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FISCAL IMPACT REPORT

SPONSOR Jennings DATE TYPED 0316/05 HB _____

SHORT TITLE Per Diem for Certain Legislative Meetings SB 839/aHF1#1

ANALYST Abbey/Fernandez

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
			±\$31.2	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Relates to Appropriation in the General Appropriation Act

SOURCES OF INFORMATION

LFC Files

SUMMARY

Synopsis of House Floor Amendment #1

The House Floor Amendment clarifies that the additional day may only be claimed if the member isn't eligible to claim the additional travel day as an actual travel day.

Synopsis of Bill

Senate Bill 839 proposes adding one additional day of per diem at the internal revenue service rate for legislators traveling to a location that is one hundred or more miles from the location of the legislator's point of departure when serving on official business for an interim committee.

Significant Issues

Legislative interim committees include the following: Legislative Council; Legislative Finance Committee; Legislative Education Study Committee; Corrections Oversight, Courts & Justice Committee; Economic & Rural Development & Telecommunications Committee; Indian Affairs Committee; Information Technology Oversight Committee; Interim Legislative Ethics Committee, Legislative Committee on Compacts; Legislative Health & Human Services Committee; Land Grant Committee; Los Alamos National Laboratory Oversight Committee; Mortgage Finance Authority Act Oversight Committee; New Mexico Finance Authority Oversight Commit-

tee; New Mexico Horizons Task Force; Public School Capital Outlay Task Force; Radioactive & Hazardous Materials Committee; Revenue Stabilization & Tax Policy Committee; State Permanent Fund Task Force; Tobacco Settlement Revenue Oversight Committee; Water & Natural Resources Committee; Welfare Reform Oversight Committee; Senate Rules Committee; Commission on Uniform State Laws and Educational Commission of the States.

FISCAL IMPLICATIONS

This bill does not make an appropriation however; legislative per diem expenses during the interim would increase depending on location of interim meetings, interim assignments and location of legislator's point of departure.

The current internal revenue service per diem rate is \$141.00 day. If 112 legislators receive 2 additional days of per diem per fiscal year, the cost to implement this bill would be \$31,584. Again, the cost is dependent on location of interim meetings, interim assignments and location of legislator's point of departure so the cost could be less than \$31,584 or could exceed this amount.

TECHNICAL ISSUES

Section 2-1-9 NMSA 1978, B(2) currently allows legislators to be paid per diem for each day served including travel time but does not specify the number of allowable days. Presumably, allowable travel time is determined by Legislative Council rules or policies. This bill would limit the allowable travel time to one day. How does this proposal differ from current practices?

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Senate Bill 839 relates to House Bill 1, the Feed Bill, which contains the FY06 appropriation for legislative expenses.

CTF/lg:njw