

1 A MEMORIAL

2 REQUESTING THE NEW MEXICO LEGISLATIVE COUNCIL TO CONVENE A
3 TASK FORCE TO MAKE RECOMMENDATIONS ON REGULATORY REFORM.
4

5 WHEREAS, in 1969, New Mexico adopted the Administrative
6 Procedures Act, which is comprehensive legislation providing
7 for uniform administrative procedures based on the 1961 model
8 state act adopted by the national conference of commissioners
9 on uniform state laws; and

10 WHEREAS, the legislature exempted most administrative
11 actions from coverage under the Administrative Procedures
12 Act; and

13 WHEREAS, the scope and complexity of administrative
14 responsibility has substantially increased since 1969; and

15 WHEREAS, the legislature needs to reconsider whether the
16 Administrative Procedures Act should apply to most, if not
17 all, agencies; and

18 WHEREAS, the legislature also needs to consider whether
19 other broad-based regulatory reform will enhance consistency
20 and predictability with respect to administrative actions;
21 and

22 WHEREAS, it is imperative that regulated entities and
23 the public have confidence in New Mexico's administrative
24 processes and the decisions resulting from those processes,
25 and regulatory reform efforts would assist in this effort;

1 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE
2 STATE OF NEW MEXICO that the New Mexico legislative council
3 be requested to convene a regulatory reform task force to
4 make recommendations on reform of administrative rulemaking,
5 licensing, enforcement and adjudication processes, including
6 any necessary reforms to administrative procedures as
7 recommended by the national conference of commissioners on
8 uniform state laws and the American bar association; and

9 BE IT FURTHER RESOLVED that the New Mexico legislative
10 council be requested to limit the regulatory reform task
11 force to twenty-two members, including:

12 A. one member, appointed by the governor, who
13 represents the public interest;

14 B. one member, appointed by the governor, who
15 represents the business community;

16 C. one member, appointed by the governor, who is
17 an attorney licensed to practice law in the state of New
18 Mexico;

19 D. three members, appointed by the governor, who
20 represent the interests of agencies, boards and commissions;

21 E. two members, appointed by the governor,
22 representing the environmental justice community;

23 F. the state engineer or a designee of the state
24 engineer;

25 G. the secretary of environment or a designee of

1 the secretary of environment;

2 H. the secretary of energy, minerals and natural
3 resources or a designee of the secretary of energy, minerals
4 and natural resources;

5 I. the secretary of health or a designee of the
6 secretary of health;

7 J. the secretary of human services or a designee
8 of the secretary of human services;

9 K. the attorney general or a designee of the
10 attorney general;

11 L. three senators, appointed by the president pro
12 tempore of the senate, with at least one of the senators
13 coming from the minority party;

14 M. one person, appointed by the president pro
15 tempore of the senate, who is not a legislator;

16 N. three representatives, appointed by the speaker
17 of the house of representatives, with at least one of the
18 representatives coming from the minority party; and

19 O. one person, appointed by the speaker of the
20 house of representatives, who is not a legislator; and

21 BE IT FURTHER RESOLVED that the regulatory reform task
22 force be requested to report its findings and conclusions and
23 any recommended legislation to the appropriate interim
24 legislative committee by October 2007; and

25 BE IT FURTHER RESOLVED that copies of this memorial be

