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AN ACT
RELATING TO THE LEGISLATIVE FINANCE COMMITTEE; PROVIDING FOR
PROGRAM EVALUATION AND REVIEW BY THE LEGISLATIVE FINANCE
COMMITTEE OF AGENCIES AND ENTITIES THAT RECEIVE STATE
FUNDING; PROVIDING FOR THE RECEIPT AND PROTECTION OF
CONFIDENTIAL MATERIAL BY THE LEGISLATIVE FINANCE COMMITTEE.

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

Section 1. A new section of Chapter 2, Article 5 NMSA
1978 is enacted to read:

"PROGRAM EVALUATION AND REVIEW.--

A. As used in this section, "agency" means any
department, agency, institution or instrumentality of the
state or a political subdivision of the state.

B. The legislative finance committee shall
establish a "program evaluation division" staffed by persons
knowledgeable and proficient in program and performance
evaluation, research or policy analysis. Program evaluation
staff shall be appointed without regard to party affiliation
and solely on the appointees' fitness to perform the duties
of the positions for which they are hired.

C. The program evaluation division shall conduct
program evaluations, information technology evaluations and
special reviews of agencies to provide policymakers with
objective, independent and credible assessments of those

1 agencies to allow policymakers to:

2 (1) determine whether expenditures of public
3 funds are producing desired results;

4 (2) determine whether agencies are complying
5 with state and federal procedures relevant to their operation
6 and funding;

7 (3) determine whether policy alternatives
8 could improve operations and save money; and

9 (4) assess the effect of agency operations
10 on state finances.

11 D. The program evaluation division shall report
12 the results of work performed pursuant to this section to the
13 legislative finance committee and shall make final reports
14 available to the legislature and public. Background
15 material, including working papers and notes, used as part of
16 any program evaluation or review are not public records for
17 the purpose of the Inspection of Public Records Act."

18 Section 2. Section 2-5-7 NMSA 1978 (being Laws 1957,
19 Chapter 3, Section 6, as amended) is amended to read:

20 "2-5-7. COOPERATION.--

21 A. Each agency shall, upon request, furnish and
22 make available to the legislative finance committee such
23 documents, material or information as may be requested by the
24 committee or its director or staff. Information provided by
25 an agency under this section that is confidential by law or

1 exempt from public inspection under the Inspection of Public
2 Records Act shall not be disclosed by members of the
3 committee, its director or staff.

4 B. As used in this section, "agency" means any
5 department, agency, institution or instrumentality of the
6 state or a political subdivision of the state."

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