

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current FIRs (in HTML & Adobe PDF formats) are available on the NM Legislative Website (legis.state.nm.us). Adobe PDF versions include all attachments, whereas HTML versions may not. Previously issued FIRs and attachments may be obtained from the LFC in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

SPONSOR	<u>Foley</u>	ORIGINAL DATE	<u>1/29/08</u>	HR	<u>2</u>
		LAST UPDATED	<u></u>	SB	<u></u>
SHORT TITLE	<u>Prohibit Closed Conference Committee Meetings</u>			SB	<u></u>
		ANALYST	<u>Cox</u>		

SOURCES OF INFORMATION

LFC Files

Responses Received From
Attorney General's Office (AGO)

SUMMARY

Synopsis of Bill

House Resolution 2 calls for members of the New Mexico House of Representatives to adopt Rule 9-5-7 by a 'two-thirds' vote of its members. This Rule relates to 'open Conference Committee' meetings. If adopted, HR 2 stated that House Members shall not participate in a meeting of a Conference Committee that is closed to the public. Members appointed to a Conference Committee shall notify the chief clerk of the time and place the conference committee is scheduled to meet. The chief clerk shall post the conference committee meeting time and place at the clerk's office.

SIGNIFICANT ISSUES

This House Resolution deals with 'open meeting' rules as stated in a proposed new House Rule 9-5-7. NMSA Section 10-15-1 through Section 10-15-3 also applies to 'open meeting' regulations.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

House Bill 523 amends the above NMSA Section 10-15-2 and also discusses NMSA Section 10-15-3. There is a similarity between HB 523 and HR 2, in relationship to the basic concept of

'open meetings'. However, there is a conflict as to the specificity of how this 'open meeting concept' can be achieved. HB 523 is more specific in its actions. For example, HB 523 states:

- All meetings of a quorum of policymaking bodies shall be 'public meetings'. (similar)
- Reasonable notice of such public meetings will be given. (not similar)
- These provisions of public meetings will not apply to personnel matters discussed by such a Conference Committee. (not similar)
- The public, in certain instances, may observe the meeting, but not participant in the

House Resolution 2 – Page 2

meeting. (not similar)

- In these ‘Committees’, there shall be a proportional number of members of the majority and minority parties. The minority party must have at least one member, however.
- This Bill exempts certain actions of Conference Committees from the presumption that the all ‘Open Meeting Statutes’ have been applied. (see NMSA 1978 Section 10-15-3) – (not similar)

POSSIBLE QUESTIONS

Which alternative (HR 2 or HB 523) does the House wish to adopt?

Should both HB 523 and HR 2 be considered separate issues, for the following reasons? :

HB 523 relates to new language in NMSA 10-15-1 through 3, and
HR 2 relates to the adoption of a new ‘House Rule’

PRC/jp