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The upcoming special session presents an opportunity to right a transparency wrong
By Shannon Kunkel, executive director, New Mexico Foundation for Open Government
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The New Mexico State Legislature has undoubtedly made advancements to better transparency in recent years – from opening conference committees to the public, to archiving webcasts. One momentous victory was making public the legislative sponsors of individual capital outlay appropriations.

For decades, each legislator handpicked which public works projects to sponsor with their discretionary allotment of funds, but because the appropriations were combined into one massive package, the public never knew which lawmaker was behind which project. That all changed last year with the near-unanimous passage of the bipartisan-sponsored House Bill 55, which required publication of capital outlay allocations.

Now, legislators reveal their chosen infrastructure projects, and that information is published 30 days after the close of each session. The result has been better public policy. When the public knows who is backing each project, they can hold lawmakers accountable for frivolous spending of taxpayer money and recognize them for commendable projects.

An identical process should be used to shine a light on lawmaker spending in the so-called "junior" bill.

With a budget surplus during the 2022 session, legislators were each given free rein to spend a portion of \$50 million. Each Senator was allocated \$600,000, and each Representative was allocated \$360,000 to spend on state programs in their sole discretion.

This mirrors the state's process for funding capital outlay projects, yet the junior bill appropriations are still made without any transparency. The final junior bill was woven together from lawmakers' personal selections. Governor Michelle Luján Grisham vetoed the bill. While FOG does not take a position on the merits of the bill or the governor's veto, we do advocate seizing this opportunity to provide better transparency in this process.

With a special session set to begin on April 5, we can start fresh and get this process right. Senate President Pro Tem Mimi Stewart should be commended for conceding that "...this bill needs to be more transparent. We should have been doing it from the start – shame on us for that."

Similarly, House Majority Whip Doreen Gallegos has said that the public wants this transparency, and House leadership would support this reform.

The New Mexico Foundation for Open Government calls on Gov. Luján Grisham to include a requirement for junior bill transparency in her agenda for the special session. However, whether or not openness is required by law, legislators should proactively release their lists of appropriations, as some chose to do voluntarily in the years before capital outlay transparency was enacted.

The \$50 million at stake belongs to the public, and every New Mexican has a right to know how legislators are choosing to spend this taxpayer money. Making spending decisions transparent would increase public trust and make elected officials more accountable to their constituents.

Under public scrutiny, better decisions are made, resulting in better outcomes that meaningfully improve the lives of New Mexicans. We face weighty challenges as a state, and we cannot afford for a single dollar to be wasted when there is such great need.