



INTRODUCTION TO THE LEGISLATIVE PROCESS

January 12, 2023

THE LEGISLATIVE PROCESS

- New Mexico's Legislature is made up of two chambers: the House of Representatives and the Senate
- House of Representatives – 70 members, elected to two-year terms; represents about 24,000 people (or about 13,000 voters)
- State Senate – 42 members, elected to four year terms; represents about 40,000 people (or about 22,000 voters)

THE LEGISLATIVE PROCESS

- The session is either 60 or 30 days long
- Odd years – 60 day session; even years – 30 day session
- 30 day sessions focus on the budget
- We have a Citizen Legislature – meaning there is no pay, only a per diem
- Legislators also working between sessions – Interim

LEGISLATIVE LEADERSHIP

- ❑ **Senate President Pro Tempore** – The highest-ranking member of the Senate; always of the political party that has majority control
- ❑ **Speaker of the House** – The highest-ranking member of the house of Representatives; always of the political party that has majority control
- ❑ **Majority or Minority Leader** – The second in command for the majority party, the highest-ranking member for the minority party
- ❑ **Majority or Minority Whip** – The member in charge of rounding up votes
- ❑ **Lieutenant governor** – Takes the governor's place when he or she is out of the state and casts the deciding vote in the Senate in the case of a tie

LEGISLATIVE LEADERSHIP

- ❑ How many Democrats and Republicans are currently in the House of Representatives?
- ❑ How many Democrats and Republicans are currently in the Senate?
- ❑ Who is the current leadership in the House and in the Senate?

<https://www.nmlegis.gov>

COMMITTEES

- All legislators serve on committees both during the session and during the interim. Each committee is run by its chair or co–chairs and has a vice chair
- Committees are very powerful bodies because they hear legislation before it is considered by the full House or Senate; they have the power to decide if legislation even makes it to the floor
- Interim committees are comprised of members of both the House and Senate; begin meeting in June

LEGISLATIVE AGENCIES

- ❑ The Legislature is supported by full-time staff members and several agencies.
- ❑ The main agency is the Legislative Council Service (LCS), which drafts bills and supplies legal information, research, and technical support.

LEGISLATIVE PROCESS

A piece of **legislation** is a written proposal to add, remove or change existing law and can be introduced in either the House or Senate.

Each piece of legislation must have a legislative sponsor to be introduced.

TERMS

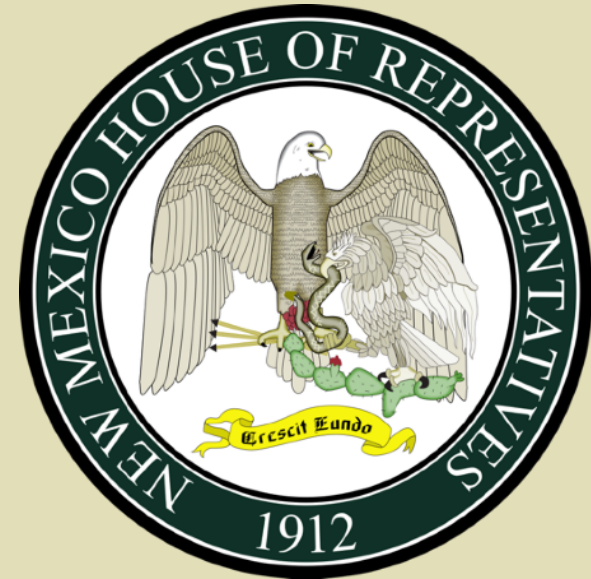
- ?** **Bill** – A change in law or an appropriation of funds for a specific purpose A bill creates, empowers, makes duties or obligations, prohibit acts, appropriates money or any combination of these things. Bills that pass through both chambers must be acted on by the Governor.
- ?** **Memorial** – A way of honoring or acknowledging a group or individual, petitioning Congress or other government agencies, or asking a state agency to study an issue. Requires no action on the part of the Governor.
- ?** **Resolution** – A resolution is a formal declaration of the Legislature concerning some subject that it either cannot or does not wish to control by law. Resolutions are joint, concurrent or simple, and they require no action on the part of the governor. A joint resolution can propose an amendment to the Constitution of New Mexico and, if passed, is voted on by New Mexico voters.

PROCESS

- ❑ The idea for a bill can come from anyone. Often it is a citizen who identifies a need and makes a request of their legislator.
- ❑ If the legislator chooses to introduce the bill to the Legislature, he or she asks the LCS to **draft** the language for the bill.
- ❑ A bill can be **introduced** in either the House or the Senate or both, but it must pass both chambers to become law. It can also have more than one sponsor or can be joint legislation, meaning identical bills with different sponsors are introduced in both the House and the Senate.

THE IDEA

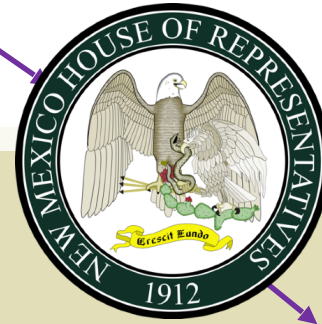
Legislation Idea



PROCESS

- ❑ Every bill must have a fiscal impact report (FIR) to determine how much its implementation will cost the state. These are created by the staff of the Legislative Finance Committee (LFC) and are posted on the Legislature's website.
- ❑ Generally, a bill is introduced by the sponsor or sponsors and then assigned to one, two or three committee hearings.
- ❑ **Question: If a bill is assigned to three or more committees, what is its likelihood of making it to the floor?**

Legislation Idea



Committee 1

PASSED

Committee 1

Committee 2

PASSED

Committee 2

Committee 3

Committee 3

PROCESS

- ❑ At the committee hearings, individuals have the opportunity to advocate for the legislation or speak against it
- ❑ The committee can choose to pass the bill (Do Pass) with or without amendments, defeat it (Do Not Pass), or **table** it
- ❑ If a bill passes its first committee, it goes to the next committee assignment or to the full House or Senate for a vote

Legislation Idea



PASSED

PASSED

Committee 3

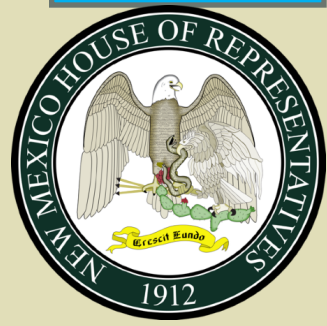
PASSED



Committee 1

Committee 2

Committee 3

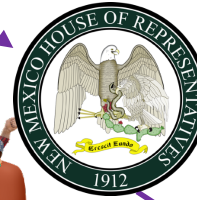


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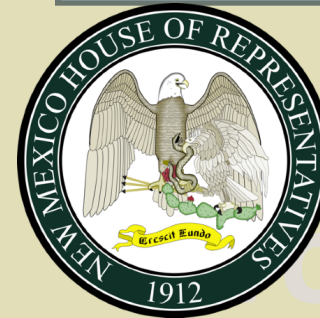
- ❑ Once it passes the House or Senate, the bill is **reported** (sent) to the other chamber for their action.
- ❑ That chamber will then assign it to one, two or three committees where the bill will have to pass before coming to the full chamber for a vote.
- ❑ A bill must pass both chambers in exactly the same form in order to go to the governor for her signature.
- ❑ If it is amended by one chamber it must go back to the other chamber for their concurrence.

Legislation Idea



Committee 3

Committee 3

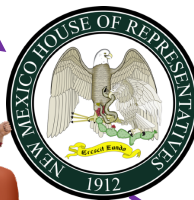


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PROCESS

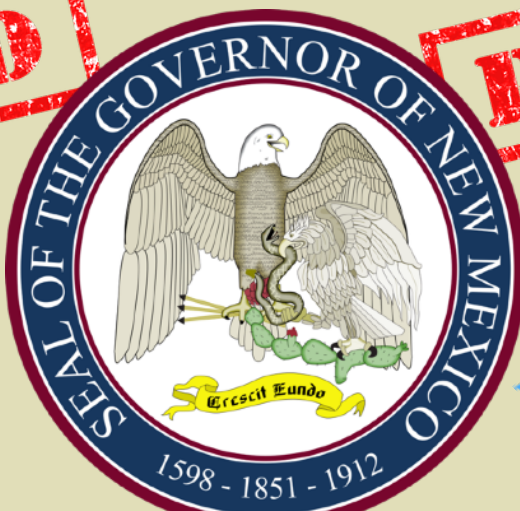
- ❑ A bill must have three readings in both the House and the Senate
- ❑ A bill's first reading is its introduction. Acceptance of a committee report is considered the second reading, and the floor debate and vote on the bill is considered the third reading
- ❑ If a bill is favorably voted on by the full Senate and House, then it goes to the governor for her signature.

Legislation Idea



Committee 3

Committee 3



PROCESS

- ❓ If the bill is passed before the last three days of the session, the governor has 72 hours to either sign or veto the bill.
- ❓ Governor vetoes (or rejects) the bill. The House of Representatives and Senate may override the veto by a two-thirds vote of each chamber.
- ❓ Governor takes no action. If the Governor does not sign or veto the bill by the end of the 20-day period, the bill is killed by what is called a “pocket veto.”

ADVOCACY

There are many ways that people can become involved in the legislative session:

- Calling, emailing, writing to their legislators
- Requesting a meeting
- Attending the session
- Speaking at committee hearings

LEGISLATIVE WEBSITE

It is important to become familiar with the legislative website where you can find information on current and past legislation, agendas for the day, interim committee schedules, and more.

<https://www.nmlegis.gov>