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## FISCAL IMPACT REPORT

<b>SPONSOR</b>	<u>Lopez</u>	<b>ORIGINAL DATE</b>	<u>03/03/09</u>	<b>HB</b>	<u></u>
		<b>LAST UPDATED</b>	<u></u>		
<b>SHORT TITLE</b>	<u>Allow Appointee Background Checks</u>	<b>SM</b>	<u>23</u>		
		<b>ANALYST</b>	<u>Weber</u>		

### SOURCES OF INFORMATION

LFC Files

### SUMMARY

#### Synopsis of Bill

The Senate is the legislative body charged with exercising advice and consent responsibilities over executive branch appointments. The senate rules committee is charged with conducting hearings and taking testimony on the confirmation or rejection of executive branch appointments. The senate rules committee has the powers necessary to make a proper recommendation on matters referred to it and has the authority to call upon all state officers, heads of agencies, employees of agencies and political subdivisions to furnish the committee information, records and documents necessary or proper to accomplish the purposes. The appointees serve in a regulatory or policymaking capacity and have substantial authority. Many serve on constitutionally created bodies that have absolute management and control over certain institutions. There are processes and procedures to assist the committee in fulfilling its responsibilities. Part of the processes and procedures include a questionnaire eliciting information related to an appointee's suitability for an appointment. The committee used the Department of Public Safety (DPS) to verify the information provided on the questionnaire and to provide any other information deemed pertinent. This procedure worked as designed, with approximately fifteen appointees receiving background checks by DPS.

After commencing the background check process, DPS was ordered by Governor Bill Richardson to no longer assist the senate in this endeavor.

BE IT RESOLVED BY THE SENATE OF THE STATE OF NEW MEXICO that the governor be requested to rescind the governor's order to DPS to allow the background checks are resumed.

### FISCAL IMPLICATIONS

None

MW/mc