

**New Mexico & Los Alamos**

# **VOTERS GUIDE 2012**

**Featuring Voting Information,  
Statewide Candidates, Local Candidates,  
County Charter Amendments,  
Proposed Constitutional Amendments,  
and General Obligation Bonds**



**The League of Women Voters of Los Alamos is grateful to the following business and community contributors who made this publication possible:**

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Prepared By



**Los Alamos**

# Voters Guide to the 2012 General Election

*Prepared by the League of Women Voters of Los Alamos and the  
League of Women Voters of New Mexico*

The League of Women Voters, a non-partisan political organization, encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy.

As a non-partisan organization, the League does not support, oppose, or make recommendations regarding any political party or candidate.

## Vote Centers

Los Alamos has switched to using Vote Centers instead of precinct polling places. Any voter registered in Los Alamos County may vote at any of the three Vote Centers on election day. There will be numerous voting stations and voting machine tabulators to accommodate the Election Day voters. The three Vote Centers are:

LA Community Building, 475 20th Street, townsite  
White Rock Fire Station #3, 129 State Road 4, White Rock  
Trinity on the Hill Episcopal Church, 3900 Trinity Drive, (Kelly Hall), townsite

## Essential Dates

**October 9, 2012:** Voter registration closes. Applications must be received by 5pm in the County Clerk's office, 2451 Central Ave., Suite D (westernmost portable building).

**October 9 - November 2, 2012:** In-person and by mail absentee voting at the County Clerk's office during regular business hours (Monday through Friday, 8am to 5pm).

**October 20, 2012:** Early voting begins at LA Community Building & WR Fire Station. Date & Times for both locations:

Saturday 10/20, 10/27 & 11/3 – 10 am to 6 pm  
Tuesday thru Friday 10/23-10/26 – 10 am to 6 pm  
Tuesday thru Friday 10/30 – 11/2 – 10 am to 6 pm

**November 2, 2012:** Last day the County Clerk can mail an absentee ballot.

**November 3, 2012:** Absentee/Early voting ends at all locations.

**November 6, 2012:** General Election Day. Vote Centers are open 7 am to 7 pm. Absentee ballots must be delivered to the County Clerk by 7 pm.

## Voting Information

You must be registered by October 9 in order to vote in this election. If you have moved or changed your address or your party affiliation, you should re-register to vote. The County Clerk's office is located in Suite D at 2451 Central Ave., 505-662-8010. Application may be made in person or by mail.

For mail-in registration only, if the applicant is registering for the first time in New Mexico, he or she must submit a copy of one of the following types of identification showing both the name and the NM address of the applicant:

- a current and valid photo ID such as a driver's license (*note that the DMV can issue similar IDs to non-drivers*)
- a utility bill
- a bank statement
- a government check, paycheck or other government document.

No identification is required if a voter is merely changing his registration (name, address and/or party affiliation) within the state of New Mexico.

At the Vote Center, you will be asked for your name, address as registered, and year of birth. If you cannot provide this information orally, or if you registered by mail, you will

be asked for one of the above forms of identification. With the exceptions noted above, no physical voter identification is required at the poll.

Sample ballots will be available at the County Clerk's office or online at [www.losalamosnm.us](http://www.losalamosnm.us) (click on "General Election"). Voters may no longer vote for a straight party ticket.

Since electioneering within 100 feet of polling places is prohibited, and since displaying buttons, t-shirts, hats, or other such items is considered electioneering, voters are reminded not to display these items when voting at any early voting site or Vote Center.

## Information Online

The Voters' Guide 2012 is available at [www.lwvlosalamos.org](http://www.lwvlosalamos.org). Additional information about congressional and state legislative candidates is available at [www.vote-smart.org](http://www.vote-smart.org).

A detailed analysis of the five Constitutional Amendments, prepared by the Legislative Council Service, may be accessed through [www.nmlegis.gov/lcs](http://www.nmlegis.gov/lcs). Click on "2012 Proposed Constitutional Amendments" at right.

The 2012 Capital Projects General Obligation Bond lists the projects to be funded by the General Obligation Bond. Details may be accessed through [www.sos.state.nm.us](http://www.sos.state.nm.us). Click on "Voter Information", then "Voting", then "Ballot Bond Questions". Choose either the English or the Spanish detailed version.

Detailed information about the four ballot questions concerning the Los Alamos County Charter Amendments is available on the Los Alamos County website at [www.losalamosnm.us](http://www.losalamosnm.us). Click on "Election Information".

Vote Center locations for Los Alamos are available at [www.losalamosnm.us](http://www.losalamosnm.us). Click on "Election Information", then "Polling Places". Maps of legislative districts are available at the NM Legislature website: [www.nmlegis.gov/lcs/districts.aspx](http://www.nmlegis.gov/lcs/districts.aspx). A map of the PRC districts is available at the Public Regulation Commission website: [www.nmprc.state.nm.us/districtmap.htm](http://www.nmprc.state.nm.us/districtmap.htm).

## Candidates' Responses to Questions from the League of Women Voters

The League of Women Voters of New Mexico and the League of Women Voters of Los Alamos sent questionnaires to most of the candidates for the 2012 General Election. Candidates in uncontested races were not surveyed, but the names and parties of all candidates who will appear on the ballot are listed in the guide.

Because of space restrictions, the League advised the candidates of the word limits on responses. If any answer exceeded the stated limit, we indicate the extra words with ellipses. The responses of candidates are printed exactly as received by the League. We have in no way edited for meaning, grammar, punctuation, or spelling. The League assumes no responsibility for the content of any candidate's reply.

Candidates are listed in ballot order, which was determined by lot on September 5, 2012. The result of this drawing for position on the ballot is that Democratic candidates will be listed before Republican candidates.

## Thanks

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The Los Alamos County Clerk's office, the Secretary of State's office, and the Legislative Council Services provided helpful information.

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# United States Senate

Two United States Senators are elected to six-year staggered terms by the entire state. The United States Senate has 100 members. One New Mexico Senate seat is up for election this year.



## Martin T. Heinrich

(Democrat)

### 1. Describe your specific experience and abilities that prepare you for the office of United States Senator.

As the son of an electrician and a factory worker, I am a committed advocate for New Mexico's middle class families. I am one of only a handful of members of Congress with a background in science and technology and bring a unique perspective to create good, sustainable jobs in growing industries like clean energy and biotechnology.

### 2. What should the federal government do to strengthen the national economy and create jobs?

The federal government needs trade and tax policies that put the US and every other country on a level playing field. Right now, countries like China have a huge advantage because of their low wages and terrible working conditions. I have fought bad trade deals that send our jobs overseas and will work to close tax loopholes for US companies that outsource American jobs, while providing incentives for companies to return to the US.

### 3. What, if anything, should the federal government do to improve affordability and access to quality health care?

I have consistently fought to protect the benefits our seniors have earned from constant attacks by those who would rather give tax breaks to the super-rich and big corporations than keep this country's promises to our parents and grandparents. We can and must reduce our deficit – but I will never agree to do so on the backs of New Mexico's seniors.

### 4. What should the federal government do to slow climate change?

I have always fought to make our country energy independent. In Congress, I introduced the Clean Energy Promotion Act, bipartisan legislation to promote renewable energy projects on public lands. I also voted for the American Clean Energy and Security Act of 2009. New Mexico, with its abundant wind and solar resources, can and should be the epicenter of the clean energy economy and I am committed to make that belief a reality.



## Heather A. Wilson

(Republican)

### 1. Describe your specific experience and abilities that prepare you for the office of United States Senator.

My record of service started when I enrolled at the U.S. Air Force Academy. As an Air Force officer, I served on the U.S. mission to NATO and later worked in the White House under the first President Bush. In 1995, I became cabinet secretary of New Mexico's Children, Youth and Families Department where we led efforts to reform welfare laws and improve early childhood education. I also served in the Congress for 10

years.

### 2. What should the federal government do to strengthen the national economy and create jobs?

There is nothing more important in America right now than creating jobs and growing the economy. That means low taxes, a moratorium on job-killing regulations, an all-of-the-above energy strategy and government reform that will control the unsustainable growth in government spending. We also need a balanced long-term energy policy that makes America more energy independent and keeps costs of energy down so that we can attract business and create jobs.

### 3. What, if anything, should the federal government do to improve affordability and access to quality health care?

The health care act was a mistake. It should be repealed and replaced. It drives up health insurance costs, cuts Medicare, increases taxes and could devastate rural healthcare. I will continue my work to improve the health status of low income Americans and quality of patient care. We must allow doctors and patients to make decisions about care, make healthcare more affordable, pass medical liability reform, and continue to lead the world in healthcare research.

### 4. What should the federal government do to slow climate change?

The earth has been in a period of warming for the last 11,900 years, since the last ice age. The question is how much of warming in recent centuries is due to human activity and what, if anything, can and should be done about it. We must improve the science to reduce the high level of uncertainty that exists in our models and increase the amount of data from which to draw conclusions.



## Jon Ross Barrie

(Independent American Party)

### 1. Describe your specific experience and abilities that prepare you for the office of United States Senator.

I am a USAF Vietnam Veteran. My experience has been in aviation and alternative health (Homeopathic Practitioner.) I managed large budgets and kept costs under control. My employment with the Federal Aviation Administration has given me the experience and awareness of government involvement in the private sector. I will not continue the present practice of taxing, spending and overregulating our nation. I will donate ½ of my salary to children with disabilities in New Mexico.

### 2. What should the federal government do to strengthen the national economy and create jobs?

Our citizens are being overtaxed and overregulated. The nation must return to a free market society. The federal government has to be reduced to its' constitutional limits and then prosperity will increase. WE the people can create jobs without government interference. The government is not the answer. Ask any business owner and they will tell you two things: reduce taxes and eliminate burdensome, unnecessary regulations. That alone will create jobs and strengthen the economy!!

### 3. What, if anything, should the federal government do to improve affordability and access to quality health care?

The federal government should not be in the health care

business. Their huge tax program is not the answer. The free market can and will provide affordable access to quality health care. This is a compassionate nation and the states and individuals will develop alternatives for low income and those in need. If we de-regulate and lower taxes our health care system will enjoy immediate benefits to us all.

### 4. What should the federal government do to slow climate change?

My research into this issue has revealed that there are no definitive human causes of climate change of any significance. The majority of reputable scientists have concluded that man-caused global warming is not an issue.



## Robert L. Anderson - Write-in Candidate

(Independent – No Party Affiliation)

### 1. Describe your specific experience and abilities that prepare you for the office of United States Representative/Senator.

Have been a professor of political science and other liberal arts fields for nearly 20 years now. Obtained a PhD from UNM. Lived in New Mexico for 40 years. Served in the Air Force during the Vietnam War, saw combat, honorably discharged. Am a client of the Veterans Administration medical services. Worked as a steelworker. Ran a community center for 8 years working with low income and unemployed. Worked for peace and justice campaigns for many . . .

### 2. What should the federal government do to strengthen the national economy and create jobs?

Abandon trickle down economics and implement a progressive tax structure (tax the rich, not workers), close corporate tax shelters and loop holes, roll back the outrageous military budget and put that savings towards investment in our state's education, health environmental needs and a solar based green New Deal. Higher education should be free and home mortgage foreclosures cancelled to keep families in their homes. Support worker ownership programs and decolonize New Mexico's economy.

### 3. What, if anything, should the federal government do to improve affordability and access to quality health care?

Remove private sector insurance companies from controlling access to health care for private profit. The problem is not affordable insurance but the building of a Medicare-for -all system for the whole country. Combat veterans like me already have this through the Veterans hospital system and it could be expanded to all Americans. It is just a political will question. Funds could come by recovering the welfare given to Wall Street banks and the military-industrial complex.

### 4. What should the federal government do to slow climate change?

Stop using fossil fuels which are causing atmospheric warming from use in industry, cars and home heating. We need a crash program to go to sustainable energy sources and stop nuclear power like Japan is doing before we have a similar major disaster. A major solar, wind power, bio-fuels and other programs need to be developed immediately which should employ the under 25 age workers so we can build a new middle class.

# U.S. House of Representatives, District 3

New Mexico elects three representatives to the U.S. House of Representatives. They serve two-year terms. District 3 includes Los Alamos, Santa Fe, and most of the northern part of the state.



## Ben R. Lujan

(Democrat)

### **1. Describe your specific experience and abilities that prepare you for the office of United States House Representative.**

I was born and raised in the community of Nambe where I tended to our acequias, land, and animals. I learned the values, culture, and

traditions that make Northern New Mexico such a special place. Over the past four years I have been honored to represent Northern New Mexico in Congress, and I hope to continue my efforts to protect our land and water, strengthen our economy, and preserve Social Security and Medicare for our seniors.

### **2. What should the federal government do to strengthen the national economy and create jobs?**

The federal government must make responsible investments in innovation and education that strengthen our manufacturing sector. We need to prepare our young people with the skills and training for jobs in the science and technology fields so they can out-innovate the rest of the world. In addition, government investments in renewable energy can pave the way for a clean energy economy that creates new jobs by harnessing New Mexico's abundant renewable resources.

### **3. What, if anything, should the federal government do to improve affordability and access to quality health care?**

The Affordable Care Act took important steps that are already benefiting seniors, children, young adults, and small businesses in New Mexico. Seniors receive free preventive care through Medicare and discounts on prescription drugs. Children can no longer be discriminated against because of a pre-existing condition. Young adults can stay on their parents' plans until age 26. And small businesses are receiving tax credits to help them afford health insurance for their workers.

### **4. What should the federal government do to slow climate change?**

With more than half of the country suffering from drought conditions, we cannot wait to address climate change. Through investments in renewable energy and natural gas, we can reduce carbon emissions and our dependence on foreign oil. I have been a strong supporter of net metering, which encourages the use of renewable energy in homes and offices by allowing consumers to produce their own power through renewable sources and sell excess power to utility companies.



## Jefferson L. Byrd

(Republican)

### **1. Describe your specific experience and abilities that prepare you for the office of United States House Representative.**

I have a lifetime of experience in agriculture and the energy industry, and today run my own small business on a ranch outside of Tucumcari. We need a Congressman who understands the district

and where the jobs come from, who will stand up for New Mexicans and fight for New Mexico. I'll be a true representative for northern New Mexico who will represent real New Mexico values.

### **2. What should the federal government do to strengthen the national economy and create jobs?**

I will fight for and introduce legislation that will stimulate America's economy and get New Mexicans back to work again. I will work to implement an ambitious "New Jobs New Mexico" plan that will reduce regulations and boost private sector jobs in industries important to Northern New Mexico. Simplifying our tax code and regulatory system will go a long way to creating a climate where businesses can grow and thrive.

### **3. What, if anything, should the federal government do to improve affordability and access to quality health care?**

I would like to repeal the Affordable Healthcare Act and address each issue separately. I believe health insurance providers should be allowed to compete in order to reduce prices, much like car insurance companies do now. I believe insurance should cover those who have pre-existing conditions. I believe we need to address tort reform in order to reduce frivolous lawsuits. I believe that states should be allowed to implement their own healthcare reforms.

### **4. What should the federal government do to slow climate change?**

Being an Environmental Engineer I do not believe in the "Man Made Global Warming Theory". This theory is based in very poorly founded science. Although we have to work to protect the environment, this is not a factor of concern. Science is not a "consensus" but the facts. For those who want to read more about this I encourage them to see: <http://www.middlebury.net/op-ed/global-warming-01.html>.

Climate Change is natural occurrence.

## JUDICIAL OFFICES

Vacancies for courts in New Mexico are filled through appointment by the governor from a slate of potential nominees submitted by a judicial nominating committee. The newly appointed judge must then run in a contested, partisan election at the next general election. Thereafter, the judge runs in nonpartisan retention elections for set terms. In a partisan election, the candidate receiving the most votes will be elected. In a retention election, the justice or judge must receive a 57% "yes" vote out of all the votes cast on the question of whether the justice or judge should remain in office. The website of the Judicial Performance Evaluation Committee, [www.nmjpec.org](http://www.nmjpec.org), includes evaluations and information about retention candidates. As a nonpartisan organization, the League of Women Voters does not support, oppose, or make recommendations regarding any political party or candidate.

## Justice of the Supreme Court

The five Supreme Court justices are elected by all voters in the state and serve eight-year terms. The Supreme Court is located in Santa Fe and serves as the administrative head of the New Mexico judicial branch of government. It is the "court of last resort" for state appellate actions, regulates attorneys and judges, and has superintending control over all lower state courts. It has jurisdiction over civil cases where jurisdiction is not specifically vested in the state Court of Appeals, appeals from criminal cases imposing the death penalty or life imprisonment, appeals from decisions

of the New Mexico Public Regulation Commission, certiorari review of state Court of Appeals decisions, and cases certified to it by the state Court of Appeals or any federal court. To be eligible to hold the office of Justice of the Supreme Court, a person must be 35 years old, have practiced law for at least 10 years, and have resided in New Mexico for the last 3 years.

## Justice of the Supreme Court - Partisan



## Barbara J. Vigil

(Democrat)

### **1. What attributes and experience prepare you for service as a New Mexico Supreme Court Justice?**

As a District Court Judge for 12 years I have extensive judicial experience which is the most significant experience for service on the Supreme Court. As Chief Judge I am responsible for the oversight of court operations. My values are shaped by my experiences. Having lived a life knowing tragedy, hardship, the importance of family and hard work I understand the challenges people face.

### **2. What ethical practices are critical in keeping the judiciary independent from political influence?**

An independent, fair, and impartial judiciary is indispensable to our system of justice. The Code of Judicial Conduct governs the political activities of judges in order to maintain those principles which sustain an independent, impartial and competent judiciary. All judges including myself must obey the Code of Judicial Conduct in order to preserve these principles.

### **3. What programs and changes to improve the New Mexico Supreme Court would you like to see implemented?**

The Supreme Court along with the entire judiciary has been forced to incur significant budget decreases. Although the judiciary is an equal branch of government, its total budget is 2.5% of the entire state budget. Large cutbacks affect the administration of justice by limiting the number of new judgeships, the implementation of necessary technology needed to manage cases and to pay competitive salaries.



## Paul J. Kennedy

(Republican)

### **1. What attributes and experience prepare you for service as a New Mexico Supreme Court Justice?**

When I was appointed to the Supreme Court ten years ago, I helped clear a large backlog of cases, some of which had been pending for over a year. Additionally, I have practiced law in New Mexico for over 35 years, first serving as a public defender and then in private practice where I have focused on both civil and criminal cases.

### **2. What ethical practices are critical in keeping the judiciary independent from political influence?**

The laws of the land, of New Mexico, and of the United States, are the expressed will of the people. It is fundamental, in fact critical, that judges guard against the temptation to substitute their individual preferences for the law itself—

for what is already in our statutes—effectively overriding the judgment of all New Mexicans. A truly independent judiciary must adhere to these principles.

### **3. What programs and changes to improve the New Mexico Supreme Court would you like to see implemented?**

Courts should be more responsive to the people. Delays cost New Mexicans, and impede the cause of justice. We should adopt procedures that provide for timely resolution of cases, and because we serve the people, not the other way round, we should endeavor to publish written opinions of every decision. The people deserve to know what judges rule, as well as how and why.

## **JUDGE OF THE COURT OF APPEALS**

The ten judges on the Court of Appeals are elected by all voters in the state and serve eight-year terms. To be eligible to hold the office of Judge of the Court of Appeals, a person must be 35 years old, have practiced law for at least 10 years, and have resided in New Mexico for the last 3 years. As the intermediate appellate court between the district courts and the Supreme Court, the Court of Appeals currently reviews appeals in all cases, except criminal cases involving sentences of death or life imprisonment, appeals from the Public Regulation Commission, and cases involving habeas corpus. The judges sit in panels of three judges to decide cases.

## **JUDGE OF THE COURT OF APPEALS - PARTISAN**



### **M. Monica Zamora**

(Democrat)

#### **1. How have your training, professional experience, and interests prepared you to serve on the New Mexico Court of Appeals?**

I have served as a District Court Judge for the past seven years. As a civil trial attorney for over 18 years, I practiced throughout the State and in Federal Courts, including the Tenth Circuit Court of Appeals and the U.S. Supreme Court. My extensive experience of arguing cases as well as presiding over trials has prepared me for this position.

#### **2. What improvements are needed in the Court of Appeals and how could those improvements be implemented?**

We currently have a very good Court of Appeals bench. I would not propose improvements, but rather propose to enhance the Court of Appeals by expanding its collective experience to include juvenile justice, abuse and neglect cases and adoptions. There is no current sitting Court of Appeals judge with this experience.

#### **3. What ethical practices are critical in keeping the judiciary independent from political influence?**

Under the Code of Judicial Conduct, judges are required to establish, maintain and enforce high standards of conduct. We are also required to personally observe those standards so that the integrity and independence of the judiciary will be preserved. When we are sworn in as judges and we put on that black robe, we accept those restrictions freely and willingly. There are no exceptions.



### **J. Miles Hanisee**

(Republican)

#### **1. How have your training, professional experience, and interests prepared you to serve on the New Mexico Court of Appeals?**

My service as a Court of Appeals Judge follows seventeen years of extensive appellate practice. Having worked for three federal appeals judges, represented the United States in appellate litigation for a decade, and now been a participant in dozens of appellate rulings, I add specific experience and passion for appellate law to our ten-member court that resolves nearly 1000 cases per year.

#### **2. What improvements are needed in the Court of Appeals and how could those improvements be implemented?**

Citizens will see their access to courts suffer if funding to the Judiciary is not meaningfully increased. Our appellate and district courts operate under budgetary constraints that result in hardship to both litigants and court personnel. Adverse effects include delay in case resolution, less access to indigent services, and a decrease in the capacity to resolve disputes outside of the courtroom.

#### **3. What ethical practices are critical in keeping the judiciary independent from political influence?**

The most significant ethical dilemma preventing our judiciary from achieving political independence are elections based upon party affiliation. Appointed jurists like myself serve only after recommendation by Bi-partisan Judicial Nominating Commissions and selection by the sitting governor, regardless of party. It disserves the public that immediately afterward we are required to associate with a single political entity in order to be elected.

## **New Mexico State Senate**

There are 42 members in the N.M. Senate. All seats will be filled in the 2012 General Election. Senators are elected for four-year terms. Los Alamos is now split into two Senate Districts, neither of which is contested in the November 2012 election.



### **Richard C. Martinez,**

#### **District 5**

(Democrat)

Unopposed

Senate District 5 includes all of the Los Alamos townsites.



### **Carlos R. Cisneros,**

#### **District 6**

(Democrat)

Unopposed

Senate District 6 includes all of White Rock.

## **N.M. House of Representatives, 43rd District**

There are 70 members in the N.M. House of Representatives. The legislative sessions begin on the third Tuesday of January. In odd years, these last 60 days; in even years, 30 days. Representatives are elected for two-year terms. The 43rd District includes Los Alamos and parts of Sandoval and Santa Fe Counties.



### **Stephanie Garcia Richard**

(Democrat)

#### **1. What will your priorities be for the budget? Where should cuts be made, if necessary?**

Priorities: creating jobs to improve our economy, continued investment in education and healthcare. More must be done to protect LANL, which is absolutely crucial to every single family here. The State has cut over \$700M from the budget in the last four years and at some point, cuts become counterproductive—especially in education. Let's examine the over \$1B in tax exemptions special interests receive annually.

#### **2. What should the state legislature do to improve the economy in New Mexico and ensure job growth?**

Our policymakers must make decisions that promote job growth and support local businesses. I was surprised when my opponent voted to continue to allow out-of-state corporations to not pay taxes on the income they make in NM. This costs us millions and unfairly puts NM's business on unfair footing. I support job skills training and education, and capital to help small businesses add jobs.

#### **3. New Mexico currently ranks 42nd in high school graduation rates nationwide. What do you feel are the major problems in education in New Mexico? How can they be addressed?**

To address major problems to improve education and graduate more students, we need a comprehensive reform agenda that addresses learning challenges children face long before third grade that does not primarily focus on standardized tests. I support reducing class sizes, setting higher standards in the classroom, rewarding our top performing teachers, and an end to damaging school budget cuts and teacher layoffs.

#### **4. A great deal of New Mexico's state money comes from the oil and gas industry. How can New Mexico promote renewable energy in the face of this economic pressure?**

Economic diversification is key—and an over-reliance on any one industry sector is risky. Success in driving renewable energy means focusing on both incentives and regulation. I support all existing renewable energy incentives, including property-assessed clean energy (PACE) programs, and I will fight to continue and expand them. Additionally, we must find new markets for energy technologies developed here locally.





**James W. Hall**  
(Republican)

**1. What will your priorities be for the budget? Where should cuts be made, if necessary?**

My budget priorities are K-12 Education, health care, and rural infrastructure (roads, fire control, water systems, and wastewater systems). These areas need both funding and improved effectiveness in their operations. Cuts, if any, would focus on reducing duplication and overhead costs, especially in higher education institutions and among state agencies.

**2. What should the state legislature do to improve the economy in New Mexico and ensure job growth?**

Our historic dependence on federal funding is unsustainable. New Mexico must grow private jobs by doing three things. First, improve K-12 education. Second, reform the business tax code, especially gross receipts taxes on services and multiple “tax credits” that distort a “level playing field” among New Mexico businesses. Finally, streamline the state’s regulatory obstacle course to bring predictability and confidence to our investment climate.

**3. New Mexico currently ranks 42nd in high school graduation rates nationwide. What do you feel are the major problems in education in New Mexico? How can they be addressed?**

Districts differ: there is no single problem or simple solution—no “silver bullet”. Challenges include unprepared students, uninvolved parents, “one size fits all” educational programs, excessive paperwork, and/or poorly performing staff. In the future everyone—teachers, administrators, parents, students, and legislators—must focus on creating environments where student achievement is paramount and we measure and reward results coming from inspiration, innovation, and hard work.

**4. A great deal of New Mexico’s state money comes from the oil and gas industry. How can New Mexico promote renewable energy in the face of this economic pressure?**

Carefully and with long-term vision. Oil and gas provide almost a third of New Mexico’s tax revenues and many high-paying jobs. Growing revenue from renewable energy will happen as technology matures. Forecasting technical winners and losers is best left to researchers, engineers, and venture capitalists, not state governments. Continued support of local venture capitalists, grant proposals, and federally funded research projects is the best approach.

**Public Regulation Commission, District 3**

The New Mexico Public Regulation Commission (PRC) regulates the public utilities, telecommunications companies, motor carriers, and insurance industries to ensure fair and reasonable rates, and to assure reasonable and adequate services to the public as provided by law. The PRC also has responsibility for the State Fire Marshal’s Office, the Firefighter Training Academy, Pipeline Safety and the registration of all corporations doing business in New Mexico.

Commissioners are elected in staggered four-year terms from five districts. Five persons serve on the PRC.



**Valerie L. Espinoza**  
(Democrat)  
Unopposed

**District Attorney, First Judicial District**

New Mexico District Courts handle civil suits involving real estate or claims over \$10,000, juvenile cases, divorce and child custody, criminal felony cases, and appeals from lower courts. The First Judicial District of New Mexico includes Los Alamos, Rio Arriba, and Santa Fe Counties.



**Angela R. “Spence” Pacheco**  
(Democrat)  
Unopposed

**Los Alamos County Council**

The Council of the County of Los Alamos is the governing body of Los Alamos County and was created by the Los Alamos County Charter. The Council consists of seven members elected at large for four-year staggered terms. Three seats will be filled in the 2012 election by the three candidates receiving the most votes. The County Council generally holds two regular sessions per month, plus one work session. Its members also serve as liaisons with the County’s Boards and Commissions and other governmental entities.



**Peter T. Sheehey**  
(Democrat)

**1. Los Alamos County has made great strides in promoting environmental sustainability by supporting the Atomic City Transit bus system, by building the modern ECO station, by promoting LEED standards, by promoting hydroelectric power, and by participating in the solar array/smart house project. What more should the county do to promote sustainability?**

The county should adopt the “2030 Challenge” energy efficiency targets for all future county building projects, and should offer incentives for private development here to meet those targets. The county should be an enthusiastic partner in research efforts to generate natural gas from waste materials, and to utilize cleaner and more efficient transportation fuels such as compressed natural gas or methanol.

**2. What two or three new or existing ideas for economic vitality in Los Alamos would you support and encourage? Why?**

The Manhattan Project National Historic Park, and transfer of the Valles Caldera to National Park Service management,

would provide a boost to existing and new local businesses. We should continue county support of projects like the New Mexico Consortium, which create high quality jobs here, and should encourage combined live/work housing development, particularly in the downtown areas of Los Alamos and White Rock.

**3. What do you consider the most important issues facing the county? How can they be addressed?**

The most important issues are communication, prioritization, fiscal responsibility, and sustainability. It is vital that we build consensus on the most important things we need to do to make this a better community. A major effort is needed to help build this community consensus, and let us develop consistent priorities for future spending. My priorities—safety, infrastructure, education, and economic development—are described at [www.petesheehey.com](http://www.petesheehey.com).



**Michael D. Redondo**  
(Democrat)

**1. Los Alamos County has made great strides in promoting environmental sustainability by supporting the Atomic City Transit bus system, by building the modern ECO station, by promoting LEED standards, by promoting hydroelectric power, and by participating in the solar array/smart house project. What more should the county do to promote sustainability?**

This is an issue that is particularly close to my heart. There are many ways that the county can continue to promote environmental sustainability. I cannot possibly speak to everything that the county can do to promote sustainability in this limited space. However, I feel that the county should do everything it possibly can so long as it does not cause undue fiscal hardship.

**2. What two or three new or existing ideas for economic vitality in Los Alamos would you support and encourage? Why?**

I feel that the county could benefit greatly from updating the development code in order to make it easier for businesses to pursue alternative economic activities, as well as incentivizing landowners to develop their properties in ways that can support a wider array of economic activity. As a councilor I would support and encourage the adoption of performance and form-based zoning codes.

**3. What do you consider the most important issues facing the county? How can they be addressed?**

The most important issues are always the ones which have yet to be identified. We must constantly be aware of new and developing issues. Those issues which have already been identified and are most important to me include; development of a diverse and more robust economy, advancing environmental sustainability, and the adoption of community based decision-making processes.



**Kristin M. Henderson**  
(Democrat)

**1. Los Alamos County has made great strides in promoting environmental sustainability by supporting the Atomic City Transit bus system, by building the modern ECO station, by promoting LEED standards, by promoting hydroelectric power,**

**and by participating in the solar array/smart house project. What more should the county do to promote sustainability?**

Sustainability is important, at the environmental as well as the social and economic levels. Environmentally, the County can help promote awareness of existing projects, and help raise the visibility of the Environmental Sustainability Board, to promote input and buy-in from the community. Individual projects I would like to see include weekend and some evening bus service, and broadening our recycling program, when feasible.

**2. What two or three new or existing ideas for economic vitality in Los Alamos would you support and encourage? Why?**

Economic vitality means first and foremost having a town that meets the needs of its local residents. Specifically I am in favor of Trinity Site to provide general merchandise, which supports our schools and our local retailers with an anchor store, and investigating ways to participate in the broadband initiative. Meeting our needs will naturally allow for a broadening of our economic base.

**3. What do you consider the most important issues facing the county? How can they be addressed?**

We are incredibly fortunate that the most important issue facing our County is how to evolve ourselves, as a community - including both White Rock and Los Alamos - into a vibrant and thriving town. We do this by taking into consideration, in our policies and planning, the needs and concerns of all of our residents, for the best long-term viability of the town.



**Marc E. Clay**  
(Republican)

**1. Los Alamos County has made great strides in promoting environmental sustainability by supporting the Atomic City Transit bus system, by building the modern ECO station, by promoting LEED standards, by promoting hydroelectric power, and by participating in the solar array/smart house project. What more should the county do to promote sustainability?**

The county should continue to develop, promote, and incentivize community programs for recycling and re-use, conservation, and energy efficiency. The county should also provide incentives for current and future business to help them maximize their environmental quality and sustainability. Finally, the county should ensure that CIPs and other land/building initiatives cost-effectively meet or exceed all county environmental sustainability goals and objectives.

**2. What two or three new or existing ideas for economic vitality in Los Alamos would you support and encourage? Why?**

I strongly support revitalizing the Los Alamos and White Rock downtown areas and the development of the Trinity site. It is vitally important to provide retail and entertainment options and recreational spaces that make Los Alamos an exciting, fun place to live. These initiatives have the additional benefits of attracting visitors, encouraging growth, generating revenue streams, and providing opportunities to help our school system.

**3. What do you consider the most important issues**

**facing the county? How can they be addressed?**

The largest issue facing the county is the future of LANL. Significant changes in Laboratory funding and employment numbers have major impacts on the community, including GRT revenue, housing prices, and the general desirability to live in Los Alamos. It is important to collaborate with LANL and proceed carefully in these uncertain times to ensure we do not overextend our current and future county resources.



**Vincent P. Chiravalle**  
(Republican)

**1. Los Alamos County has made great strides in promoting environmental sustainability by supporting the Atomic City Transit bus system, by building the modern ECO station, by promoting LEED standards, by promoting hydroelectric power, and by participating in the solar array/smart house project. What more should the county do to promote sustainability?**

I support enhancing alternative forms of transportation by extending the Canyon Rim Trail to Diamond Drive so that pedestrians and bicyclists can travel safely into our downtown. I support including glass products in our recycling program. I favor harvesting energy from animal waste at our stables. The county should utilize only surface storm water to irrigate our parks and our public golf course.

**2. What two or three new or existing ideas for economic vitality in Los Alamos would you support and encourage? Why?**

I support financial assistance for companies, such as the New Mexico Consortium, that bring research funds and jobs into our community. The county should build road and utility infrastructure for the 60 acre A-19 site in White Rock, so that affordable housing and retail choices can be created through private enterprise. I support the creation of the Manhattan Project National Historical Park to enhance tourism.

**3. What do you consider the most important issues facing the county? How can they be addressed?**

The most important issue for the county is attracting more young families to live here, by enhancing retail amenities, supporting our public schools and facilitating new affordable housing options. The county must help the schools identify new revenue sources for operational expenses. I strongly support a large new retail store for the Trinity site so that our citizens can get the goods they need locally.



**Steven P. Girrens**  
(Republican)

**1. Los Alamos County has made great strides in promoting environmental sustainability by supporting the Atomic City Transit bus system, by building the modern ECO station, by promoting LEED standards, by promoting hydroelectric power, and by participating in the solar array/smart house project. What more should the county do to promote sustainability?**

I believe it is a councilor's obligation to genuinely

consider structured goals and strategies that have resulted from involved citizen input. This applies in particular to the draft County's Sustainability Plan which will hopefully soon be available for public comment at open house events. I will be keen to hear what citizens think about promoting sustainability as a result of the outreach events.

**2. What two or three new or existing ideas for economic vitality in Los Alamos would you support and encourage? Why?**

The White Rock master plan and Trinity redevelopment are ongoing projects to move forward. I will also support revitalizing aging infrastructure as well as encourage leveraging our positive relationship with the Laboratory. The recent partnership to collectively move forward the algal research center is a "sweet spot" win-win for all and a prototype we should seek to duplicate.

**3. What do you consider the most important issues facing the county? How can they be addressed?**

A precept I was trained growing up and hence one that has always been important to me is living within your means. So living within our means will always be an important issue facing the county and this principle will apply to how I will attempt to holistically consider issues brought before the council if I am lucky enough to be elected to serve.

## Los Alamos County Clerk

The Los Alamos County Clerk's office handles voter registration and runs elections. It is also responsible for recording and filing public documents, issuing marriage licenses, maintaining official documents for the County Council such as Ordinances, Resolutions, and Council Minutes, and serves as Clerk to the Probate Court.



**Nathan T. Hjelm**  
(Democrat)

**1. In this day and age of computer hacking, how can the county and the County Clerk guarantee the integrity of the ballot?**

There are many ways the county can guarantee the integrity of the ballot. Due to limited space I will give two I think are the most important. First, it is essential that any system involved in tallying votes should never be connected to an insecure network. Second, the security of any voting system must be assessed by independent security experts before being purchased by the county.

**2. How can the County Clerk's office encourage a better turnout of voters?**

Better turnout is a difficult problem with no simple solutions. One way could be to ensure a good selection of polling locations around the county that are either easily accessible by foot or near an Atomic City Transit bus stop. Weekend bus service during early voting from neighborhoods to polling locations might also help with voter turnout.





## Sharon Stover

(Republican)

### 1. In this day and age of computer hacking, how can the county and the County Clerk guarantee the integrity of the ballot?

There are multiple levels of oversight to ensure usability, security, efficiency, and accuracy. For example, the County Clerk invites party representatives for

the testing and sealing of the machines. In addition, there are daily reports to ensure system errors are detected and an audit trail is available. The Secretary of State certifies our voting machine system, and our system stands-alone. Our record has been stellar.

### 2. How can the County Clerk's office encourage a better turnout of voters?

Los Alamos County is extremely fortunate to have an electorate that participates and values the voter process. This year, with the smart use of technology the Voter Convenience Centers allowed easier voter access. To be an effective advocate for a stronger voter turnout, I would encourage ideas from our citizens, connecting with high school students, and engaging community groups and organizations.

## JUDICIAL OFFICES - Retention

The website of the Judicial Performance Evaluation Committee, [www.nmjpec.org](http://www.nmjpec.org), includes evaluations and information about retention candidates.

## Justice of the Supreme Court - Retention



## Richard C. Bosson

### 1. What attributes and experience do you bring to your service as a current New Mexico Supreme Court Justice?

With 18 years on the bench, 8 with the Ct/App (two as Chief Judge) and 10 on the Supreme Court (two as Chief Justice), I have the most appellate experience of any sitting judge and

more than almost anyone over the past 50 years. Despite the longevity, I work hard each day and am passionate about the pursuit of fairness and equal justice for all.

### 2. What ethical practices are critical in keeping the judiciary independent from political influence?

Judges must remain free of partisanship and the appearance of being political. This means avoiding partisan gatherings, fund raisers, endorsements, or even just associating in a manner that could be construed as political. And this includes your private life as well and even your family. It can be lonely, but that is the price of being part of the judiciary.

### 3. What programs and changes to improve the New Mexico Supreme Court would you like to see implemented?

The Supreme Court functions well as long as good people get on the Court. Unfortunately, the present pay scale and requirement of running a state-wide political race

discourages many excellent applicants from pursuing an interest. I would like to see some changes affecting the political requirements for appellate judges, perhaps as they do in Arizona where only trial judges run in partisan elections.

## Judge of the Court of Appeals - Retention



## Roderick T. Kennedy

### 1. What attributes and experience do you bring to your service as a current Judge of the Court of Appeals?

23 years judging, 11 on Court of Appeals. Recommended for retention by bipartisan commission. Have presided in magistrate, Metropolitan, tribal and district courts throughout

New Mexico. Handled more than 65,000 cases, civil and criminal, in Metro Court. Human experience informs my decisions. Awards: ABOTA 2011 Outstanding Appellate Judge, British Forensic Society; NM Bar. Write and teach about science and the law, including at UNM Law.

### 2. Given your experience as a Judge of the Court of Appeals, what improvements are needed in the Court of Appeals and how could those improvements be implemented?

The speed of justice is slowed by lack of resources. Cases are more complicated every year. Budget cuts result in slower appeals and less personnel to handle them efficiently. Lower courts have trouble moving appeals to us on time for the same reasons. Courts use about 3% of total state budget, and there is no slack left. Priority setting with legislature and Governor is required.

### 3. What ethical practices are critical in keeping the judiciary independent from political influence?

My Constitutional duty is to be independent and impartial. Courts referee disputes, sometimes saying the "will of the majority" is wrong. Forcing partisan elections on judges selected on their merit by bi-partisan commissions conflicts with judges responsibility to the judicial oath of impartiality. Retention races, and current evaluation commissions protect the public interest in judicial quality and independence better than the current system.



## Michael Vigil

### 1. What attributes and experience do you bring to your service as a current Judge of the Court of Appeals?

I have been an attorney since 1976. As a private attorney, I handled a wide variety of civil and criminal cases, and served as appellate counsel in over 50 formal published cases of first impression. I have been a Judge since

February, 2003, and I am the author of dozens of cases of first impression, both civil and criminal.

### 2. Given your experience as a Judge of the Court of Appeals, what improvements are needed in the Court of Appeals and how could those improvements be implemented?

The court must seek to find ways to render quicker decisions while maintaining a high level of quality.

### 3. What ethical practices are critical in keeping the judiciary independent from political influence?

I would abolish partisan, political elections of all judges.

## Los Alamos County Charter Amendments

For over two years a committee appointed by the County reviewed the County Charter and proposed updates, changes, additions and deletions that were then considered by the County Council. Charter changes must be approved by voters. On the November 6 General Election ballot, County Charter changes are being proposed in four ballot questions that pertain to Initiative, Referendum, Recall, and Charter Amendments. Please see the brochure that the County is sending to every resident of Los Alamos describing the proposed amendments, the rationale behind the amendments, and the objections to the amendments. You can also find the information online at [www.losalamosnm.us](http://www.losalamosnm.us).

### Question No. 1 - Initiative

Proposing amendments to Articles VII and IX of the Charter of the Incorporated County of Los Alamos, pursuant to Resolution No. 12-09 and relating to Initiative petitions, that would amend sections 700, 703, 704 and 907 and add subsections 700.1, 700.2, 700.3, 700.4 and 700.5 to provide for a separate, unified Initiative petition process, clarify subjects excluded from the process, reduce the petition time frame from 180 days to 90 days, clarify the procedures for circulating, validating and submitting Initiative petitions to the county council and the electorate, and repeal existing Initiative provisions inconsistent with the amendments.

### Question No. 2 - Referendum

Proposing amendments to Articles VII and IX of the Charter of the Incorporated County of Los Alamos, pursuant to Resolution No. 12-09 and relating to Referendum petitions, that would amend sections 701, 703, 704 and 907 and add subsections 701.1, 701.2, 701.3, 701.4 and 701.5 to provide for a separate, unified Referendum petition process, clarify subjects excluded from the process, increase the number of signatures required for a Referendum petition to 15% of the arithmetic mean of the two previous general elections, clarify the procedures for circulating, validating and submitting Referendum petitions to the county council and the electorate, and repeal existing Referendum provisions inconsistent with the amendments.

### Question No. 3 - Recall

Proposing amendments to Articles VII and IX of the Charter of the Incorporated County of Los Alamos, pursuant to Resolution No. 12-09 and relating to Recall petitions, that would amend sections 702, 703, 704 and 907 to provide for a separate, unified Recall provision in accordance with the provisions for recall of county elected officials in the state constitution, and repeal existing Recall provisions inconsistent with the amendments.

### Question No. 4 - Charter Amendments

Proposing amendments to Article IX of the Charter of the Incorporated County of Los Alamos, pursuant to Resolution No. 12-09 and relating to Charter Amendments, that would amend section 900 to clarify procedures for Charter Amendments, provide for procedures for Charter



Amendments that are consistent with the procedures for Initiative petitions and elections, clarify procedures for publication of proposed Charter Amendments, correct a typographical error, and to require separate ballot questions for Charter amendments unless the questions are dependent upon each other and are directly, necessarily or logically connected.

## Constitutional Amendments

### Constitutional Amendment 1

Proposing an amendment to Article 6, Section 32 of the Constitution of New Mexico to provide for two additional members to sit on the judicial standards commission, a municipal judge and a public member.

#### Brief Analysis:

Constitutional Amendment 1 would amend Article 6, Section 32 of the New Mexico Constitution and increase the membership of the Commission from 11 to 13 by adding two commissioner positions. One new commissioner would be a municipal judge, selected in a manner set by the Legislature to serve a four-year term. The second would be a citizen who is neither a judge nor an attorney, appointed by the Governor to serve a five-year term.

#### Arguments For:

1) Municipal judges represent the largest category of judges in the state, and yet there is no dedicated slot for a municipal judge on the commission. Adding a municipal judge to the commission provides equal representation on the oversight body that monitors their job performance.

2) It is unfair for complaints regarding a municipal judge's job performance to be resolved solely by people who lack the current, firsthand experiences and views of a municipal judge. Thus, adding a municipal judge as a member of the Commission increases fairness.

3) Adding a municipal judge and a citizen member would retain the current balance of power on the Commission. This change would ensure that views of municipal judges would be heard along with those of the other judges, attorneys, and citizen members. This is especially important when a municipal judge is the subject of a complaint alleging misconduct.

#### Arguments Against:

1) Adding two more members to the Commission, for a total of 13, would make its work unnecessarily difficult. It is always challenging to reach consensus when more people are involved in a process. All disciplinary recommendations of the Commission require a majority consensus. It is not in the best interests of the citizenry to slow down the judicial oversight process.

2) A Constitutional Amendment is unnecessary because such changes could be accomplished by amending current law through the Legislature instead of permanently changing the Constitution. A bill requiring that a municipal judge be a member of the Commission could be passed by the Legislature.

3) Adding more members to the Judicial Standards Commission would increase the costs to the taxpayer for funding the Commission's work. Members of the Commission are entitled to per diem and mileage

reimbursement.

### Constitutional Amendment 2

Proposing an amendment to Article 11, Section 1 of the Constitution of New Mexico to increase the qualifications for Public Regulation Commissioners.

#### Brief Analysis:

Constitutional Amendment 2 would amend Article 11, Section 1 of the New Mexico Constitution to require the Legislature to enact a statute increasing the qualifications of Public Regulation Commission ("PRC") commissioners. Currently, PRC commissioners are only required to be at least 18 years of age, not convicted felons, and registered to vote in New Mexico. The increased qualifications would apply starting with commissioners elected at the 2014 general election, as well as any commissioner appointed to fill a vacancy after July 1, 2013.

#### Arguments For

1) The New Mexico PRC has a broader jurisdiction than any other regulatory agency in the country and makes decisions that impact the daily lives of all of New Mexico's citizens, ranging from setting utility rates to regulating motor carrier safety and prices. Increasing the qualifications for commissioners would help make sure that they have a basic understanding of the complex industries they regulate.

2) Because PRC commissioners are expected to act much like judges, making their decisions by applying the relevant law to the evidence on the record, it is critical that commissioners understand the law and the specifics of the subject areas they regulate. Too often, and at too high a cost, the New Mexico Supreme Court has overruled PRC decisions because commissioners have not understood the law.

3) Many other states already require their utility commissioners to have educational or professional experience in a field relevant to utility regulation, such as accounting, finance, engineering, public or business administration, administrative law, or economics.

#### Arguments Against:

1) The amendment leaves it up to the Legislature to establish the specific qualifications for PRC commissioners, meaning that voters would not know exactly what those qualifications would be before they vote on the amendment.

2) Depending on what qualifications are enacted into law, some citizens may not be qualified to run for the office of PRC commissioner, even though they would be qualified to run for other elected positions in state and local government.

3) It is unclear whether the Legislature is actually committed to enacting serious, substantive qualifications that are rigorous enough to ensure that PRC commissioners are truly qualified to do the job.

### Constitutional Amendment 3

Proposing to amend Article 11, Section 2 of the Constitution of New Mexico and to enact a new section of Article 11 to remove authority to charter and regulate corporations from the Public Regulation Commission and provide authority to charter corporations to the Secretary of State.

#### Brief Analysis:

Constitutional Amendment 3 proposes to amend Article 11, Section 2 of the Constitution of New Mexico to remove the responsibility for chartering and regulating corporations from the Public Regulation Commission ("PRC") and transfer the responsibility for chartering corporations to the Secretary of State's office.

#### Arguments For:

1) According to the National Conference of State Legislatures, 41 of the 50 states assign responsibility for chartering corporations to their Secretaries of State. Aligning New Mexico with the overwhelming majority of states would make it easier for businesses, particularly those that are new to New Mexico, to know where to file their documents.

2) Transferring the responsibility for corporate filings to the Secretary of State would create a "one-stop shop" for all businesses filings. Currently, the Secretary of State registers some businesses, like Limited Liability Partnerships, while the PRC registers others, like Limited Liability Companies. The Secretary of State also registers state trademarks and service marks and files documents required by the Uniform Commercial Code.

3) Removing responsibility for chartering businesses would allow the PRC to focus on its core duties of regulating utilities, which are very different from the secretarial duty of filing business documents.

#### Arguments Against:

1) There would be a one-time cost associated with transferring the PRC's corporate registration responsibilities to the Secretary of State.

2) The Legislature has not studied whether the Secretary of State's office is the ideal state agency in which to place the responsibility for corporate registration, so that duty should remain with the PRC until the Legislature undertakes such a study.

3) The corporate registration division has not been the source of most of the scandals or corruption that have plagued the PRC, so moving it would not address those problems.

### Constitutional Amendment 4

Proposing to amend Article 11 of the Constitution of New Mexico to remove the regulation of insurance companies and others engaged in risk assumption from the Public Regulation Commission and place it under a Superintendent of Insurance appointed by the Insurance Nominating Committee as provided by law.

#### Brief Analysis:

Constitutional Amendment 4 proposes to amend Article 11 of the Constitution of New Mexico to remove the responsibility for regulating insurance from the Public Regulation Commission ("PRC") and create an Office of the Superintendent of Insurance to regulate insurance companies and others engaged in risk-assumption in the state. The amendment would establish an Insurance Nominating Committee to appoint the Superintendent of Insurance based upon qualifications for the position established by the Legislature. The Legislature would also establish how the members of the Insurance Nominating

Committee are appointed.

#### **Arguments For:**

1) The insurance industry is so complex and so important to the lives of New Mexicans that it should be overseen by an independent agency that is solely focused on that task. PRC commissioners lack the specialized expertise to successfully oversee the insurance industry.

2) Removing insurance regulation from the PRC and placing it within an independent agency would help to insulate it from politics. The political pressure placed on the Insurance Division by the PRC (for example, to hire unqualified staff) is a major reason why the National Association of Insurance Commissioners placed the division on probation for several years and a 2012 review by the Center for Integrity gave the Division an “F”.

3) This amendment would align New Mexico with the 35 other states that have stand-alone departments of insurance.

#### **Arguments Against:**

1) The amendment leaves it up to the Legislature to establish the membership of the nominating committee and the qualifications of the Insurance Superintendent, meaning that voters would not know exactly what those will be before they vote on the amendment.

2) Although the PRC’s Insurance Division has suffered from numerous problems, the PRC has been working to improve it and should be allowed to continue the process.

3) Having the Superintendent of Insurance appointed by a nominating committee rather than by the PRC means that voters would no longer vote directly for the people who appoint the Superintendent.

#### **Constitutional Amendment 5**

Proposing an amendment to Article 6 of the Constitution of New Mexico to add a new section that provides for the organization of an independent Public Defender Department.

#### **Brief Analysis:**

Constitutional Amendment 5 would amend Article 6 of the New Mexico Constitution to establish the Public Defender Department as an independent state agency not under the Governor’s authority. It would create a Public Defender Commission empowered to appoint and provide guidance to the Chief Public Defender and oversee administrative aspects of the Department. The amendment would also allow the Legislature to establish the term, manner of appointment, and qualifications for the Chief Public Defender and members of the Commission.

#### **Arguments For:**

1) Funding for the Department is currently inadequate. An independent Public Defender Department may be better able to secure the resources to properly perform its constitutional mandate of protecting the rights of people accused of crimes who cannot afford attorneys. Funding the defense of alleged criminals is often politically unpopular, particularly with officials seeking re-election. Many other states have independent public defender departments that can lobby more effectively for necessary funding removed from the political process.

2) Having an independent Department would ensure compliance with the “Rules of Professional Conduct for Attorneys.” Because the Chief Public Defender is appointed by and serves at the pleasure of the Governor, there is potential for interference with the attorney’s independent judgment, especially when defending a notorious or unpopular alleged criminal. As an independent state agency, the Department would be less susceptible to political influence.

3) The Governor already sets many policies of the criminal justice system by appointments to various departments and through the executive’s legislative initiatives and priorities. The Governor currently appoints the Chief Public Defender and oversees the Public Defender Department, giving the executive branch too much power in determining the policies and practices of the criminal justice system. Having an independent department would offer a clear way to balance this power.

#### **Arguments Against:**

1) Making the Public Defender Department an independent state agency and requiring the creation of a Public Defender Commission to oversee it could be costly to taxpayers. The current per diem rate is \$95, and voters have no way of knowing how many members would be on the Commission nor how many days of work-related travel and expenses the state would incur for those members.

2) This amendment creates yet another level of unnecessary bureaucracy. The proposed Commission would not actually assist in representing indigent defendants or performing core functions. It would add a superfluous layer of management, requiring consultation on and oversight of decisions better left to a qualified Chief Public Defender. A Commission would cause unnecessary delays in the Department’s operations.

3) Concerns about undue political influence in representing indigent defendants are effectively addressed by the rules of professional conduct that prohibit attorneys from permitting a non client, including the Governor, to influence their judgment in rendering legal services to a client. Changing the Department’s executive agency status to avoid political pressure is unnecessary.

## **General Obligation Bonds**

General obligation bonds allow the state to borrow money to finance capital improvement projects. The principal and interest on the bonds are paid out of property taxes. The specific amount of property taxes collected in a given year is attributable to a number of factors, including the amount of debt service required for existing general obligation bonds, the projected debt service required for the new bond issue, the latest assessed valuation of net taxable property, cash balances in bond debt service accounts, the date of issuance, and the actual interest rate obtained on the bond sale.

Based on current projections, the State Board of Finance estimates that the three bonds will generate a maximum of \$140.2 million at the current State property tax mill levy rate of 1.36 mills. If all three bonds are approved by the voters in November 2012, the average cost to the owner of a property worth \$100,000 over a 10-year period will stay

at a flat rate of \$8.04 per year. Of that \$8.04 average cost per year, \$6.88 is attributable to the higher education bond, \$0.59 to the senior facilities bond, and \$0.56 to the library acquisitions bond. If any of the bonds are not approved, the State property tax mill rate could decline slightly.

A complete breakdown of the capital projects designated in each bond issue can be found on the New Mexico Legislature’s website: [www.nmlegis.gov](http://www.nmlegis.gov).

#### **Bond Question A: For senior citizen facilities (construction and improvement)**

“The 2012 Capital Projects General Obligation Bond Act authorizes the issuance and sale of senior citizen facility improvement, construction and equipment acquisition bonds. Shall the state be authorized to issue general obligation bonds in an amount not to exceed ten million three hundred thirty-five thousand dollars (\$10,335,000) to make capital expenditures for certain senior citizen facility improvement, construction and equipment acquisition projects and provide for a general property tax imposition and levy for the payment of principal of, interest on and expenses incurred in connection with the issuance of the bonds and the collection of the tax as permitted by law?”

#### **Bond Question B: For acquisitions and construction expenditures at academic, public, and tribal libraries**

“The 2012 Capital Projects General Obligation Bond Act authorizes the issuance and sale of library acquisition and construction bonds. Shall the state be authorized to issue general obligation bonds in an amount not to exceed nine million eight hundred thirty thousand dollars (\$9,830,000) to make capital expenditures for academic, public school, tribal and public library resource acquisitions and construction and provide for a general property tax imposition and levy for the payment of principal of, interest on and expenses incurred in connection with the issuance of the bonds and the collection of the tax as permitted by law?”

#### **Bond Question C: For higher education and special schools facilities**

“The 2012 Capital Projects General Obligation Bond Act authorizes the issuance and sale of higher education and special schools capital improvement and acquisition bonds. Shall the state be authorized to issue general obligation bonds in an amount not to exceed one hundred twenty million dollars (\$120,000,000) to make capital expenditures for certain higher education and special schools capital improvements and acquisitions and provide for a general property tax imposition and levy for the payment of principal of, interest on and expenses incurred in connection with the issuance of the bonds and the collection of the tax as permitted by law?”

The League of Women Voters of Los Alamos has scheduled three candidate forums for the 2012 General Election. The first was held on October 4 for the candidates for County Council and County Clerk, and included a discussion of the proposed County Charter amendments. It was taped by PAC-8 and may be seen on their station or borrowed from Mesa Library.

The second forum, co-sponsored by the Santa Fe League, features U.S. House of Representatives candidates Ben R. Lujan and Jefferson L. Byrd, and will be held from 6-8 p.m. on October 10 in Santa Fe, in the Community Room of the Santa Fe Public Library (145 Washington Ave).

In the third forum, on Thursday, October 11 at 7:00 p.m. (refreshments at 6:30), in the Fellowship Hall of the White Rock Baptist Church, the participants will be Barbara Vigil and Paul J. Kennedy, candidates for Supreme Court; Monica Zamora and Miles Hanisee, candidates for Court of Appeals; and the candidates for NM House District 43, Stephanie Garcia Richard and Jim Hall. It will also be taped by PAC-8.



## LEAGUE OF WOMEN VOTERS OF LOS ALAMOS MEMBERSHIP FORM

Mail to: LWV Los Alamos  
P.O. Box 158  
Los Alamos, NM 87544

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_ E-mail \_\_\_\_\_

\_\_\_\_ Check here if you are willing to receive our local newsletter Update as an electronic file, saving us postage.

\_\_\_\_ Check here if you wish to receive friendly reminders of upcoming events by e-mail.

### Membership Categories

\_\_\_\_ Single membership: \$45

\_\_\_\_ Household membership (two+ people at the same address): \$65

\_\_\_\_ Single Sustaining membership: \$75

\_\_\_\_ Household Sustaining membership (two+ people at the same address): \$95

**Note:** Membership checks should be payable to LWV-Los Alamos

### Additional ways to support the local League

Unrestricted contribution (not tax deductible): \$ \_\_\_\_\_

LWV Education Fund (tax deductible): \$ \_\_\_\_\_

**Note:** Checks for tax-deductible contributions must be payable to LWVLA Ed. Fund and not combined with any other payments.

### Interests (check as many as apply)

\_\_\_\_ One-time activities (unit meetings, fund-drive mailings, etc.)

\_\_\_\_ Affordable Housing

\_\_\_\_ Election Reform

\_\_\_\_ Fuller Lodge

\_\_\_\_ Land Use

\_\_\_\_ Local Government

\_\_\_\_ Other (please suggest) \_\_\_\_\_

\_\_\_\_ Public Transportation

\_\_\_\_ Sustainability

\_\_\_\_ Water Issues

\_\_\_\_ Not sure (I just support LWV)

## American Association of University Women

Los Alamos Branch



*Breaking Through Barriers  
for Women and Girls*

*Join a national organization that advances equity for women and girls through advocacy, education, philanthropy, and research.*

*Network with Los Alamos women who share that commitment.*

Activities of the Los Alamos Branch of AAUW include

- Book groups: monthly discussions of fiction and nonfiction bestsellers
- Great Decisions: research and roundtables on public policy and foreign affairs
- Monthly programs that inform and entertain
- Out 'n About treks to cultural sites in northern New Mexico.

Check us out at [http://aauw-nm.org/Los\\_Alamos/los\\_alamos\\_index.html](http://aauw-nm.org/Los_Alamos/los_alamos_index.html)

Call Natalie (662-9399) or Mona (662-7084) for more information.

## SUPPORTING the League...



**Actually, for more than these two generations!**

# CB FOX

# LATA

Los Alamos Technical Associates, Inc.

Encouraging  
our friends and  
neighbors in  
the community  
to get out and  
**VOTE**

