December 15, 2020

Raul Burciaga
Legislative Council Services
490 Old Santa Fe Trail
Santa Fe, NM 87501

Dear Mr. Burciaga,

As the state approaches the upcoming 2021 Legislative Session, the New Mexico Foundation for Open Government (FOG) reminds you that Article IV, Section 12 of the New Mexico Constitution requires that all sessions of each house of the Legislature be open to the public.

- FOG urges New Mexico Legislators to rally to the challenge and use any and all options to allow the citizens of New Mexico to fully observe and listen to the deliberations and decisions that constitute the making of public policy. This includes plenary sessions and all committee meetings. And, we ask that in the event the analog or digital streaming of any meetings is interrupted, all debate halt until the system resumes transmissions.
- FOG strongly urges that all bills be made available to the public for review at least 72 hours before they are scheduled for a vote. We are also asking that any amendments be made available in a text format to allow for review. By implementing these practices, the public will have the opportunity to review the bills and amendments and provide meaningful comment. Without such procedures, the public will not be able to participate in this experiment we call democracy.
- FOG is aware that many of the Legislators will be using new technology during the session. Because these types of secret communications, such as Chat or any other running commentary function, are not available to the public at the time they are being made, Legislators should not use them.
- Because the news media acts as the eyes and ears of the public – a responsibility heightened by this year’s circumstances – the Legislature should allow reporters and broadcasters the greatest access possible to all proceedings inside the Roundhouse.
- As a final point, there are New Mexicans who require ADA accessible options and that others do not have internet access or personal computers. Please consider the public access needs of these constituents as well.

Let’s work together to ensure government transparency is not another victim of the Covid-19 health crisis.

Sincerely,

Melanie J. Majors
Executive Director

Sent by email: raul.burciaga@nmlegis.gov