevention (Ruidoso/New Mexico) HB 167 would have prohibited local governments from creating and enforcing ordinances affecting agricultural or vegetable seeds (state preemption). This would have removed local control of agricultural products and interfered with culturally significant agricultural practices. HB 167 died in the House State Government, Indian and Veteran’s Affairs’ Committee.

**HB 220**: Reduce Various Coal Taxes (Strickler/Akon; Garcia) HB 220 would have allowed a deduction on the gross receipts tax on coal and lowered the severance tax on the extraction of coal until 2021. This would have provided dirty energy profits without addressing the impending economic and employment impacts of coal plant closures, all at the expense of taxpayers. HB 220 died in the House Energy, Environment and Natural Resources Committee.

About the Scorecard

Conservation Voters New Mexico’s 2017-2018 Conservation Scorecard provides objective, non-partisan information about the conservation voting records of all members of the 51st Legislature of the State of New Mexico. Scorecards are a clear and comprehensive way to help you see how you are being represented for issues that matter to you.

**Vote Selection**

Each vote was selected solely on the basis of the conservation values embodied in the legislation. In preparing this Scorecard, we sought input from legislative and conservation leaders; however, responsibility for the final set of selected votes rests entirely with Conservation Voters New Mexico (CVNM). Thousands of votes are taken during a legislative session in New Mexico. Many of these votes represent overwhelming agreement on non-controversial issues or amendments. To provide better insight into the various positions of our legislators, CVNM tends to select measures that illustrate the key debates and fierce disagreement over conservation policy in the state. CVNM selected the most critical votes on each issue. In some cases, a vote on an amendment to a bill or a procedural motion was more important than voting on the bill itself. In others, a procedural motion is the only public indication of a legislator’s position on a measure. In all cases, the actual vote included in the Scorecard is detailed in the vote description. We encourage you to read the descriptions of each vote to determine how well your legislators represented you on the issues and bills that are most important to you.

**CVNM Priority Votes**

Let’s face it: not all votes are equal. Some votes are more critical than others, either because of the issues at stake or the personal courage required of legislators who take the pro-conservation position. Here, we try to represent the most critical measures by classifying them as “priority votes,” with this symbol: 🟢. The value of these priority votes is doubled in the Scorecard.

**Recording the Votes**

If a legislator voted in support of the pro-conservation position, his or her vote is recorded on the chart as a check mark; votes against the conservation position are indicated with an “x”. If a legislator was excused from voting, this is noted by an “e”, and the vote does not count positively or negatively towards their final score. If a legislator was not excused from voting but chose not to vote, they are recorded as “absent”, shown as “a”. An absence counts against a legislator in the calculation of their score. If a legislator chooses to reburse themselves from the vote, this is noted by a “r”, and the vote does not count positively or negatively towards their final score.

Wherever possible, the votes included in the Scorecard were taken on the floor of the House or Senate, where every legislator’s position can be represented. However, some of the most important actions are taken in legislative committees on measures that never reach the floor. In these cases, CVNM has presented the relevant committee votes, and the positions of legislators who do not serve on those particular committees are not indicated.

If the sponsor of a measure does not serve on a committee for which a vote is being scored, their sponsorship is considered representative of their position, and is recorded with a check mark or “x”, as appropriate. If a legislator was excused from the vote included in the Scorecard, but previously cast a vote on the measure—in committee, for example—their prior position is recorded in the Scorecard, as long as the vote is substantially the same.
Each of the following legislators earned a 100% score in the 2017-2018 Conservation Scorecard. We applaud their commitment to protecting the air we breathe, the water we drink and the land where we live and play.

Senate:
- Bill B. O’Neill
- Gerald Ortiz y Pino
- John Pinto
- Jeff Steinborn
- Peter Wirth
## House 100% Champions

Each of the following legislators earned a 100% score in the 2017-2018 Conservation Scorecard. We applaud their commitment to protecting the air we breathe, the water we drink and the land where we live and play!

### House:
- Deborah A. Armstrong
- Gail Chasey
- Brian F. Egolf
- Joanne J. Ferrary
- Georgene Louis
- Antonio “Moe” Maestas
- Javier Martinez
- Rodolfo “Rudy” S. Martinez
- Bill McCamley
- G. Andrés Romero
- Angelica Rubio
- Nick L. Salazar
- Tomás E. Salazar
- Debra M. Sariñana
- Nathan P. Small
- Elizabeth “Liz” Thomson
- Christine Trujillo
- Jim R. Trujillo
- Linda M. Trujillo
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During legislative sessions (January to March in odd-numbered years; January and February in even-numbered years), your state senators and representatives can be contacted through their home districts.
Our vision is for New Mexicans to thrive in just, resilient communities where our conservation and cultural values guide our decision-makers and public policies.

Our mission is to connect the people of New Mexico to their political power to protect our air, land and water for a healthy Land of Enchantment. We do this by mobilizing voters, winning elections, holding elected officials accountable and advancing responsible public policies.

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