

underscored material = new  
[bracketed material] = delete

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

HOUSE MEMORIAL 64

**56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

INTRODUCED BY

Rod Montoya and William E. Sharer and Crystal R. Diamond  
and James G. Townsend and Stefani Lord

A MEMORIAL

REQUESTING THE NEW MEXICO LEGISLATIVE COUNCIL TO CONDUCT A  
STUDY OF METHODS BY WHICH TO REFORM THE LEGISLATIVE  
APPROPRIATIONS PROCESS.

WHEREAS, New Mexico is one of only a limited number of  
states where the legislative branch and the executive branch  
both develop a fully detailed general appropriations act  
recommendation for the upcoming fiscal year; and

WHEREAS, in most states, only the governor or the  
executive branch of state government develops a full general  
appropriations act recommendation, which is then submitted to  
the legislature for consideration, and then the legislature  
makes adjustments or other changes to the governor's original  
recommendation; and

WHEREAS, in New Mexico, the legislature's general

underscoring material = new  
~~[bracketed material]~~ = delete

1 appropriations act recommendation, which is developed by the  
2 legislative finance committee, has equal standing with the  
3 governor's recommendation, and both recommendations are  
4 considered equally by the house appropriations and finance  
5 committee during its appropriations hearings in the session;  
6 and

7 WHEREAS, under the current process, appropriations  
8 decisions are almost exclusively made by the house  
9 appropriations and finance committee and the senate finance  
10 committee; and

11 WHEREAS, the current process does not permit a broad  
12 enough array of legislators to participate in the  
13 appropriations-making process; and

14 WHEREAS, for example, in the current process, the only  
15 house committee, other than the house appropriations and  
16 finance committee, that has any direct influence on the  
17 appropriations recommendations is the house transportation,  
18 public works and capital improvements committee, which  
19 recommends appropriations for the department of transportation;  
20 and

21 WHEREAS, no other committee plays a direct role in the  
22 formation of the appropriations recommendations, although the  
23 legislative education study committee used to present a  
24 recommendation through the house education committee; and

25 WHEREAS, the legislative finance committee, which meets

.225156.3

underscored material = new  
~~[bracketed material] = delete~~

1 during the interim to begin drafting its recommendations, is  
2 primarily made up of members who serve on the house  
3 appropriations and finance committee and the senate finance  
4 committee; and

5 WHEREAS, under the current appropriations-making process,  
6 many legislators are provided with limited advance information  
7 of what is included or not included in the general  
8 appropriations act, and typically, non-committee members are  
9 provided with the proposed general appropriations act only  
10 about twenty-four hours before the act is to be voted on; and

11 WHEREAS, such short notice of what is in the general  
12 appropriations act and the predominant influence of the two  
13 appropriations-recommendation-making committees impair the  
14 ability of many legislators to fully participate in  
15 conversations regarding the details and complexities of the  
16 general appropriations act, ultimately hindering the  
17 legislator's ability to actively participate in critical  
18 state appropriation decisions; and

19 WHEREAS, the general appropriations act for upcoming  
20 fiscal year 2024 will be approximately nine billion four  
21 hundred million dollars (\$9,400,000,000) in terms of  
22 "recurring" spending, yet recent acts have contained  
23 "nonrecurring" appropriations that were dedicated to recurring  
24 spending programs; and

25 WHEREAS, because such a limited number of legislators have

.225156.3

underscored material = new  
~~[bracketed material] = delete~~

1 detailed knowledge of the general appropriations act, the  
2 current process could lead to excessive amounts of overall  
3 government spending; and

4 WHEREAS, this process does not encourage the broad  
5 feedback and public scrutiny necessary to promote wise and  
6 efficient state spending;

7 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF  
8 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the New Mexico  
9 legislative council be requested to conduct a study to review  
10 the entire appropriations process and provide suggestions on  
11 how to reform the process to be more transparent, be inclusive  
12 to allow individual members more input, guarantee that money is  
13 spent wisely and efficiently and use the expertise of the  
14 various standing and interim committees; and

15 BE IT FURTHER RESOLVED that the New Mexico legislative  
16 council procure the study and obtain additional assistance from  
17 the national conference of state legislatures and other  
18 organizations with expertise in state appropriations  
19 procedures; and

20 BE IT FURTHER RESOLVED that, by October 1, 2023, the  
21 findings and recommendations of the study be presented to the  
22 New Mexico legislative council and any other appropriate  
23 interim committees as directed by the New Mexico legislative  
24 council; and

25 BE IT FURTHER RESOLVED that copies of this memorial be  
.225156.3

underscored material = new  
~~[bracketed material] = delete~~

1 transmitted to the co-chairs of the New Mexico legislative  
2 council, the director of the legislative council service, state  
3 legislators and the governor.

4 - 5 -

5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

.225156.3