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FISCAL IMPACT REPORT

ORIGINAL DATE 01/25/10

SPONSOR Sapient LAST UPDATED _____ HB _____

SHORT TITLE Agency & Board Reports Online SM 7

ANALYST Haug

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY10	FY11		
	NFI	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Public Education Department (PED)
 Health Policy Commission (HPC)
 Department of Health (DOH)
 Energy, Minerals and Natural Resources Department (EMNRD)
 Regulation and Licensing Department (RLD)
 Economic Development Department (EDD)
 Human Services Department (HSD)

SUMMARY

Synopsis of Bill

Senate Memorial 7 requests that all agencies, commissions and boards of state government post annual reports and reports of memorials on line and to print and mail copies of reports only on specific request. The memorial further asks all state agencies to review and commit to complying with 2-3-14.1 NMSA 1978 by using electronic media wherever possible. In addition, the memorial request the Department of Information Technology to develop a specific web page on its website with links to all annual reports and reports of memorials generated by state agencies, commissions and boards.

FISCAL IMPLICATIONS

Senate Memorial 5 has no direct fiscal implications, but adherence to its principles could reduce to some extent operating costs for printing or duplicating and mailing.

SIGNIFICANT ISSUES

The challenges of a recessionary economy provide opportunities to trim costs and contribute to protection of the environment.

During this session of the legislature, the state is challenged to identify significant savings in state spending.

One activity generating inestimable expense in which the state continually engages is the printing and distribution of annual reports and reports of memorials to all one hundred twelve members of the legislature and others.

Although section 2-3-14.1 nmsa 1978 states "no state agency shall submit or send to the members of the legislature any material other than proposed legislation in excess of five pages", this law is routinely ignored.

Most legislators communicate regularly via email, and many of them prefer receiving information electronically.

Section 2-3-14.1 NMSA 1978 includes provisions that allow a state agency to provide reports and other material to a legislator utilizing print media upon the direct request of the legislator.

Nothing in this memorial is seeking to limit the ability of an individual legislator to request and receive print copies of annual reports and reports of memorials.

State agencies seeking to identify opportunities to trim state budgets in response to this current budget crisis should realize significant savings by the elimination of printing multiple copies of annual reports and reports of memorials.

Although some state agencies effectively use the agency's web site to post annual reports and reports of memorials, many do not.

Any and all efforts to reduce the unnecessary printing and mailing of annual reports and reports of memorials serve the purpose of reducing expenditures, protecting the environment and complying with existing state law.

According to the PED, SM 7 notes that Section 2-3-14.1 NMSA 1978 states that "No state agency shall submit or send to the members of the legislature any material other than proposed legislation in excess of five pages." The memorial states that this provision of law is routinely ignored. However, subsections B and C of the section respectively except responses of an agency to a request of a legislator or group of legislators, and reports to the legislature from a state agency, from the page limitations.

The RLD notes that it already uses the department website to post documents electronically. This includes applications, complaint forms and renewals. The Departments states further that it could realize print savings.

The DOH reports that The Department of Health's (DOH) copy center charges 10-cents per page for color copies. By comparison, distributing a publication by email or through posting on a web page is virtually free.

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The EDD states that by reducing the cost of printing and receive information electronically or post on agencies websites, we are reducing costs on paper, printer cartridges and postage. These items are extremely expensive. This bill will eliminate agencies printing costs significantly and have additional cost savings.

According to the HSD, if implemented the Memorial should generate savings across State Government. The savings from not printing and mailing documents could be significant across State Government however agencies that do not have the IT infrastructure to implement this Memorial are likely to incur costs to meet the requirements posting this information on the web. Another variable which could impact the costs is the length of time that these documents must be maintained on the web site. The longer that these documents are maintained on the website, the more memory is required which drives up the cost.

ADMINISTRATIVE IMPLICATIONS

ENMRD states that there are no administrative implications for EMNRD because the agency is already taking the actions requested in SM 7. Agency annual reports have been posted on our website for several years and provided electronically to legislators. Written copies are only provided upon request. EMNRD has reduced the printing of annual reports from 1000 a year to 500 last year and to 100 this year. The printed reports are necessary for any specific requests and for libraries that maintain the reports.

TECHNICAL ISSUES

The PED notes: Subsection C of 2-3.14.1 NMSA 1978 requires that “[a]ll reports to the legislature by a state agency shall be filed in duplicate with the legislative council service and such reports shall not be subject to the page limitations of this section. The service shall compile a list of the reports submitted prior to each regular legislative session since the beginning of the previous regular session, listing the title and agency, and distribute the list among the legislators during the first week of the session.” Presumably, this requirement will continue to remain in effect.

GH/svb