

# 2009 Legislative Overview

Dear Constituents,

I want to update you on what I plan to do for my first legislative session as your State Senator for district 37 in New Mexico. We have huge challenges in front of us, and while I'll be doing lots of watching and learning during this session, some issues are too urgent to wait on. I plan to hit the ground running in these areas.

Following is a summary of my legislative priorities going into this session; I welcome your input. There are many high priority issues which do not appear on my list simply because I will rely on legislators with more specific expertise to take the lead in those areas. Please feel free to contact me at [steve@stevefischmann.com](mailto:steve@stevefischmann.com) with thoughts or comments.

To receive email updates from the session, please join my mailing list.

## Statewide Issues

### 1. Protect against current and ongoing budget shortfalls.

Analysis from the Legislative Finance Committee indicates New Mexico will be facing reduced revenues through 2012. While there will undoubtedly be many proposals to deal with the situation ranging from spending cutbacks to proposals to increase taxes or fees, I will concentrate on three areas that I feel have substantial long term budget impacts. My focus will be on eliminating large giveaways that benefit only a few people, and on more effective government management.

- A. **Prevent tax Increment Development District (TIDD) subsidies for projects on previously undeveloped land.** Marketed as economic development by supporters, these projects actually produce little in the way of new economic activity. Their primary impact is to steal economic growth from neighboring communities that do not enjoy these subsidies.

The financial smoke and mirrors used to justify these subsidies is eerily similar to the logic that was used to justify disastrous sub-prime mortgage instruments. Only TIDD subsidy money comes directly out of general fund tax revenues.

TIDD subsidies threaten to destroy the future solvency of our state because of the billions of dollars involved, and the billions more that are slated for the future. Because they are primarily concentrated around Albuquerque, these subsidies have the additional effect of diverting state resources from Las Cruces and Southern New Mexico.

Regarding specific TIDD proposals, I will support a properly structured TIDD subsidy for revitalization of Las Cruces Downtown (less than \$10 million). I will oppose \$629 Million in TIDD bonding for the proposed Sun Cal development near Albuquerque, and I will fight for major revision of current TIDD statutes that encourage unproductive giveaways for developments on raw land.

- B. **Eliminate no bid business planning leases by the state land office that stand to cost taxpayers hundreds of millions in revenues.** Thousands of acres of land in and around Las Cruces are affected by these leases. I will work with Representatives Jeff Steinborn and Nate Cote to introduce legislation that improves oversight on Land Office Real Estate Deals, eliminates legal loopholes that permit what in effect become no bid land sale arrangements, and requires improved accounting for various transactions within the State Land Office.
  
- C. **Investigate the need for better monitoring of oil and gas production to insure proper collection of severance taxes and royalties.** In most enterprises, when times are good, procedures around this kind of revenue collection activity typically become lax. We have come through a period of extraordinarily good times, so this is an ideal time to review procedures around a revenue source that has recently accounted for between 15 and 20 percent of state revenues.

## **2. Promote genuine economic development to pull New Mexico out of the recession as quickly as possible.**

A growing economy is the surest way to cure our budget woes, have resources to provide services, and improve the quality of life in Dona Ana County. I will:

- A. **Introduce and support legislative initiatives that draw on federal stimulus funds for renewable and affordable energy programs and infrastructure repair.** Whether you agree with a federal stimulus program or not, we should insure that New Mexico gets its fair share.
- B. **Introduce revenue neutral legislation (no cost to taxpayers) that encourages renewable energy development, energy conservation and job training for these industries in Southern New Mexico.** I am working on a series of bills that will have this impact.
- C. **Support job training and infrastructure development for the Spaceport.** While there has been much controversy surrounding this project, it is now well underway. It is time to support this effort to ensure that our investments do not go to waste.
- D. **Support educational, vocational, and job training efforts such as The Bridge to develop a skilled workforce.** Training a skilled workforce is the most reliable and permanent form of economic development.

### 3. Promote Ethics Legislation

Strong government ethics are the foundation of government policy that serves the needs of everyone, rather than a favored few. Improvements in ethics regulations for legislators and government in general are our best assurance of policy that brings the most good to the most people.

- A. **Support limits on campaign finance contributions.**
- B. **Support creation of an ethics commission to review legislative and executive activity.**
- C. **Support stronger rules governing conflicts of interest in both the executive and legislative branches of government.**
- D. **Support Electoral College Reform.** An interesting proposal will be introduced in New Mexico this session that has already been approved in four states. The proposal will move us towards a system where Presidential elections are decided by popular vote rather than Electoral College delegates.

Most people do not realize that the US Constitution gives the power to regulate and design federal election procedures to individual states. If similar

legislation is approved in states with a majority of the electoral votes, the result will be a true one person, one vote federal election system.

## **Local Issues**

### **1. Flood Control**

Neighborhoods old and new throughout district 37 have raised flood management issues. They range from existing flooding problems, to suspect FEMA flood studies that will raise insurance costs dramatically for many homeowners, to a lack of regional flood planning, to poor co-ordination between government agencies and a lack of government accountability for flood control failures.

For most people, their home is the biggest investment they will ever make. There is broad local sentiment that homeowners deserve better protection from flood and drainage deficiencies. I will explore various possibilities for improved statutes impacting our area in regard to this issue.

### **2. Access to Albuquerque TV stations**

I have received many complaints that Las Cruces has inadequate access to New Mexico news and political commentary because satellite and cable systems provide little or no access to Albuquerque TV stations. Almost all of our TV news comes from Texas. This appears to be the result of an FCC decision that places us in the El Paso broadcasting district. Working with local legislators, I will support a memorial encouraging federal action to make Albuquerque as well as El Paso stations broadly available in Dona Ana County.

### **3. Homeowner Association Regulations**

Many residents of newer communities have raised concerns about paying Homeowner Association Dues for community maintenance while having no say in how funds are spent, and limited access to association records. I will be investigating potential legislative steps to insure that homeowners and developers have appropriate say in, and benefit appropriately from Homeowner Associations.

### **4. Capital Outlay**

I will work closely with the House Legislators in my Senate district to support the road, community center, and other projects that are most important to our constituents, and protect important projects currently in place. Our local legislators have a record of close co-operation on capital outlay spending to insure Dona Ana

County gets the most bang for its buck. I anticipate similar levels of partnership for Sierra County.

Unfortunately, we must all recognize that in this year of tight budgets capital outlay funds will be limited. We will not be able to pursue as many projects as we have in recent years.