

January 20, 2022

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Senator Benny Shendo, Jr. (via email to [benny.shendo@nmlegis.gov](mailto:benny.shendo@nmlegis.gov))

Dear Senate Committees' Committee,

We, at the Foundation for Open Government (FOG), are dedicated to ensuring every New Mexican can observe and participate in state government. It has come to our attention that the Senate Committees' Committee proceedings are not being webcast. While members of the public wishing to attend the Committees' Committee are permitted to attend sessions in person, New Mexicans who cannot travel to Santa Fe are left completely in the dark.

It is of grave concern to FOG that any public body would conduct the public's business surreptitiously, but it is particularly egregious for the Committees' Committee do so given that it is charged with the extremely important task of determining germaneness for the thirty-day session. New Mexicans have the right to see why, how, and by whom certain legislation was advanced and other bills rejected. It is the responsibility of the Committees' Committee to act with the utmost transparency and allow for the greatest possible public participation.

In such a geographically large state, and at a time when the Omicron Covid-19 variant is surging throughout New Mexico, only a tiny fraction of everyday citizens are physically present at the Roundhouse. Meanwhile, New Mexicans have become increasingly comfortable using Zoom and webcasting technology during the pandemic. It is essential for transparency to webcast any and all legislative discussions and actions. Not to do so is unacceptable and duplicitous.

Therefore, all actions taken by the Committees' Committee thus far should be officially declared null and void, as they were not taken with appropriate public scrutiny. The Committees' Committee should restart their hearings from scratch with the webcasting on and fully available on the nmlegis.gov site.

Additionally, a published agenda and appropriate notice of meetings of the Senate Committees' Committee should be provided. We would further request that the Committees' Committee, like all standing committees, make explicit in their rules that hearings must be webcast.

By contrast, the House Rules Committee, which determines germaneness in that chamber, should be commended for webcasting their hearings. We recommend the Senate Committees' Committee follow suit. Determining germaneness is a critical undertaking during the thirty-day session, and we urge that both chambers operate in a consistent, open manner.

Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to be 'SK' with a flourish extending to the right.

Shannon E. Kunkel  
Executive Director

Cc: Albuquerque Journal,  
Santa Fe New Mexican,  
New Mexico Press Association members,  
New Mexico Broadcasters Association members