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Sierra Club Rio Grande Chapter statement on 2022 New Mexico legislative session

In response to the conclusion of New Mexico's legislative session, the Sierra Club Rio Grande Chapter issued the following statement:

If New Mexico's 30-day legislative session ended at noon today with what felt like a series of big news and crashes and burns, that's in part because lawmakers introduced and New Mexicans fought for some of the strongest and most transformational climate and democracy legislation in years, compressed into a crushing timeline that has always been inadequate to suit New Mexico's needs.

Today's highlights and lowlights:

The **Clean Fuels Act** (sponsored by Sen. Mimi Stewart and Rep. Nathan Small), which introduced a method to ramp down carbon intensity of fuels and transition toward transportation electrification and less reliance on expensive and dirty fuels, died in a 3 a.m. tie vote in the House this morning.

House representatives stayed up all night to pass **voting-rights legislation** in SB144 early this morning, cheered on by a broad coalition of New Mexico community groups. However, a further delay by Sen. William Sharer prevented the voting-rights legislation from being concurred on in the Senate before noon.

House Speaker Brian Egolf, one of the canniest champions of climate justice in the Legislature, announced he won't run for re-election. Egolf had a knack for shepherding important legislation through to the finish line, and we hope his successor will be as successful an advocate for legislation that protects and uplifts all New Mexicans. Egolf helped the environmental community outlaw coyote-killing contests and trapping on public lands as well as pass the Energy Transition Act, community solar, EV infrastructure and many other important pieces of legislation. He helped to cultivate and elect a diverse, young, progressive pro-environmental caucus — as well as one of only two majority-female House chambers in the nation.

Successes

HB37 (CEED), low-income energy efficiency: This bill, led by SWEEP's Tammy Fiebelkorn and Rep. Kristina Ortez, will provide \$10 million in a pilot project to support energy-efficiency improvements for low-income New Mexicans' homes to save money and lower energy use.

HJR1 (Reps. Chandler, Allison, Luján, Serrato and Sweetser) also passed the Senate and will let voters decide on constitutional changes to allow the state government to directly serve the utility needs of low-income New Mexicans without violating the anti-donation clause. If passed, these changes will facilitate the implementation of HB37, above.

HB164, Uranium Cleanup (Sponsored by Sens. Jeff Steinborn and Shannon D. Pinto, Reps. Debra Sariñana, D. Wonda Johnson and Anthony Allison): This law will begin to address the 137 unreclaimed uranium mines that continue to expose rural and Indigenous communities to toxic and radioactive pollution; HB164 creates a strategic cleanup plan and establishes an evolving fund to resource reclamation work. HB164 passed and is on the governor's desk. (Contact Susan Gordon of MASE for more info: sgordon@swuraniumimpacts.org)

HB 163 (Solar Tax Credit in the Tax Package): Rep. Joanne Ferrary and Sen. William Soules sponsored legislation to extend the solar rooftop tax credit, add more money to the fund and make the credit rebateable. This bill made it into the comprehensive tax package.

Hydrogen: A ferocious community effort stopped all hydrogen incentive bills, as well as the \$125 million earmarked in the budget for such projects. We haven't seen the end of methane-fueled ("blue") hydrogen. Hydrogen developers are still coming to New Mexico and other states, and the \$8 billion in federal funds for hydrogen hubs will be distributed somewhere, but we must urgently prioritize reducing climate pollution rather than incentivize new sources of it.

Losses (Next year's successes:

The Clean Future Act (HB6), requiring 50% reduction in climate pollution economy-wide in New Mexico by 2030 and 90% by 2050, with a focus on prioritizing pollution reductions in and consultation with disproportionately impacted communities, died on the House floor, also a victim of timing and delay tactics. Every year we wait to act on climate is a year too long, but the Energy Transition Act is already reducing climate impacts in our electricity sector. And in the lead-up to next year, state rulemakings such as Clean Cars will help clean up other industries as we plan for legislation that slashes climate pollution across all economic sectors with a focus on equity, justice and a thriving economy.

HB137 (No "temporary" high-level nuclear waste storage): Sen. Jeff Steinborn and Rep. McQueen worked hard to protect New Mexico from watching as all the nation's high-level nuclear waste is transported to the southeast corner by rail. Texas passed a similar law after a storage facility planned there won Nuclear Regulatory Commission approval, as the Holtec facility has, so next year might not be too late to prohibit state permitting of such a facility.

SB8, Voting Rights Act: See above. The good news is that New Mexico has a wonderful secretary of state who keeps voting as accessible and fair as possible. The broad coalition that did massive, powerful organizing for this legislation will continue to expand voter rights.

HJR2, Green Amendment, failed in House Judiciary. It made it farther than last year, and thanks to grassroots advocacy and a large coalition, it gained heightened attention.

Thirty-day even-year sessions, which are intended to focus on budget only, have generally included little if any environmental legislation. In past years, our members and supporters have had little to engage on in short sessions, though each year we've worked more and more on fully funding our environmental agencies and initiatives.

This year was a whirlwind of ambitious legislation. That is the power of organizing — organizations and activists across New Mexico showing up and joining forces and throwing elbows. The governor and legislators proposed major, important policy, and though we didn't agree on some of it, it's truly a sign of progress that our state is considering transformational policies like the climate requirements in HB6 or the Voting Rights Act, especially in a budget-focused session. Remote committee hearings and online polls allowed New Mexicans to show up in force from all over the state, and legislators took note. Grassroots activists made a difference and will continue to make their voices heard in coming years.