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HOUSE BILL 574

**49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

INTRODUCED BY

Mary Helen Garcia

FOR THE ECONOMIC AND RURAL DEVELOPMENT COMMITTEE AND THE  
RADIOACTIVE AND HAZARDOUS MATERIALS COMMITTEE

AN ACT

RELATING TO REGULATION; CREATING AN ADMINISTRATIVE PROCEDURES  
TASK FORCE; PROVIDING DUTIES; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. ADMINISTRATIVE PROCEDURES TASK FORCE CREATED--  
MEMBERSHIP--DUTIES.--

A. The "administrative procedures task force" is  
created. The task force shall function from July 1, 2009 to  
December 15, 2012.

B. The task force shall consist of seventeen  
members as follows:

(1) three members of the senate, with at least  
one from the minority party, and three members of the house of  
representatives, with at least one from the minority party,  
appointed by the New Mexico legislative council;

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1 (2) three members representing the interests  
2 of state agencies, appointed by the governor, at least one  
3 being a lawyer;

4 (3) the attorney general or the attorney  
5 general's designee;

6 (4) one member of the state bar of New Mexico,  
7 appointed by the state bar president;

8 (5) one member representing the interests of  
9 industry, appointed by the governor;

10 (6) one member representing the interests of  
11 industry, appointed by the New Mexico legislative council;

12 (7) one member from the university of New  
13 Mexico school of law, appointed by the dean of the school of  
14 law;

15 (8) one member representing the interests of  
16 the judicial branch, appointed by the chief justice of the New  
17 Mexico supreme court; and

18 (9) two members representing public interest  
19 advocacy groups, including one representative from a consumer  
20 advocacy group and one representative from an environmental  
21 advocacy group, appointed by the governor.

22 C. The task force shall be co-chaired by a member  
23 of the house of representatives and a member of the senate, as  
24 appointed by the New Mexico legislative council. The task  
25 force shall meet at the call of the co-chairs at least four

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1 times per calendar year.

2 D. Vacancies on the task force shall be filled by  
3 appointment by the original appointing authority.

4 E. Members of the task force are entitled to per  
5 diem and mileage as provided in the Per Diem and Mileage Act  
6 and shall receive no other compensation, perquisite or  
7 allowance.

8 F. Staff for the task force shall be provided by  
9 the legislative council service with expertise provided by the  
10 state records administrator or the administrator's designee.

11 G. The task force shall:

12 (1) review the 2009 model Administrative  
13 Procedures Act to be released by the national conference of  
14 commissioners on uniform state laws;

15 (2) review rulemaking and adjudicatory systems  
16 in other states;

17 (3) consider whether the proposed model act  
18 should apply to most, if not all, state agencies;

19 (4) consider whether broad-based reform will  
20 enhance consistency and predictability and meet the goals  
21 necessary to serve the citizens and businesses of New Mexico  
22 more effectively;

23 (5) identify strategies for improving the  
24 essential rulemaking and adjudicatory functions of state  
25 agencies in order to carry out legislative mandates

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1 effectively; and

2 (6) determine necessary legislative action to  
3 improve administrative procedures and develop a strategy and  
4 time line for implementation of any recommended changes.

5 H. The task force shall report its findings and  
6 make recommendations to the governor and the legislature before  
7 the beginning of the 2010, 2011 and 2012 legislative sessions.

8 Section 2. APPROPRIATION.--One hundred fifty thousand  
9 dollars (\$150,000) is appropriated from the general fund to the  
10 legislative council service for expenditure in fiscal years  
11 2009 through 2012 to pay costs associated with the  
12 administrative procedures task force. Any unexpended or  
13 unencumbered balance remaining at the end of fiscal year 2012  
14 shall revert to the general fund.