

Mimi Stewart

Her Life, Career, & Contributions

Members of the Legislature who know Mimi Stewart know what an energetic, knowledgeable person she is. “Mimi’s a whirlwind,” one of her colleagues says. “She is deeply engaged in her work, whether the Legislature is in session or not.”

Others say the same. In Santa Fe, Stewart will be forever promoting a bill here, a memorial there, or attending committee hearings, working with her notes, or talking with constituents. At home in Albuquerque, she’ll be working with school officials, with women’s activists, with neighborhood leaders, or sometimes wrangling with someone who isn’t convinced of what it is she advocates. Stewart seeks to be an effective and progressive legislator, and indeed she is.

Representative Stewart was first elected to the Legislature in 1994, taking office in 1995. She is a Democrat, representing District 21 in the East Gateway area of Albuquerque. Over the years she has served on many standing committees, subcommittees, and interim committees, reflecting her widely varied interests. The House committees on Education, Health and Human Services, Judiciary, Rules, and Water and Natural Resources – plus others – have all known her active work and concern. Lately she has served as co-chair, with Senator Tito Chavez, of the teachers and state employees Retirement Systems Solvency Task Force. Public service is clearly Stewart’s watchword.

Background and Early Career

Representative Stewart was born in Florida but was raised in communities of Arizona and Colorado, mostly in Denver. But she attended college in Massachusetts. At Boston University she received a bachelor’s degree *cum laude* in sociology and history. At Wheelock College, another Boston school, she earned a Master’s of Education. Soon she began a teaching career, and continued it upon moving with her husband to Albuquerque in 1978. She was employed with Albuquerque Public Schools for thirty years, retiring in August, 2009. During that time, she worked and advanced in several capacities: she taught elementary special

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education, trained teachers to teach reading, diagnosed young children with special needs, etc. Over a period of years, she also enrolled in advanced courses at UNM.

Even as a student, Stewart was aware of problems in American society and especially in education. Activism came naturally to her, and in the 1970s, while a student, she began organizing daycare workers in the labor movement. When she turned to teaching and came to New Mexico, the need for better educational funding first led her to work within the American Federation of Teachers, and then turned her to the Democratic Party. Over the years, her work on a variety of public issues has brought her several distinguished awards.

Representative Stewart has two grown children, a stepson, Boris, now in Boston, and a daughter, Hannah, in Kansas City.

Leadership in Social, Economic, and Quality-of-Life Issues

Membership in the State Legislature has provided Representative Stewart much greater possibilities for pursuing reforms and modernization in the arenas of her interest. Legislation that she originates or supports

often brings advanced concepts and new thinking to the fore. Her initiatives are based on a good deal of personal knowledge, although in every case Representative Stewart diligently coordinates and consults with others. Her undertakings stand on solid ground before they hit the hopper.

In the 2003 legislative session, for example, Representative Stewart sponsored an omnibus educational reform bill that was brought forward by a four-year Education Initiatives and Accountability Committee, made up of business persons, educators, and public participants. The bill created a three-tiered teacher-quality model that focuses on the competence of teachers in improving student performance. “The bill,” she says, “had the effect of implementing a professional salary schedule that is helpful to teachers today.”

Stewart’s major educational endeavor, however, has been to develop an improved public school funding formula, which she thinks is critical to ratcheting up school funding and performance. First introduced in 2008, her bill has passed the House repeatedly but has not made it through the Senate. Stewart says, with a smile, that she has “threatened to stay in the Legislature until it passes.”

In another effort, Representative Stewart’s reform legislation regarding unemployment insurance, which was enacted in the 2003 session, has been hailed as the best bill on the subject in the nation. It incorporates tax reductions for businesses and increased benefits for workers, including qualifier provisions regarding dependent benefits, alternative base-periods, and cases involving domestic violence. Matters of public education, consumer protection, and environment continue as focus points for Stewart.

Bridging from education to environmental concerns, Representative Stewart has worked with the Wild Friends environmental education program, which involves middle school and high school students. Wild Friends is a program of the Center for Wildlife Law at UNM’s Institute of Public

Mimi Stewart with Polk Middle School students

Photo courtesy of Wild Friends Program



Law. The students in the program tend to come to Stewart, because she's a teacher and because she "lets them run the show, including making presentations on the floor of the House." In 1997, the Wild Friends and she came up with a bill that would mandate civil fines/penalties for game poaching and would increase criminal penalties for repeat poachers. With the support of the Game and Fish Department and the New Mexico Wildlife Federation, the bill passed both the House and Senate and was signed into law. Incidentally, for her efforts with the basic bill, Stewart was voted "Legislator of the Year" by the New Mexico Wildlife Federation.

Still further, in recognition of her accomplishments, Representative Stewart was chosen in 1997 by the Center for Policy Alternatives to be trained at the Fleming Fellow Institute in Washington, D.C. – to enhance her skills as a progressive legislator.

Representative Stewart's Water Concerns

Water issues and water law are relatively recent additions to Representative Stewart's range of interests. It is only natural, however, that water would come to her attention, because, as she says, "water is so absolutely essential to people's lives and needs." Her fundamental concern for human well-being could hardly ignore such an essential commodity – not in a state where water is so scarce and is so often a detriment to economic activity. "Availability, sustainability, conservation, environmental integrity – these are what water issues are all about," Stewart observes.

Stewart's interest in the matter was spurred by her participation in a rafting trip through the Rio Grande box following a Decision Makers Conference in Taos. It was exhilarating and got her hooked; she has been on the river every year since then, and on the Gila twice.

One of her earliest proposals was to require that state government undertake water planning at a state-wide scale. For such a



Mimi Stewart on Rio Chama, 2009

Photo by Paul Bauer

finite resource, Stewart argued, coordination and cooperation in water use and water supply development should exist at every turn. Her House Bill 260, with a companion bill in the Senate sponsored by Senator Dede Feldman, was enacted into law in 2003. It required the Interstate Stream Commission to prepare and implement a comprehensive state water plan. It further requires the Water Trust Board to prioritize water development projects in accordance with the state plan and to identify opportunities to leverage federal and other funding. (The resultant water planning program is discussed in current and past issues of *Water Matters!*)

Another piece of legislation Representative Stewart is proud of is her HB114, enacted in 2003, to allow use of gray water – less than 250 gallons per day – for private residential gardening, composting, and landscape irrigation. The bill was patterned after Arizona legislation and sets forth conditions by which householders can conserve potable water by using gray water for outdoor use. Though her gray water bill deals with individual water users, it is thought that it may now be stimulating larger-scale public gray water projects.

A Stewart bill that has twice been tabled calls for State government to undertake mapping and characterization of aquifers throughout

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the state – the better to learn the nature, extent, qualities, and quantities of water that exist. Stewart believes that aquifer mapping is crucial to water rights adjudication and to long-term state and regional water planning. “We really need to have an understanding of where the water is,” she says. Meanwhile she has supported New Mexico Tech’s aquifer mapping initiatives, which are done with a somewhat different emphasis on geology than the Office of the State Engineer uses. Also in the meantime, the Legislature has obtained about \$500,000 to \$600,000 per year in recurring funding for aquifer mapping. Several legislators want such work done in their areas, so they have supported funding for it.

Stewart believes the use of deep aquifers is not sustainable and should not be relied upon as a permanent source of water for municipal and domestic use.

Recent concerns about “deep well” groundwater led Representative Stewart to sponsor a bill (HB 19/a in 2009) granting the State Engineer the authority to administer water in groundwater basins consisting of non-potable aquifers more than 2,500 feet below the ground surface. The bill, enacted in 2009, exempts certain uses of non-potable water, such as for oil and gas exploration and production. Stewart believes the use of deep aquifers is not sustainable and should not be relied upon as a permanent source of water for municipal and domestic use.

A separate bill, Stewart notes, was also geared to regulate the many applications that were filed prior to passage of the ultimate legislation. It so happened that after the House passed the primary legislation, about six weeks transpired before the Senate acted on the bill, and during that time hundreds of new speculative applications were filed. Her understanding, however, is that the Office of the State Engineer believes they have mechanisms to regulate those applications in

spite of the delay in the legislation.

In this summary of Representative Stewart’s water legislation, her joint memorial on instream flow may be mentioned. Instream flow is now recognized as a beneficial use in New Mexico, but the thrust of her memorial (year 2009) was to request appropriate state agencies to cooperate in management of stream flows to protect the environmental integrity of New Mexico’s rivers and riparian areas. Present management frequently includes rapid releases from dams and cut-offs of water to the detriment of fish, birds, insect populations, etc. Natural ebbing and flowing is missing, so the intention of the memorial is to try to find ways to replicate natural flow cycles. The memorial received widespread support but was tabled on the Senate floor when the Session ended without action on it.

Upcoming Priorities

Representative Stewart has clearly sought to bring forth serious consideration of emerging water and environmental issues. Among her priorities for legislative action, she says, are conservation of water and measures to achieve energy efficiency. “Many of us,” she remarks, “don’t realize what can be done,” and she lists a host of water-saving measures of every kind, from self-closing faucets to rainwater harvesting. Similarly, she wants to promote new and rehabilitated LEEDS-certified schools and other public buildings, citing the efforts toward green infrastructure being made around the country. “Water and energy are related concerns,” she states, “and there is plenty for the Legislature to do in each area.”

Continuing on this line, Stewart says she has sponsored bills in the past that have “tried to place a higher value on water,” but nothing has made it past the agricultural lobby. She believes that if water were appropriately priced – and its real prices were known – conservation would be encouraged.

By Jerold Widdison and Susan Kelly