



AAUW-NM's Summary of the Legislative Process-Simplified

Only budget items and items on the governor's call can be heard in 30-day sessions, which are held in even-numbered years. Regular sessions are 60 days long, and legislation on virtually any topic can be introduced. Once a legislator decides current law needs revision or a new law is needed, s/he works confidentially with Legislative Council Service to draft legislation. Sometimes the sponsor consults with individuals and organizations that want specific changes to existing law (state statutes and code). Legislation may add, strike, or amend or confer new purpose(s) or restrictions.

The sponsor is the only one who can share the draft before it is pre-filed or filed officially and available for public scrutiny on <https://nmlegis.gov/>.

Introduction

The legislation is first vetted by the leadership of the Rules Committee in the sponsor's chamber and must be determined germane before committee assignments are made.

Readings

The number and title of the legislation must be introduced in the originating chamber before it gets its committee assignments.

Most legislation is assigned two committees in each chamber. Having a third committee assignment can doom a piece of legislation, especially in short sessions.

Legislation that is passed by its last committee assignment goes to the chamber leadership to be scheduled on the floor. The NM House and Senate have different processes to determine the order bills are heard and different floor debate rules and protocols.

Committee Hearings

Committees are staffed with analysts who have expertise and have researched the legislation thoroughly. The sponsor presents the legislation to the committee, which discusses the merits and shortcomings, and recommendations for changes are decided. If there is a request for appropriations, legislative analysts and personnel from the affected executive agencies provide comments in a Fiscal Impact Report, explaining the costs and consequences of enacting the legislation. Often the assigned committees discuss the legislation before the FIR is filed. The FIR is the best source for information because it summarizes the legislation, similar legislation on the same topic, possible conflicts or legal problems, and the projected budget implications.

Minor changes can be made during the hearing and voted on immediately by the committee. Major changes require the analysts and legislators work with the Legislative Council Service, which drafts amendments, substitute language, or completely new versions. A subsequent hearing on major changes must be scheduled, often causing



lengthy delays. The amended legislation is posted showing the revisions in context. Votes to Pass or Do Not Pass or referrals to assigned or additional committees are then made. A vote to Table stalls the legislation in that committee where it usually dies or stays until lifted from the table for further discussion. Once acted upon, the legislation moves to the next committee assignment, where the process is repeated. Once all the committee assignments are complete, the bill goes to the chamber floor with a recommendation to either Pass or Do Not Pass.

Chamber Process

At this stage, the sponsor presents a synopsis of the legislation and its benefits and asks the chamber to support it. Even though committees have gone through lengthy debates and made most of necessary modifications before legislation gets to the chamber floor, bills are often debated for hours and amended on the chamber floor. Floor amendments are often made by to stall or stop the legislation from advancing in the second legislative chamber. Approved legislation goes to the other chamber where the same process begins anew.

Passed Legislation

In NM, only a small fraction of the legislation filed each session gets approved by both chambers. NM's unpaid legislators frequently file bills to show their constituents that they are working for them. Standing and interim legislative committees craft and endorse bills which generally fare well. Most of the other legislation filed by individual legislators is not produced through coordinated efforts even within a party, so conflicting as well as similar legislation is often filed on the same subject. In contrast, good legislation is generally the result of collaboration, attracting many co-sponsors to sign on and promote. Experienced legislators recognize that good bills usually take several sessions before they pass and get signed by the governor. Vetoes are not uncommon. Bills not acted upon by the governor by the indicated date are called pocket vetoes. The governor usually explains veto decisions,

Constitutional amendment resolutions that are passed by both chambers do not require gubernatorial approval. They go directly on the ballot in the next general election where voters decide their fate.

See AAUW-NM's Public Policy Priorities, our Guide to the New Mexico Legislature's website, and other documents at

<https://aauw-nm.aauw.net/publicpolicy/aauw-nm-advocacy-team/>

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