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SENATE BILL 272

**48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007**

INTRODUCED BY  
Phil A. Griego

FOR THE LEGISLATIVE FINANCE COMMITTEE

AN ACT

RELATING TO PUBLIC SAFETY; CREATING A JOINT INTERIM LEGISLATIVE  
PUBLIC SAFETY AND HOMELAND SECURITY OVERSIGHT COMMITTEE;  
DECLARING AN EMERGENCY.

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

Section 1. PUBLIC SAFETY AND HOMELAND SECURITY OVERSIGHT  
COMMITTEE CREATED--TERMINATION.--The "public safety and  
homeland security oversight committee" is created as a joint  
interim legislative committee. The committee shall function  
from the date of its appointment until the first of December  
prior to the first session of the forty-ninth legislature.

Section 2. MEMBERSHIP--APPOINTMENT--VACANCIES.--

A. The public safety and homeland security  
oversight committee shall be composed of eight members. Four  
members of the house of representatives shall be appointed by

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1 the speaker of the house of representatives. Four members of  
2 the senate shall be appointed by the senate committees'  
3 committee or, if the senate appointments are made in the  
4 interim, by the president pro tempore of the senate after  
5 consultation with and agreement of a majority of the members of  
6 the senate committees' committee.

7 B. Members shall be appointed from each house so as  
8 to give the two major political parties in each house  
9 proportionate representation on the committee as prevails in  
10 each house; provided, however, that in no event shall either  
11 party have less than one member from each house on the  
12 committee. The speaker of the house of representatives and the  
13 president pro tempore of the senate shall each appoint a co-  
14 chair of the committee.

15 C. A vacancy on the committee shall be filled by  
16 appointment in the same manner as the original appointment.

17 D. No action shall be taken by the committee if a  
18 majority of the total membership from either house on the  
19 committee rejects the action.

20 E. Members of the committee shall be reimbursed for  
21 per diem and mileage as provided in the Per Diem and Mileage  
22 Act and shall receive no other compensation, perquisite or  
23 allowance.

24 Section 3. DUTIES--COOPERATION.--

25 A. After its appointment, the public safety and

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1 homeland security oversight committee shall hold one  
2 organizational meeting to develop a work plan and budget for  
3 the ensuing interim. The work plan and budget shall be  
4 submitted to the New Mexico legislative council for approval.

5 B. Upon approval of its work plan and budget, the  
6 committee shall:

7 (1) monitor and oversee the operation and  
8 administration of the programs, duties, services, personnel  
9 policies and law enforcement and investigative functions of the  
10 department of public safety and the governor's homeland  
11 security adviser or a successor agency;

12 (2) review issues related to the management,  
13 coordination and use of state resources and manpower in  
14 responding to New Mexico's public safety needs and problems;  
15 and

16 (3) examine the statutes, constitutional  
17 provisions, rules and court decisions governing the department  
18 of public safety and the governor's homeland security adviser  
19 or a successor agency.

20 C. The committee shall have the power to conduct  
21 hearings and administer oaths. The committee shall have the  
22 power to subpoena, which may be enforced through any district  
23 court of the state. The subpoena power shall be used only upon  
24 approval by a majority of committee members and shall be  
25 related to the committee's powers and duties specified in this

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1 section. Service of committee process shall be made by any  
2 sheriff or any member of the New Mexico state police and shall  
3 be served without cost to the committee.

4 D. The department of public safety, the governor's  
5 homeland security adviser or a successor agency and every other  
6 state agency and political subdivision of the state shall, upon  
7 request, furnish and make available to the committee documents,  
8 material or information requested by the members of the  
9 committee or its staff. Documents, the use of which is  
10 restricted by or pursuant to law or for reasons of security or  
11 the public interest, may be inspected or surveyed by the  
12 members of the committee, subject to the same restrictions  
13 imposed upon employees of the agency holding the documents.

14 Section 4. SUBCOMMITTEES.--

15 A. Subcommittees may be created only by a majority  
16 vote of members appointed to the public safety and homeland  
17 security oversight committee and with the prior approval of the  
18 New Mexico legislative council. A subcommittee shall be  
19 composed of at least one member from the house of  
20 representatives and one member from the senate, and at least  
21 one member of the minority party shall be a member of the  
22 subcommittee.

23 B. All meetings of a subcommittee shall be approved  
24 by the full committee in advance of the meetings, and the  
25 approval shall be shown in the minutes of the committee.

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