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SENATE BILL 57

48TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2008

INTRODUCED BY

Bernadette M. Sanchez and Richard J. Berry

FOR THE ECONOMIC AND RURAL DEVELOPMENT COMMITTEE

AN ACT

RELATING TO REGULATION; CREATING A REGULATORY PROCESS TASK
FORCE; PROVIDING DUTIES; MAKING AN APPROPRIATION.

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

Section 1. REGULATORY PROCESS TASK FORCE CREATED--
MEMBERSHIP--DUTIES.--

A. The "regulatory process task force" is created.
The task force shall function from July 1, 2008 to December 15,
2011.

B. The task force shall consist of twenty-one
members as follows:

(1) three members of the senate, with at least
one from the minority party, and three members of the house of
representatives, with at least one from the minority party,
appointed by the New Mexico legislative council;

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1 (2) four members representing the interests of
2 state agencies, appointed by the governor, at least two being
3 lawyers;

4 (3) the attorney general or the attorney
5 general's designee;

6 (4) one member of the public regulation
7 commission appointed by the chair of the public regulation
8 commission;

9 (5) one member representing the interests of
10 industry appointed by the governor;

11 (6) one member representing the interests of
12 industry appointed by the president pro tempore of the senate;

13 (7) one member representing the interests of
14 industry appointed by the speaker of the house;

15 (8) one member from the association of
16 commerce and industry of New Mexico;

17 (9) one member representing the interests of
18 the judicial branch, appointed by the chief justice of the New
19 Mexico supreme court;

20 (10) an administrative law judge appointed by
21 the governor; and

22 (11) three members of public interest advocacy
23 groups, including one representative from a consumer advocacy
24 group and one representative from an environmental advocacy
25 group, appointed by the governor.

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1 C. The task force shall be co-chaired by a member
2 of the house of representatives and a member of the senate, as
3 appointed by the New Mexico legislative council. The task
4 force shall meet at the call of the co-chairs at least four
5 times per calendar year.

6 D. Vacancies on the task force shall be filled by
7 appointment by the original appointing authority.

8 E. Members of the task force are entitled to per
9 diem and mileage as provided in the Per Diem and Mileage Act
10 and shall receive no other compensation, perquisite or
11 allowance.

12 F. Staff for the task force shall be provided by
13 the legislative council service and the state records
14 administrator or the administrator's designee.

15 G. The task force shall:

16 (1) identify the challenges that New Mexicans
17 face navigating regulatory intra- and interagency processes;

18 (2) identify the goals of a regulatory
19 framework;

20 (3) identify processes necessary to carry out
21 specific state agencies' purposes;

22 (4) determine whether areas could be improved
23 to enhance consistency, predictability and other identified
24 goals;

25 (5) review the 2008 model Administrative

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1 Procedures Act to be released by the national conference of
2 commissioners on uniform state laws;

3 (6) review rulemaking and adjudicatory and
4 accountability systems in other states;

5 (7) consider whether the proposed model act
6 should apply to most, if not all, state agencies;

7 (8) consider whether broad-based reform will
8 enhance consistency and predictability and meet the goals
9 necessary to serve the citizens and businesses of New Mexico
10 more effectively;

11 (9) identify strategies for improving the
12 essential rulemaking and adjudicatory functions of state
13 agencies in order to carry out legislative mandates
14 effectively; and

15 (10) determine any necessary legislative
16 action to improve regulatory processes and develop a strategy
17 and time line for implementation of any recommended changes.

18 H. The task force shall report its findings and
19 make recommendations to the governor and the legislature before
20 the beginning of the 2009, 2010 and 2011 legislative sessions.

21 Section 2. APPROPRIATION.--One hundred fifty thousand
22 dollars (\$150,000) is appropriated from the general fund to the
23 legislative council service for expenditure in fiscal years
24 2008 through 2011 to pay costs associated with the regulatory
25 process task force. Any unexpended or unencumbered balance

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1 remaining at the end of fiscal year 2011 shall revert to the
2 general fund.

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