

Thomas Mills: General Counsel of the New Mexico Tourism and Economic Development Departments

GCC Profile

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By Jen Woods

Television isn't always a bad influence on kids. Just look at Thomas Mills, who credits television shows about lawyers, like *Perry Mason*, for steering him toward the right career path. Today, Mills is the General Counsel of both the New Mexico Tourism Department and the New Mexico Economic Development Department.

Mills set his sights on becoming a lawyer in elementary school. "I decided I wanted to be a lawyer in the fifth grade, and no one ever talked me out of it!" he said. So it certainly wasn't a surprise that Mills wound up attending law school. "By the time college rolled around, I was aware of the many contributions lawyers have made to our democratic society—from drafting the U.S. Constitution to fighting for civil rights," Mills said.



Before joining New Mexico Governor Bill Richardson's administration as General Counsel, Mills spent 23 years in private practice, 17 of which he spent as a shareholder in his own firm, Potter & Mills, P.A.

Advice to Young Lawyers

An aspiring in-house attorney should "combine private practice with service as a public lawyer; the private perspective and experience will be invaluable," Mills said.

Specialization is also key, even though in-house lawyers typically handle a wide range of legal issues. "Seek a position where you can develop your expertise in a particular area of the law that interests you, knowing you will also have to know about a range of subject areas," he said.

"Being interested in and knowing a lot about how government and politics work are career assets," Mills added.

Mills later transitioned from private practice to in-house work. Governor Richardson appointed him Deputy Cabinet Secretary of the New Mexico Energy, Minerals, and Natural Resources Department in January 2003. While working for the 500-member agency, Mills was responsible for matters involving regulation of the oil and gas industry, mining reclamation, renewable and alternative energy initiatives, transportation of radioactive materials, and state forestry.

"When a governor asks you to help him, you do your best to do so. I had the advantage of having previously served as General Counsel for the then Energy and Minerals Department after moving to New Mexico in 1981," Mills said. Governor Richardson appointed Mills General Counsel for both state agencies in July 2006.

Since Mills oversees the legal departments of two state agencies, he must be prepared to handle a wide array of issues on any given day. The variety in his daily routine is one of the most appealing aspects of the job, he said. On a regular basis, Mills provides legal advice to the cabinet secretaries, deputy secretaries, and other senior managers. He also provides advice on labor and

employment legal issues. In addition, he reviews and drafts all major contracts, supervises public record requests, helps staff boards and commissions, and participates in rule-making proceedings, he said.

Right now, Mills is handling legal issues surrounding the state's \$225 million-dollar spaceport. New Mexico will soon be home to the nation's first commercial spaceport, known as Spaceport America. Once the project is complete, individuals will be able to buy tickets to fly into outer space. The first 100 passengers have already paid fees of \$200,000 each to make the trip.

"There are lots of legal issues to be worked through to make this happen," Mills said. Construction of the spaceport began in April 2004 on 27 square miles of state-owned desert. Richard Branson's Virgin Galactic plans to launch its first flight from the spaceport in 2009.

Mills recently assembled a team to draft and negotiate a 17,000-acre ground lease with New Mexico's State Land Office. "The legal needs of this project will include an EIS [Environmental Impact Statement], federal licensing, design and construction contracts, commercial leases, water rights, public financing, and others," he added.

Mills also oversees legal issues pertaining to the New Mexico Sports Authority, the New Mexico Film Office, the Off-Highway Vehicle Safety Board, and the Small Business Regulation Commission.

Over the last 20 years, Mills has been involved in many public policy initiatives. For instance, he served as the Richardson administration's point person for the Land, Wildlife, and Clean Energy Act during the 2006 legislative session. The

bill proposed to dedicate state funding to the preservation of farms and ranches, as well as conservation and clean energy projects. Mills' responsibilities included organizing fundraisers, creating a network of support within the community, and developing a lobbying strategy for the bill.

Throughout his career, Mills has played an important role in state legislation lobbying. He successfully lobbied for the Constitutional Amendment for Economic Development (1994), the Local Economic Development Act (1994), the Rapid Rail Right-of-Way Acquisition (1992), and the Finance Authority Act (1990).

Mills said he is happy to have found a job that focuses on the intersection of law and policy. "I've always been interested in public policy and politics," he added.

On the Net

New Mexico Tourism Department

www.newmexico.org/index2.php

New Mexico Economic Development Department

www.edd.state.nm.us

University of California, Hastings, College of the Law

www.uchastings.edu