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NEWS RELEASE

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For Immediate Release

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TRANSPARENCY GROUP RELEASES RESULTS OF LEGISLATIVE SURVEY

Albuquerque, N.M. – Twenty-five New Mexico Legislators were brave enough to stand up for transparency and answer a survey conducted by the New Mexico Foundation for Open Government (FOG) in late 2023. The legislators answered 12 questions ranging from modernizing the legislature to transparency and accountability with those responding showing support to strengthen and broaden the Inspection of Public Records Act and the Open Meetings Act.

In addition, 56 percent of those responding were in agreement that the current budget process is in need of reform to improve openness and transparency.

One legislator responded to the question by stating, “The process is too cumbersome and opaque for most to understand. Too much power is in too few hands. The budget is largely built before the Legislative session even begins.”

Legislators were not inclined to increase the length of the session with only 44 percent in favor of changing the session’s schedule.

When asked, “Would you support or oppose a measure providing for a permanent paid staffer for each legislator?” 48 percent indicated they would strongly support the measure, 16 percent would support the measure with 8 percent stating they would somewhat oppose the measure and 28 percent stating they would oppose the measure.

Another question asked, “If in the future, permanent paid staffers are provided for each legislator, which of the following do you believe the permanent paid staffers should be prohibited from engaging in to protect the actual and perceived integrity of the legislative process?” with 96 percent responding that paid staff should be barred from fundraising for a partisan candidate.

Lawmakers were asked to address input into rules asking “Would you support or oppose formally establishing a rule to ensure that the House Rules & Order of Business Committee and Senate Committee on Committees meetings be held in public and be required to webcast the proceedings in order to allow those outside of the Roundhouse to observe?” More than 68 percent of those responding said they were in favor of such a measure.

In the area of transparency and accountability, when asked, “Would you support or oppose a measure providing for a permanent paid staffer for each legislator?” 48 percent indicated they would strongly support the measure, 16 percent would support the

measure with 8 percent stating they would somewhat oppose the measure and 28 percent stating they would oppose the measure.

Lawmakers were evenly split in their response to a question asking whether they would support a measure to provide funds to state agencies to create additional infrastructure to improve access to public records. Sixty-eight percent stated they would support a measure to amend the Inspection of Public Records Act (IPRA) to require agencies to post electronic recordings of virtual/hybrid meetings to the agency's website within 10 days of the meeting similar to current law regarding 10-day timeline for the preparation of minutes.

Responses were overwhelmingly in favor of a measure to prohibit a public body from taking retaliatory action against a person who has submitted a request for public records under IPRA and also gave strong support to a question asking if advisory committees and task forces should be subject to the Open Meetings Act. The lawmakers also gave support to a question asking whether candidates for school boards be required to disclose their campaign contributions.

FOG sent each legislator a request to respond to the survey in order to provide New Mexicans with information as lawmakers weigh major changes in how the public's business is conducted.

The legislators who responded to the survey: Rep. Gail Armstrong, Rep. John Block, Rep. Cynthia Borrego, Rep. Eleanor Chavez, Rep. Meredith Dixon, Rep. Mark Duncan, Rep. Natalie Figueroa, Rep. Susan Herrera, Rep. Dayan Hochman-Vigil, Rep. Joy Garrat, Rep. Tara Jaramillo, Rep. Alan Martinez, Rep. Jimmy Mason, Rep. Marian Matthews, Rep. Liz Thomson, Rep. Jim G. Townsend, Sen. Crystal Brantley, Sen. Siah Correa Hemphill, Sen. Daniel A. Ivey-Soto, Sen. Antoinette Sedillo Lopez, Sen. Steve Neville, Sen. Greg Nibert, Sen. Jerry Ortiz y Pino, Sen. Bill Tallman and Sen. Pat Woods.

FOG intends to build on the data from the survey later this year as it hosts a series of public forums. All of the details from the survey will be placed on the FOG website, nmfog.org.

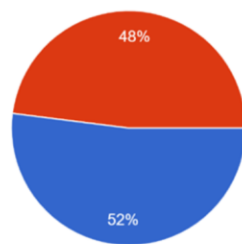
As the state's leading advocate for transparency in government, FOG's mission is to defend the public's right to know and to shed light on the public's and government agencies' rights and responsibilities under New Mexico's open-meetings and open-records laws. FOG was incorporated in 1989 and as a tax-exempt is a 501(c) nonprofit, nonpartisan organization.

Legislative Survey Report Results

Modernization

Do you agree or disagree with the following statement: The current budget process is in need of reform to improve openness and transparency?

25 responses



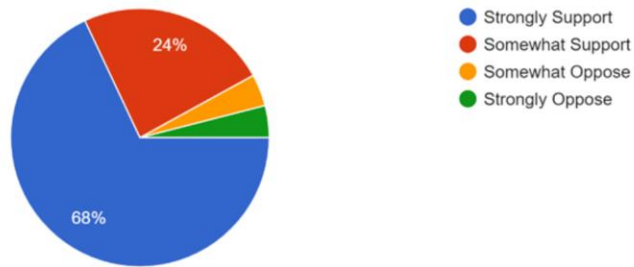
- Strongly Agree
- Somewhat Agree
- Somewhat Disagree
- Strongly Disagree

"The process is too cumbersome and opaque for most to understand. Too much power is in too few hands. The budget is largely built before the Legislative Session even begins."

Modernization

Would you support or oppose formally establishing a rule to ensure that the House Rules & Order of Business Committee and Senate Committee on Com...w those outside of the Roundhouse to observe?

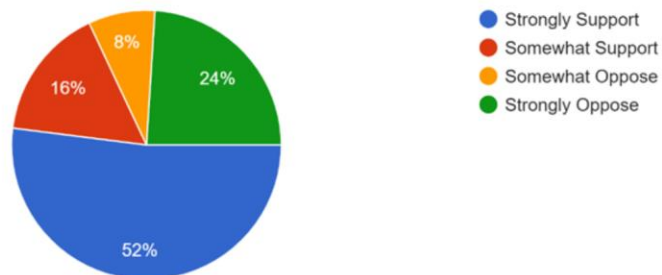
25 responses



Modernization

Would you support or oppose a measure providing for a permanent paid staffer for each legislator?

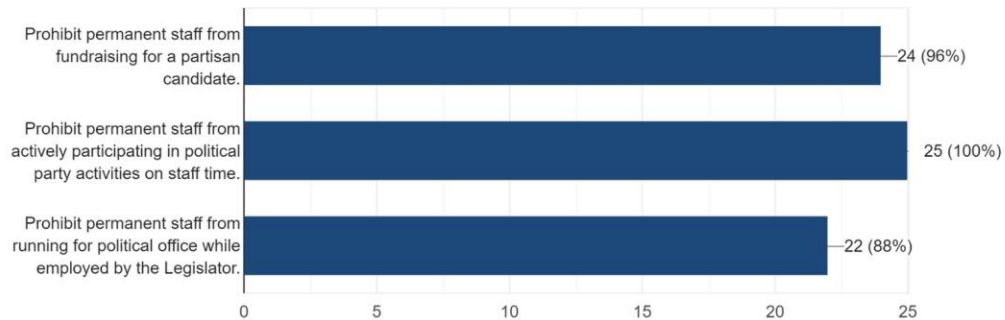
25 responses



Modernization

If in the future, permanent paid staffers are provided for each legislator, which of the following do you believe the permanent paid staffers should be prohibited from engaging in to protect the actual and perceived integrity of the legislative process? (select all that apply)

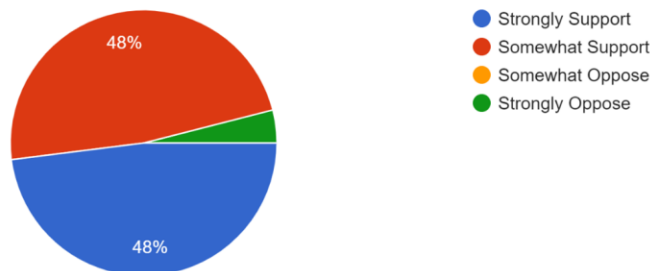
25 responses



Modernization

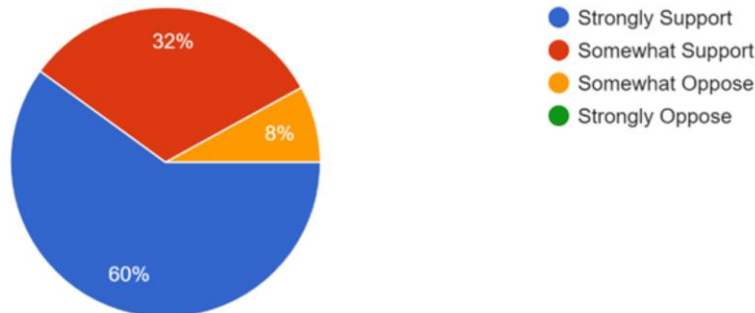
Would you support or oppose a measure to provide funds to state agencies to create additional infrastructure to improve access to public records? (e.g. funds that can be used to increase staff and/or convert records to be online and searchable.)

25 responses



Modernization

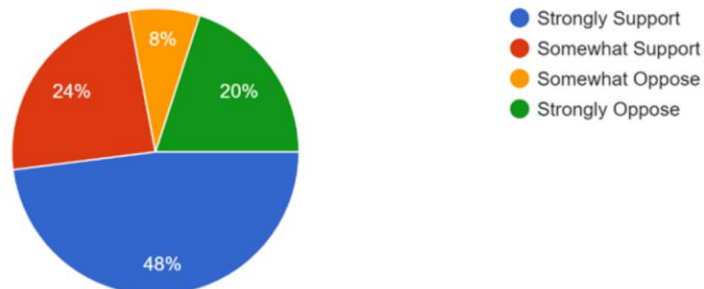
Would you support or oppose a measure amending IPRA to require agencies to post electronic recordings of virtual/hybrid meetings to the agency's website within 10 days of the meeting similar to current law regarding 10-day timeline for the preparation of minutes?



Modernization

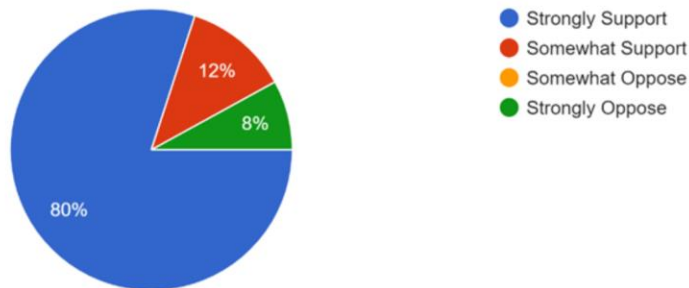
Would you support a measure to lengthen the legislative session?

25 responses



Transparency & Accountability

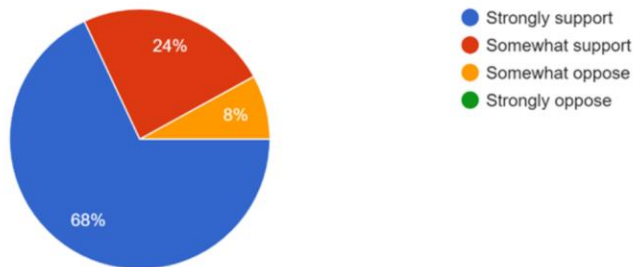
Would you support or oppose a measure to prohibit a public body from taking retaliatory action against a person who has submitted a request for public records under the Inspection of Public Records Act or requested information on the process of submitting a public records request?



Transparency & Accountability

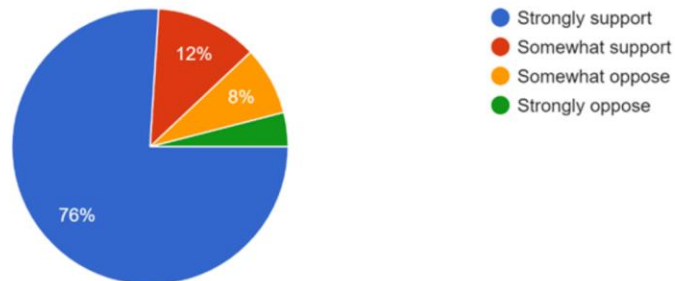
Would you support or oppose a measure to mandate that advisory committees and task forces created by the legislature be subject to the Open Meetings Act?

25 responses



Transparency & Accountability

Would you support or oppose a measure to require all school board candidates for any school board in New Mexico to report their campaign contributions? Under current New Mexico law, only school board candidates in districts larger than 12,000 students (4 of 89 districts) are required to disclose their campaign contributions.



Thank you for your input. If you think any important open government topics and/or issues missing from this survey, please provide your input here. If you would like to expand on any of your answers above, please use this space. (sample responses below)

"At a minimum, state agencies should be required to have websites that include the names of key (top) employees and a method to contact the agency (i.e. email) to submit inquiries and a process for a meaningful response from the agency."

"IPRA requests have become a method for on-line paparazzi to fish for photos from police actions that they then convert to material they sell. That abuse of the system should not be protected."

"FOG needs to weigh the threats state and local governments face in disseminating information that should not be made public due to the nature of the data (security systems, architectural information on government buildings that house critical information or programs (jails, courthouses etc...)) against the need for the public to have such information. We have not done a good job in exempting and protecting information that truly needs to be held out of the public eye. We need your help to define that line...We also need to ensure that IPRA is not being abused and purposely used to hamper the work of agencies. We may need to move towards a system that allows public access to data, but the agency does not have to spend hours compiling the data. We need to look at the issue as many agencies and local governments have expressed concerns that they cannot handle the tremendous load of IPRA requests. We again need your help in finding a solution."