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FISCAL IMPACT REPORT

SPONSOR: Senate Rules Committee DATE TYPED: 02/22/01 HB
 SHORT TITLE: Amend Legislative joint Rule 3-1 SB SCR 1/SRCS
 ANALYST: Burch

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY01	FY02	FY01	FY02		
		NFI	NFI		

(Parenthesis () Indicate Expenditure Decreases)

Conflicts with HRC Substitute for House Concurrent Resolution 1

SOURCES OF INFORMATION

LFC Files

SUMMARY

Synopsis of Senate Rules Committee (SRC) Substitute for Senate Concurrent Resolution 1

SRC Substitute for Senate Concurrent Resolution 1 amends legislative Joint Rule 3-1 and requires that conference committee meetings shall be open to the public, except they may be closed during discussion of:

- personnel issues;
- issues related to pending litigation;
- prison security; or
- the purchase, acquisition or disposal of real property.

In addition, the time and place of open conference committee meetings shall be announced in open session on the floor of each house.

Synopsis of Original Bill

Senate Concurrent Resolution 1 amends legislative Joint Rule 3-1 and requires that conference committee meetings shall be open to the public, except they may be closed during discussion of:

- personnel issues;
- issues related to pending litigation; or

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- the purchase, acquisition or disposal of real property.

Significant Issues

Currently, conference committee meetings are closed to the public. Section 10-15-2 NMSA 1978 of the Open Meetings Act pertaining to meetings of the Legislature provides that:

“A. All meetings of a quorum of members of any committee or policymaking body of the state legislature held for the purpose of discussing public business or for the purpose of taking any action within the authority of or the delegated authority of such committee or body are declared to be public meetings open to the public at all times.

B. The provisions of Subsection A of this section shall not apply to matters relating to personnel, or matters adjudicatory in nature, or any bill, resolution or other legislative matter not yet presented to either house of the legislature or general appropriation bills.

C. For the purposes of this section, "meeting" means a gathering of the members called by the presiding officer of a standing committee.”

Although state law currently provides that only those meetings called by the presiding officers of standing legislative committees are required to be open to the public, the law does not preclude the Legislature from adopting rules that meetings of committees other than standing committees be open.

CONFLICT

House Rules and Order of Business Committee Substitute for House Concurrent Resolution 1 also amends legislative Joint Rule 3-1 and requires that conference committee meetings shall be open to the public, except they may be closed to the public for good cause upon a vote of the committee. The time and place of open conference committee meetings shall be announced on the public address system and posted at the speaker's and the president pro tempore's offices.

DKB/njw:ar