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FISCAL IMPACT REPORT

ORIGINAL DATE 02/06/10

SPONSOR Fischmann LAST UPDATED _____ HB _____

SHORT TITLE Contributions by Land Office Contractors SB 110

ANALYST Ortiz

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY10	FY11		
	No Appropriation		

(Parenthesis () Indicate Expenditure Decreases)

Relates to HB49, HB125, SB43, SB108, SB154, SB49, SB118, SB28 and SB48

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Finance and Administration (DFA)

Attorney General's Office (AGO)

General Services Department (GSD)

Secretary of State (SOS)

State Land Office (SLO)

SUMMARY

Synopsis of Bill

Senate Bill 110 would prohibit contributions or solicitations of contributions by persons with contracts with the state land office to the office of commissioner of public lands or to anyone running for that office or to any campaign committee for such a person. If a person makes a contribution to such person or campaign committee, that contributor is prohibited from obtaining a contract with the office of the commissioner of public lands for five years from the date the contribution or solicitation of the contribution was made and until one year after the end of the term of the person to whom the contribution was made. The bill includes a wide range of contracts including leases of state land for various uses. "Person" is broadly defined in the bill.

SIGNIFICANT ISSUES

This bill would eliminate certain contractors from contracting with the state land office. These might, in fact, be the best contractors for particular work. But the remedy, suggests DFA, is for

these contractors to refrain from making political contributions to the office of commissioner of public lands.

This bill, according to the SLO, appears to be unconstitutional in that it targets a particular office within state government and places restrictions on that office not placed on similar offices. It also places penalties for violating this portion of the Campaign Reporting Act that substantially exceed penalties for similar violations.

PERFORMANCE IMPLICATIONS

It is not clear who, if anyone, will verify compliance. It appears that execution is based on the “honor system.”

RELATIONSHIP

Relates to ethics bills HB49, HB125, SB43, SB108 and SB154. Also, relates to election contribution bills SB49, SB118, SB28 and SB48.

EO/mew