Feb. 11, 2020

Hon. Peter Wirth
Senate Majority Leader
New Mexico Senate
490 Old Santa Fe Trail
Santa Fe, NM 87501

Hon. John Arthur Smith
Senate Finance Chairman
New Mexico Senate
490 Old Santa Fe Trail
Santa Fe, NM 87501

Re: Request to Allow the Public to Attend All State Budget Amendment Meetings

Dear Senators,

I am writing on behalf of the New Mexico Foundation for Open Government (“FOG”) to urge the Senate Finance Committee to allow the public to attend all committee meetings concerning the state budget HB 2, including any last-minute meetings to amend the budget.

To quote the Senate and House joint rules book, “There is no more important task for the Legislature than to devise a budget and allocate the state’s resources.” Yet historically many of those budgetary meetings have occurred behind closed doors, shutting out not only the public but even legislators from the process. In a recent op-ed in the Albuquerque Journal, Rep. Jim Townsend pointed out about influential and top-secret meetings that sometimes exclude other finance committee members.

Why all the secrecy? Lawmakers should be eager, not afraid, to have their constituents view the hard choices that need to be made among competing interests. Openness may breed disappointment about the final decision, but it also breeds trust in government and the democratic process.

Transparency is more than a popular buzz word. In fact, it is much more a verb than a noun, requiring lawmakers to take action--open the doors to committee meetings and eliminate offsite budget strategy meetings. This is not only the right thing to do, but also the legal way to conduct business. NMSA 10-15-2-A requires all meetings of any committee or policymaking body of the legislature held for the purpose of discussing public business or for the purpose of taking any action within the authority of or the delegated authority of the committee or body are declared to be public meetings open to the public at all times.

Can the Senate Budget Committee cite any statute, rule or regulation that permits these private meetings? If so, please send FOG your legal arguments.

We have two weeks left in this legislative session. FOG hopes the Senate Finance Committee will put transparency into action by opening up the budget process. It will be a gift to all New Mexicans.
Very truly yours,

Susan Boe
President

Melanie J. Majors
Executive Director

Cc: Sent Via Email Members of the Senate Finance Committee
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