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HOUSE BILL 866

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Raymond G. Sanchez

AN ACT

RELATING TO STRATEGIC PLANNING; AMENDING AND ENACTING SECTIONS OF THE NMSA 1978 TO ESTABLISH THE NEW MEXICO FUTURES COMMISSION TO FORM A FRAMEWORK FOR ENSURING NEW MEXICO'S LEGACY OF ENCHANTMENT; ESTABLISHING POWERS AND DUTIES; 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 situation requires the conservation and wise management of

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

5 B. The legislature also finds that the state
6 currently lacks a comprehensive strategic planning process.
7 Given the necessity of strategic planning and resource
8 management, the legislature finds that a process needs to be
9 established to accomplish both those goals in a manner that
10 reflects the diversity and richness of the state's citizenry.

11 C. It is the purpose of the Strategic Planning Act
12 to create an organizational entity design to oversee the
13 implementation of a statewide strategic planning process.

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

16 A. "commission" means the New Mexico futures
17 commission; and

18 B. "director" means the executive director of the
19 New Mexico futures commission.

20 Section 4. [NEW MATERIAL] NEW MEXICO FUTURES
21 COMMISSION-- CREATION-- MEMBERSHIP. --

22 A. The "New Mexico futures commission" is created.

23 B. The commission shall be composed of twelve
24 members, six of whom shall be appointed by the governor, three
25 of whom shall be appointed by the president pro tempore of the

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1 senate and three of whom shall be appointed by the speaker of
2 the house of representatives. To the extent possible, members
3 should be appointed to reflect the geographic and cultural
4 diversity of the state. Of the members initially appointed to
5 the commission, members appointed by the president pro tempore
6 of the senate and the speaker of the house of representatives
7 shall serve terms of two years; members appointed by the
8 governor shall serve terms of one year. All subsequent
9 appointees shall serve terms of two years. Members may be
10 reappointed but may serve for no longer than four full terms.

11 C. The governor shall appoint one member of the
12 commission to serve as chairman. Members of the commission
13 may elect from among themselves other officers they deem
14 necessary.

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

18 Section 5. [NEW MATERIAL] COMMISSION POWERS AND
19 DUTIES. --

20 A. The commission shall establish a strategic
21 planning process, including public and private sector
22 partners. The process shall be modeled after strategic
23 planning processes in common use in the public and private
24 sectors. The process shall include:

25 (1) a method to ensure broad-based statewide

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- participation;
- (2) an information-gathering component by which to assess current economic conditions and trends;
- (3) an analysis of the state's strengths, weaknesses and opportunities;
- (4) the establishment of goals, objectives and strategies for implementation;
- (5) a procedure for measuring performance;
- and
- (6) a procedure for periodic review and refinement of the planning process.

B. The commission shall work with planning and development districts to coordinate regional planning development and to ensure that the strategic planning process reflects a statewide initiative.

C. Prior to December 1 of each year, the commission shall prepare and submit a report to the governor and the legislature on the status of the strategic planning process and implementation of the strategic plan.

D. The commission shall hire and fix the compensation of an executive director, who shall not be a member of the commission. The person selected as director shall not be a state employee on the effective date of the Strategic Planning Act. The director shall be well versed in planning and management and the implementation of planning

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1 directives. The director, with the approval of the
2 commission, may employ staff as necessary to carry out the
3 duties of the commission and the provisions of the Strategic
4 Planning Act.

5 E. The commission, through its director, may enter
6 into such contracts and agreements as are necessary to carry
7 out the provisions of the Strategic Planning Act.

8 F. Employees shall serve at the pleasure of the
9 commission and are exempt from the provisions of the Personnel
10 Act.

11 Section 6. Section 10-9-4 NMSA 1978 (being Laws 1961,
12 Chapter 240, Section 4, as amended) is amended to read:

13 "10-9-4. COVERAGE OF SERVICE. -- The Personnel Act and the
14 service cover all state positions except:

15 A. officials elected by popular vote or appointed
16 to fill vacancies to elective offices;

17 B. members of boards and commissions and heads of
18 agencies appointed by the governor;

19 C. heads of agencies appointed by boards or
20 commi ssi ons;

21 D. directors of department divisions;

22 E. those in educational institutions and in public
23 schools;

24 F. those employed by state institutions and by
25 state agencies providing educational programs and who are

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1 required to hold valid certificates as certified school
2 instructors as defined in Section 22-1-2 NMSA 1978 issued by
3 the state board of education;

4 G. those in the governor's office;

5 H. those in the state militia or the commissioned
6 officers of the New Mexico state police division of the
7 department of public safety;

8 I. those in the judicial branch of government;

9 J. those in the legislative branch of government;

10 K. employees of the New Mexico futures commission;

11 [~~K.~~] L. not more than two assistants and one
12 secretary in the office of each official listed in Subsections
13 A, B and C of this section, excluding members of boards and
14 commissions in Subsection B of this section;

15 [~~L.~~] M. those of a professional or scientific
16 nature which are temporary in nature;

17 [~~M.~~] N. those filled by patients or inmates in
18 charitable, penal or correctional institutions;

19 [~~N.~~] O. state employees if the personnel board in
20 its discretion decides that the position is one of
21 policymaking; and

22 [~~O.~~] P. disadvantaged youth under twenty-two years
23 of age regularly enrolled or to be enrolled in a secondary
24 educational institution approved by the state board of
25 education or in an accredited state institution of advanced

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1 learning or vocational training and who are to be employed for
2 not more than seven hundred twenty hours during any calendar
3 year:

4 (1) the term "disadvantaged youth" shall be
5 defined for purposes of this exemption by regulation duly
6 promulgated by the board; and

7 (2) the board shall:

8 (a) require that all the criteria of
9 this subsection have been met;

10 (b) establish employment lists for the
11 certification of the highest-standing candidates to the
12 prospective employers; and

13 (c) establish the pay rates for such
14 employees. "

15 Section 7. APPROPRIATION. -- One hundred thirty-five
16 thousand dollars (\$135,000) is appropriated from the general
17 fund to the New Mexico futures commission for expenditure in
18 fiscal year 2000 for the purpose of carrying out the
19 provisions of the Strategic Planning Act. The appropriation
20 is contingent on an equal contribution to the commission from
21 the private sector. Any unexpended or unencumbered balance
22 remaining at the end of fiscal year 2000 shall revert to the
23 general fund.