

## 27. LEGISLATIVE DISTRICT OFFICES.--

A. Subject to the availability of funds, each legislator may be provided legislative district staff (a district legislative aide), including salary and benefits, information technology equipment and software, furniture, supplies, office space and other necessary support. The title of the district staff position shall be "district legislative aide" and no other title shall be used.

B. A district legislative aide shall not work as session staff. A person who terminates employment as a district legislative aide and who works as session staff in the next following legislative session is ineligible for employment as a district legislative aide for a period of ninety (90) days following the person's termination date as session staff.

C. Subject to the availability of funds, each caucus office may be provided with funding for a district office liaison to provide logistical and coordination support between and among the legislator, district office, leadership office and legislative council service. To provide proportional support, a second liaison may be hired by a leadership office if that office has one and one-half times more members than the corresponding leadership office in the same chamber. A district office liaison shall not work as session staff.

D. The legislative council service shall provide administrative and logistical support for the district offices and district legislative aides, including human resources, accounting, information technology and other services.

E. If a legislator opts to not hire a district legislative aide, the unused funding for that district shall not be used for any purpose other than a subsequent use for that district's office and legislative aide. The leadership office:

(1) shall retain the funding in its budget to provide a district legislative aide if the legislator who opted out decides to opt in or if a successor legislator chooses to opt in; or

(2) in consultation with the legislator who opts out, may hire a district legislative aide to serve the district, provided that the aide works at the pleasure of, direction of and under the supervision of that district's legislator.

F. Legislators may combine resources and use one office for more than one district; provided that the district office is located in a place that is accessible for constituents of the districts.

G. A district office shall be located in-state, preferably within or in close proximity to the district. The legislator may propose the location of a district office, subject to approval by the district office liaison and the legislative council service. The

director of the legislative council service shall execute all leases and memorandums of understanding for district offices on behalf of the legislative council.

H. Preference shall be given to district office locations in public buildings (e.g., state, higher education institutions, counties, municipalities, community centers, tribal offices and other local public body facilities). If no adequate public building locations or offices are available in a given district, a private sector lease may be used; provided that the district office liaison and the director of the legislative council service agree on the office cost; and provided further that the director shall not enter into or execute a lease that includes market-rate rent payments prior to July 1, 2025. Any unreasonable or extraordinary cost for district office space shall be referred to the legislative council for review and approval.

I. A legislator shall obtain office supplies, furniture, equipment or signage for a district office through requests to the legislator's district office liaison or the director of the legislative council service to ensure that funding is available and that proper procurement processes are followed. Any unreasonable or extraordinary costs for office supplies, furniture, equipment or signage shall be referred to the legislative council for review and approval. The legislative council service shall not reimburse legislators for district office expenses that are paid from personal or campaign funds.

J. A legislator, with assistance from the respective district office liaison, may hire a district legislative aide for the district office; provided that the legislator or the liaison shall consult with the legislative council service before making an offer to ensure that all hiring procedures are followed. The legislator may hire a district legislative aide at no less than half-time (i.e., 40 hours per two-week pay period).

K. A legislator may not hire a district legislative aide who is related by consanguinity or affinity with the third degree to the legislator. (See Section 10-1-10 NMSA 1978, Nepotism prohibited.)

L. A district legislative aide is an employee of the chamber of which their legislator is a member, but each works at the pleasure of, the direction of and under the supervision of the legislator. Leave requests for district legislative aides shall be submitted to and approved by the respective district office liaison, in consultation with the legislator.

M. If the office of a legislator becomes vacant for any reason, the respective leadership office shall be responsible for supervising and directing the work of the affected district legislative aide until the vacancy is filled. The new legislator may decide whether to retain the district legislative aide or request a new aide, in which case the previous aide may be terminated.

N. A district legislative aide may be hired at classification E, at no more than 75% of the maximum for that classification's compensation range. The aide is eligible for

the same state employee benefits as other legislative employees of the legislative council service. The aide shall reside in New Mexico. To the extent practicable, the legislative aide shall reside in or in close proximity to the district. The legislative aide may work in a district office or on a hybrid schedule to include working from home or in the district office; provided that if the aide works solely from home, no district office shall be provided.

O. A district legislative aide is subject to the same administrative policies and procedures applicable to the director and employees of the legislative council service, including leave policies; provided, however, that certain policies and procedures may require legislative council review and approval because of the nature of remote district offices.

P. Beginning July 1, 2025, and subject to the availability of funds:

(1) ~~each legislative district shall receive a travel budget allocation for the district legislative aide based on the geographic area of the legislative district~~ the legislative council service shall reserve for each legislative district a discretionary budget allocation from the legislative appropriation for legislative district staff for expenditure in the fiscal year beginning July 1. The amount of the discretionary budget allocation shall be established annually, and adjusted as needed, by the legislative council. The purpose of the discretionary budget allocation is to provide funding for approved travel for a district legislative aide and for procurement of legislative district office supplies and equipment that are in addition to the basic supplies and equipment provided to all district offices and determined by the director to be appropriate for purchase by the state;

(2) with prior approval of the legislator and respective district office liaison, and within the confines of the ~~travel-discretionary~~ budget allocation for the legislative district, a district legislative aide may receive per diem and mileage pursuant to the Per Diem and Mileage Act for occasional and irregular travel in the state; and

(2)

(3) subject to approval by the district office liaison, a district legislative aide may use a state vehicle for business purposes if the aide has completed the required defensive driving training course.

Q. A district legislative aide may provide support to include:

- (1) correspondence;
- (2) scheduling;
- (3) policy research;
- (4) constituent services at the local level (state-level constituent

services will still be carried out by the chief clerks pursuant to Section 2-14-1 NMSA 1978);

(5) organization of nonpartisan town halls; and

(6) other duties as assigned by the legislator; provided that if there is any question regarding the appropriateness of the duty, the issue should be referred to the legislative council service and the district office liaison.

R. The legislative council service shall provide for or conduct training for district legislative aides to include:

(1) policies and procedures of the legislative council service;

(2) use of state resources, IT equipment and cybersecurity;

(3) general overview of the legislature and legislative process; and

(4) ethics training that covers the Governmental Conduct Act, Lobbyist Regulation Act, Campaign Reporting Act, Financial Disclosure Act, Gift Act, State Ethics Commission Act, Procurement Code, Anti-Harassment Policy, legislative staff code of conduct, electioneering, nepotism and other constitutional and statutory provisions, rules or policies that cover ethical conduct of legislative staff and legislators. (As adopted October 25, 2024 and effective on and after October 25, 2024.)

REVISIONS.--The New Mexico Legislative Council reviewed and updated these policies on August 19, 2019. Any subsequent revision of a policy will include the date of revision at the end of that policy's text.