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HOUSE MEMORIAL 26

55TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2022

INTRODUCED BY

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A MEMORIAL

REQUESTING THE UNIVERSITY OF NEW MEXICO BUREAU OF BUSINESS AND ECONOMIC RESEARCH, IN COLLABORATION WITH THE LEGISLATIVE COUNCIL SERVICE, TO CONDUCT AND REPORT THE FINDINGS OF A SURVEY OF LEGISLATIVE PERSONNEL ON THE NEEDS OF THE LEGISLATURE AND A SURVEY OF LEGISLATORS TO IDENTIFY THE ACTIVITIES AND TIME DEVOTED TO THEIR LEGISLATIVE DUTIES OUTSIDE OF LEGISLATIVE SESSIONS AND TO STUDY THE COSTS AND BENEFITS OF LEGISLATOR COMPENSATION, MODIFYING THE LENGTH AND SCOPE OF THE LEGISLATIVE SESSION AND LEGISLATIVE STAFFING, INCLUDING STAFF FOR LEGISLATORS.

WHEREAS, the New Mexico legislature is entrusted with great responsibility, including developing and passing legislation and the state budget; and

WHEREAS, the ability of a state legislature to fully

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1 reflect its diverse citizenry, act effectively on behalf of
2 constituents and have sufficient time and resources for
3 informed deliberation and decision-making is significantly
4 affected by whether legislators receive fair compensation for
5 the amount of time legislators dedicate to the job and the size
6 of the legislature's staff; and

7 WHEREAS, the constitution of New Mexico currently places
8 express limitations upon legislative action and adequate
9 compensation for legislative service; and

10 WHEREAS, Article 4, Section 5 of the constitution of New
11 Mexico limits the length of regular sessions during odd-
12 numbered years to sixty days and even-numbered years to thirty
13 days and limits the scope of bills that can be considered
14 during even-numbered years to budget, appropriations and
15 revenue bills, bills drawn pursuant to special messages of the
16 governor and bills of the last previous regular session vetoed
17 by the governor; and

18 WHEREAS, Article 4, Section 10 of the constitution of New
19 Mexico limits compensation of legislative members to per diem
20 for each day's attendance during the session, a mileage rate
21 for each mile traveled to and from Santa Fe once each session
22 and per diem and mileage to meet in the interim between
23 sessions; and

24 WHEREAS, the New Mexico legislature employs professional,
25 specialized staff who serve the legislature as a whole while

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1 individual New Mexico legislators have neither district offices
2 nor year-round individual staff to devote to legislative issues
3 that include constituent needs, constituent meetings and policy
4 research; and

5 WHEREAS, the 1966 report of the state's bipartisan first
6 constitutional revision commission recommended amending the
7 constitution to provide that regular sessions begin in March,
8 that the legislature be able to provide by law for the holding
9 of annual legislative sessions not to exceed sixty calendar
10 days and that legislators receive salaries and allowances as
11 may be prescribed by law as long as any increase did not apply
12 to the legislators who enacted the same; and

13 WHEREAS, the 1996 report of the state's bipartisan
14 constitutional revision commission also recommended amending
15 the constitution to provide for adequate compensation for
16 legislators; and

17 WHEREAS, the most recent formal study of the legislative
18 process was a two-year endeavor that culminated in a 2007 final
19 report that recommended draft legislation for legislative
20 reform, which included legislation to extend the length of both
21 regular sessions by fifteen days and the creation of a
22 legislative commission to set legislative compensation; and

23 WHEREAS, joint resolutions were introduced in both the
24 senate and the house of representatives during the fifty-fourth
25 and fifty-fifth legislatures to amend Article 4, Section 5 of

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1 the constitution of New Mexico to change the length of the
2 regular sessions and broaden the scope of bills that may be
3 considered in even-numbered years; and

4 WHEREAS, joint resolutions were introduced in the senate
5 and the house of representatives during the fifty-fourth and
6 fifty-fifth legislatures to amend Article 4 of the constitution
7 of New Mexico by repealing Section 10 and adding a new section
8 to establish a public officer salary commission or propose that
9 the state ethics commission establish and limit salaries for
10 elected state officers; and

11 WHEREAS, the needs of New Mexico communities are year-
12 round; and

13 WHEREAS, a New Mexico legislator's workload and
14 responsibilities have increased since statehood, with
15 legislators serving fifty percent more constituents now than in
16 1980 due to population growth; and

17 WHEREAS, legislators are responsible for managing a budget
18 that has doubled in size since 2000, and policy issues are
19 becoming more complex because finding the right solutions for
20 New Mexico requires legislators' undivided attention; and

21 WHEREAS, New Mexico is the only state in the nation that
22 does not pay legislators a salary, which precludes many capable
23 New Mexicans from becoming candidates for legislative office
24 because they are unable to volunteer their time and make the
25 necessary financial sacrifices that such service currently

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1 requires; and

2 WHEREAS, the legislature must have adequate compensation,
3 time, resources and information to fully reflect its diverse
4 citizenry and meet the demands placed before it; and

5 WHEREAS, further quantitative and qualitative study on the
6 costs, benefits and alternatives for legislative compensation,
7 session length and scope and year-round staff support for
8 individual legislators is needed for the legislature to have
9 informed debates and deliberation on this topic;

10 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
11 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the university
12 of New Mexico bureau of business and economic research, in
13 collaboration with the legislative council service, be
14 requested to study legislator compensation, length and scope of
15 legislative sessions, legislative staffing and associated costs
16 and benefits; and

17 BE IT FURTHER RESOLVED that the university of New Mexico
18 bureau of business and economic research, in collaboration with
19 the legislative council service, be requested to conduct a
20 survey of legislative personnel on the needs of the legislature
21 and a survey of legislators to identify the activities and time
22 devoted to their legislative duties outside of legislative
23 sessions; and

24 BE IT FURTHER RESOLVED that the university of New Mexico
25 bureau of business and economic research be requested to report

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1 initial findings and recommendations to the New Mexico
2 legislative council, the legislative finance committee and any
3 other appropriate interim legislative committees by August 15,
4 2022; and

5 BE IT FURTHER RESOLVED that the university of New Mexico
6 bureau of business and economic research be requested to report
7 its updated findings and recommendations to the New Mexico
8 legislative council, the legislative finance committee and any
9 other appropriate interim legislative committees by December 2,
10 2022; and

11 BE IT FURTHER RESOLVED that copies of this memorial be
12 transmitted to the governor, the co-chairs of the New Mexico
13 legislative council, the chair and vice chair of the
14 legislative finance committee, the director of the legislative
15 council service and the acting director of the university of
16 New Mexico bureau of business and economic research.