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HOUSE BILL 141

49TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2010

INTRODUCED BY
Nathan P. Cote

AN ACT

RELATING TO TRANSPARENCY IN GOVERNMENT; REQUIRING THE
COMMISSIONER OF PUBLIC LANDS TO MAINTAIN A WEB SITE WITH
CERTAIN FINANCIAL INFORMATION.

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

Section 1. A new section of Chapter 19 NMSA 1978 is
enacted to read:

"[NEW MATERIAL] TRANSPARENCY IN GOVERNMENT--STATE LAND
OFFICE INFORMATION.--

A. The commissioner of public lands shall develop,
operate and maintain a single web site that is free, user-
friendly, searchable and accessible to the public to host
financial information relating to state lands for the purpose
of governmental transparency and accountability to state land
office lessees and other interested persons.

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1 B. No later than October 1, 2010, the commissioner
2 shall create the architecture and the information exchange
3 process for the collection and electronic publication of the
4 state land office's financial information.

5 C. No later than July 1, 2011, the web site shall
6 be available for public access and include updated information
7 as required by Subsection D of this section.

8 D. The web site shall provide, at a minimum, access
9 to the following information:

10 (1) the annual operating budget for the state
11 land office, with monthly expenditures by category;

12 (2) information about contracts entered into
13 by the commissioner for purchases of personal property or
14 personal services that have a total value of more than twenty
15 thousand dollars (\$20,000), including the contractor's name,
16 the purpose of the contract, the date of the contract and its
17 term;

18 (3) the revenue that the state land office
19 received by month, and by source, such as the type of lease or
20 contract and whether the revenue was for a bonus, royalty or
21 other payment, except that oil and gas royalties or other
22 payments not paid directly to the commissioner need not be
23 reported;

24 (4) information concerning state land office
25 employees who are exempt from the Personnel Act, including

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1 their names, titles, job descriptions and salaries;

2 (5) information concerning each upcoming
3 monthly oil and gas lease sale, including a description of the
4 tracts to be offered and the minimum bid for each tract;

5 (6) the results of each monthly oil and gas
6 lease sale held during the most recent twelve months, including
7 a description of each tract, the winning bid and the name and
8 address of the winning bidder;

9 (7) information concerning leases, sales or
10 other agreements that, in the next sixty days, will be awarded
11 or entered into with the person who submits the highest and
12 best bid or proposal. The information shall include a
13 description of the proposed transaction, the requirements for
14 submitting a bid or proposal and where an interested person may
15 obtain additional information;

16 (8) information relating to each lease, other
17 than oil and gas leases, entered into during each month,
18 including the type of lease, the name of the lessee, a
19 description of the leased acreage and the amount of bonus or
20 other money paid to the state for the right to enter into the
21 lease;

22 (9) a copy of each lease or other agreement
23 entered into for the commercial use of state land;

24 (10) a copy of each agreement or proposed
25 agreement under which state land has been or may be exchanged

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1 for land owned by other persons; and

2 (11) additional information, as deemed
3 relevant by the commissioner, that will assist the public in
4 understanding state land office operations and its revenues and
5 expenditures.

6 E. The commissioner shall update the web site as
7 new information is received but, at least monthly, include
8 information from the previous month or year, where relevant,
9 for comparison purposes and shall maintain the web site as the
10 primary source of public information about the activity of the
11 state land office.

12 F. Nothing in this section shall require disclosure
13 of information that is confidential by state or federal law."