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SENATE BILL 63

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

INTRODUCED BY

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AN ACT

RELATING TO LONG-TERM PLANNING AND EVALUATION; ESTABLISHING THE
NEW MEXICO STRATEGIC PLANNING COMMISSION TO ESTABLISH A
STATEWIDE STRATEGIC PLANNING PROCESS AND TO CONDUCT AN ONGOING
REVIEW OF THE PLANNING PROCESS IN NEW MEXICO; ESTABLISHING
POWERS AND DUTIES; AUTHORIZING APPROPRIATIONS FROM THE PUBLIC
PROJECT REVOLVING FUND; MAKING AN APPROPRIATION.

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

Section 1. [NEW MATERIAL] SHORT TITLE.--Sections 1
through 5 of this act may be cited as the "Strategic Planning
Act".

Section 2. [NEW MATERIAL] LEGISLATIVE FINDINGS--
PURPOSE.--

A. The legislature finds that the state is faced
with increasing demands and limited resources, and that this

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1 situation requires the conservation and wise management of
2 resources to preserve resources for future generations. The
3 legislature further finds that wise use and management of state
4 resources require the cooperative effort of both the public and
5 the private sector.

6 B. The legislature also finds that the state
7 currently lacks a comprehensive strategic planning process and
8 that new laws and policies are sometimes developed without a
9 full assessment of existing policy, in some cases resulting in
10 duplicative or even contradictory policies. Given the
11 necessity of strategic planning and resource management, the
12 legislature finds that a process must be established to
13 accomplish both those goals in a manner that reflects the
14 diversity and richness of the state's citizenry.

15 C. It is the purpose of the Strategic Planning Act
16 to create a commission to oversee the design and implementation
17 of a statewide strategic planning process and to review
18 statewide planning and planning processes on an ongoing basis.

19 D. The commission created by the Strategic Planning
20 Act is not intended to generate plans or engage in planning for
21 the state or any local government, or to conflict with existing
22 regional or local planning initiatives, but rather to create a
23 strategic planning process that may be utilized by state and
24 local governments when those governmental entities plan.

25 Section 3. [NEW MATERIAL] DEFINITIONS.--As used in the
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1 Strategic Planning Act:

2 A. "commission" means the New Mexico strategic
3 planning commission; and

4 B. "director" means the executive director of the
5 New Mexico strategic planning commission.

6 Section 4. [NEW MATERIAL] NEW MEXICO STRATEGIC PLANNING
7 COMMISSION--CREATION--MEMBERSHIP.--

8 A. The "New Mexico strategic planning commission"
9 is created.

10 B. The commission consists of thirteen members, six
11 of whom shall be appointed by the governor; three of whom shall
12 be appointed by the president pro tempore of the senate; three
13 of whom shall be appointed by the speaker of the house of
14 representatives; and one of whom shall be the chair of the
15 board of the New Mexico finance authority, who shall be an ex-
16 officio member voting only when the appointed members are
17 equally divided in a vote. To the extent possible, members
18 should be appointed to reflect the geographic and cultural
19 diversity of the state. Of the members initially appointed to
20 the commission, two members appointed by the senate president
21 pro tempore and the speaker of the house of representatives
22 shall serve terms of two years and the remaining legislative
23 appointees shall serve terms of four years; and members
24 appointed by the governor shall serve terms of three years.
25 All subsequent appointees shall serve terms of four years.

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1 C. The commission shall elect one member from among
2 themselves to serve as chair and may elect from among
3 themselves other officers it deems necessary.

4 D. Members of the commission who are not state
5 employees may be paid per diem and mileage pursuant to the
6 provisions of the Per Diem and Mileage Act.

7 Section 5. [NEW MATERIAL] COMMISSION POWERS AND
8 DUTIES.--

9 A. The commission shall establish a strategic
10 planning process that shall include public and private sector
11 partners and shall be modeled after strategic planning
12 processes in common use in the public and private sectors. The
13 process shall include:

14 (1) a method to ensure broad-based statewide
15 participation;

16 (2) an information-gathering component by
17 which to assess current economic conditions and trends;

18 (3) an analysis of the state's strengths,
19 weaknesses and opportunities;

20 (4) the establishment of goals, objectives,
21 milestones, a time line for implementation and tracking and a
22 vision for New Mexico and strategies for implementation;

23 (5) a procedure and metrics for measuring
24 performance; and

25 (6) a procedure for periodic review and

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1 refinement of the planning process.

2 B. The planning process shall be designed to
3 generate plans to improve governmental accountability,
4 efficiency and organizational structure and to create a
5 strategic road map for all major governmental functions,
6 including capital outlay and functions related to work force
7 development, children and families, education, energy,
8 environment, water, economic development, health, housing,
9 culture and infrastructure.

10 C. The commission shall coordinate, collaborate and
11 use the resources in the various agencies, office of the
12 governor, authorities, local governments and departments that
13 contain planning functions in New Mexico.

14 D. The commission shall hire and fix the
15 compensation of an executive director. The director shall not
16 currently be employed by the state. The director shall be well
17 versed in planning and management and the implementation of
18 planning directives. The director, with the authorization of
19 the commission, may employ staff as necessary to carry out the
20 duties of the commission and the provisions of the Strategic
21 Planning Act.

22 E. The commission, through its director, is
23 authorized to enter into such contracts and agreements as are
24 necessary to carry out the provisions of the Strategic Planning
25 Act.

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1 F. Once a strategic planning process is
2 established, the commission shall continue to review state and
3 local planning, shall review the implementation and
4 effectiveness of its planning process on an ongoing basis and
5 may revise the planning process based on this review.

6 G. Prior to November 1 of each year, the commission
7 shall prepare and submit a report to the governor, the
8 legislative finance committee and the interim New Mexico
9 finance authority oversight committee on the status of the
10 strategic planning process and on the efforts and
11 accomplishments of the commission. The report shall include
12 recommendations regarding funding for the commission for the
13 next fiscal year and shall be made available to the public on
14 the legislature's and the governor's web sites.

15 Section 6. Section 6-21-6.1 NMSA 1978 (being Laws 1994,
16 Chapter 145, Section 2, as amended) is amended to read:

17 "6-21-6.1. PUBLIC PROJECT REVOLVING FUND--APPROPRIATIONS
18 TO OTHER FUNDS.--

19 A. The authority and the department of environment
20 may enter into a joint powers agreement pursuant to the Joint
21 Powers Agreements Act for the purpose of describing and
22 allocating duties and responsibilities with respect to creation
23 of an integrated loan and grant program to be financed through
24 issuance of bonds payable from the public project revolving
25 fund. The bonds may be issued in installments or at one time

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1 by the authority in amounts authorized by law. The aggregate
2 amount of bonds authorized and outstanding pursuant to this
3 subsection shall not be greater than the amount of bonds that
4 may be annually repaid from an amount not to exceed thirty-five
5 percent of the governmental gross receipts tax proceeds
6 distributed to the public project revolving fund in the
7 preceding fiscal year. The net proceeds may be used for
8 purposes of the [~~water and wastewater~~] local government
9 planning fund and the water and wastewater project grant fund
10 as specified in the New Mexico Finance Authority Act or for
11 purposes of the Wastewater Facility Construction Loan Act, the
12 Rural Infrastructure Act, the Solid Waste Act or the Drinking
13 Water State Revolving Loan Fund Act.

14 B. Public projects funded pursuant to the
15 Wastewater Facility Construction Loan Act, the Rural
16 Infrastructure Act, the Solid Waste Act or the Drinking Water
17 State Revolving Loan Fund Act shall not require specific
18 authorization by law as required in Sections 6-21-6 and 6-21-8
19 NMSA 1978.

20 C. At the end of each fiscal year, after all debt
21 service charges, replenishment of reserves and administrative
22 costs on all outstanding bonds, notes or other obligations
23 payable from the public project revolving fund are satisfied,
24 an aggregate amount not to exceed thirty-five percent of the
25 governmental gross receipts tax proceeds distributed to the

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1 public project revolving fund in the preceding fiscal year less
2 all debt service charges and administrative costs of the
3 authority paid in the preceding fiscal year on bonds issued
4 pursuant to this section may be appropriated by the legislature
5 from the public project revolving fund to the following
6 commission or funds for planning and local infrastructure
7 financing:

8 (1) the wastewater facility construction loan
9 fund for purposes of the Wastewater Facility Construction Loan
10 Act;

11 (2) the rural infrastructure revolving loan
12 fund for purposes of the Rural Infrastructure Act;

13 (3) the solid waste facility grant fund for
14 purposes of the Solid Waste Act;

15 (4) the drinking water state revolving loan
16 fund for purposes of the Drinking Water State Revolving Loan
17 Fund Act;

18 (5) the water and wastewater project grant
19 fund for purposes specified in the New Mexico Finance Authority
20 Act; ~~[or]~~

21 (6) the ~~[water and wastewater]~~ local
22 government planning fund for purposes specified in the New
23 Mexico Finance Authority Act; or

24 (7) the New Mexico strategic planning
25 commission.

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