

THINK NEW MEXICO

A Results-Oriented Think Tank Serving New Mexicans



The NEXT STEP for a MODERNIZING LEGISLATURE



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About Think New Mexico

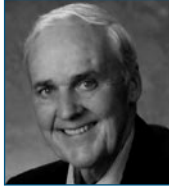
Think New Mexico is a results-oriented think tank whose mission is to improve the quality of life for all New Mexicans, especially those who lack a strong voice in the political process. We fulfill this mission by educating the public, the media, and policymakers about some of the most serious challenges facing New Mexico and by developing and advocating for enduring, effective, evidence-based solutions to overcome those challenges.

Results

As a results-oriented think tank, Think New Mexico measures its success based on changes in law we help to achieve. Some of our results include, among others:

- Making full-day kindergarten accessible to every child in New Mexico
- Repealing the state's regressive tax on food and defeating attempts to reimpose it
- Creating a Strategic Water Reserve to protect and restore the state's rivers
- Redirecting millions of dollars a year out of the state lottery's excessive operating costs and into college scholarships
- Reforming title insurance to lower closing costs for homebuyers and homeowners who refinance their mortgages
- Streamlining and professionalizing the Public Regulation Commission
- Establishing a user-friendly health care price transparency website
- Ending predatory lending by reducing the maximum annual interest rate on small loans from 175% to 36%
- Repealing the tax on Social Security for middle and lower income New Mexicans
- Enhancing the training and transparency of local school boards
- Making the state's infrastructure spending transparent by revealing the legislative sponsors of every capital project
- Creating a \$2 billion permanent trust fund for Medicaid
- Making New Mexico's student loan repayment program for health care workers the most generous in the nation
- Bringing New Mexico into the interstate licensure compact for physicians
- Reforming New Mexico's medical malpractice law to address the top reason why doctors were retiring early or leaving the state

Think New Mexico's Board of Directors



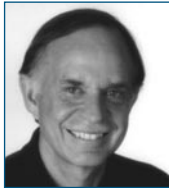
Phelps Anderson served four terms in the New Mexico House, 1977–1980 and 2019–2022. A businessman from Roswell, Phelps has worked in industries ranging from ranching to restaurant management, and he is the president of SunValley Energy Corp. Phelps chaired the Interstate Stream Commission and serves on the Board of Regents of the New Mexico Military Institute.



Clara Apodaca, a native of Las Cruces, was First Lady of New Mexico from 1975–1979. She served as New Mexico's Secretary of Cultural Affairs under Governors Toney Anaya and Garrey Carruthers and as senior advisor to the U.S. Department of the Treasury. Clara is the former President and CEO of the National Hispanic Cultural Center Foundation.



Jacqueline Baca was President of Bueno Foods for four decades. Jackie was a founding board member of Accion and has served on the boards of the Albuquerque Hispano Chamber of Commerce, the New Mexico Family Business Alliance, and WESST. In 2019, she was appointed to the Federal Reserve Bank of Kansas City's Denver Branch Board of Directors.



Paul Bardacke served as Attorney General of New Mexico from 1983–1986. He is a Fellow in the American College of Trial Lawyers, and he handled complex commercial litigation and mediation with the firm of Bardacke Allison. Paul was a member of the National Park System Advisory Board during the Obama administration.



Notah Begay III, Navajo/San Felipe/Isleta Pueblo, is the only full-blooded Native American to have played on the PGA Tour, where he won four tournaments. He now works with Native communities to develop world-class golf properties. Notah founded The Notah Begay III Foundation (NB3F), which works to reduce obesity and diabetes among Native American youth.



Garrey Carruthers served as Governor of New Mexico from 1987–1990 and as Chancellor of the system and President of New Mexico State University from 2013–2018. In between he served as Dean of the College of Business at NMSU and as President and CEO of Cimarron Health Plan. Garrey was instrumental in establishing the Arrowhead Center for economic development in Las Cruces.

LaDonna Harris is the Founder and Chair of the Board of Americans for Indian Opportunity. She is also a founder of the National Women's Political Caucus. LaDonna was a leader in the effort to return the Taos Blue Lake to Taos Pueblo. She is an enrolled member of the Comanche Nation.



Edward Lujan is a 19th generation New Mexican and the former CEO of Manuel Lujan Agencies, the largest privately owned insurance agency in New Mexico. Ed is also a former Chairman of the Republican Party of New Mexico, the New Mexico Economic Development Commission, and the National Hispanic Cultural Center of New Mexico, where he is now Chair Emeritus.



Liddie Martinez is a native of Española whose family has lived in northern New Mexico since the 1600s. She is the Market President-Los Alamos for Enterprise Bank and Trust, and a past Board Chair of the Los Alamos National Laboratory Foundation. Liddie served on Governor Michelle Lujan Grisham's Economic Recovery Council. She also farms the Rancho Faisan.



Judith K. Nakamura was a member of the New Mexico judiciary from 1998–2020. She was appointed to the New Mexico Supreme Court in 2015, and in 2017, she became only the fourth woman to serve as Chief Justice in the Court's 108-year history. Judy is an avid hot air balloon pilot and she serves on the board of the Albuquerque International Balloon Fiesta.



Fred Nathan, Jr. founded Think New Mexico and is its Executive Director. Fred served as Special Counsel to New Mexico Attorney General Tom Udall from 1991–1998. In that capacity, he was the architect of several successful legislative initiatives and was in charge of New Mexico's lawsuit against the tobacco industry, which resulted in a \$1.25 billion settlement for the state.



Roberta Cooper Ramo is the first woman elected President of the American Bar Association and the American Law Institute. Roberta has served on the State Board of Finance and was President of the University of New Mexico Board of Regents. In 2011, she was inducted into the American Academy of Arts and Sciences. Roberta is a shareholder in the Modrall Sperling law firm.



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Dear New Mexican:

Think New Mexico's policy report this year proposes the next step in modernizing the legislative process in New Mexico: ethics reform. It builds on recent steps to modernize the legislature by 1) allowing each legislator to employ one full-time staff member, and 2) placing a constitutional amendment on this November's ballot to join the other 49 states and pay our legislators a salary.

While there are a range of good ethics reform ideas that can help modernize the legislative process and restore trust in New Mexico's state government, in this report we focus on those that we believe will make the greatest impact. They also enjoy overwhelming public support, as documented in these pages by the results of a poll conducted by Dr. Gabriel Sanchez of BSP Research (and the former Chair of the Political Science Department at the University of New Mexico).

Our topics are always selected by the brain trust of Think New Mexico, our board of directors. Several of our directors have been heavily involved in efforts to improve New Mexico's governmental ethics laws over the past half-century.

For example, former Governor Garrey Carruthers co-chaired the Task Force on Ethics Reform for Governor Bill Richardson. Also serving on that task force was Stewart Udall, former Interior Secretary under President John F. Kennedy and the first Chair of Think New Mexico's board of directors. Their top recommendation was the establishment of an independent state ethics commission. Garrey later served four years as one of the inaugural commissioners of the New Mexico Ethics Commission.

As a 25-year-old freshman legislator in 1977, Phelps Anderson worked to strengthen the Lobbyist Regulation Act. When he returned to office in 2019, he used his position as a member of the House Appropriations and Finance Committee to advocate for fully funding the new independent state Ethics Commission.

In 1984, during his service as New Mexico Attorney General, Paul Bardacke championed legislation to require candidates to make timelier reporting and disclosure of all of their contributions. A Senate committee killed Paul's legislation, and later the full Senate censured him on a vote of 21-14, essentially a public reprimand, for objecting to the treatment of his bill. In addition, his budget was cut by \$100,000 (\$321,882 in today's dollars).

Finally, in 1992, Attorney General Tom Udall appointed me, then his Special Counsel, to serve as his designee on the Governmental Ethics Task Force that was established by legislative leaders in the wake of the indictment of a sitting legislator for two public corruption felonies. That task force turned out to be a very helpful introduction to all of New Mexico's ethics laws, several of which the legislature was able to strengthen by working together and across the aisle.

The reforms presented in this report continue in the tradition of those past efforts.

If you would like to be part of this initiative to include ethics reforms in the larger effort to modernize New Mexico's legislative process and restore trust in our state government, please sign up for email alerts at: www.thinknewmexico.org. Think New Mexico's website also includes an Action Center that makes it easy to contact the governor and legislators to express your opinion on any of these issues.

In addition to joining our email list and reaching out to your elected officials, we encourage you to follow Think New Mexico on all social media platforms, including Facebook, Instagram, Twitter/X, BlueSky, TikTok, and LinkedIn, so that you can stay updated on our progress on this issue, as well as our ongoing work to improve New Mexico's public schools and address the state's health care worker shortage.

You are also invited to join the more than 1,400 supporters who invested in Think New Mexico's work last year by making a contribution online or in the yellow reply envelope you will find enclosed in this report.

Fred Nathan Jr.

Founder and Executive Director



Susan Martin
Business Manager



Fred Nathan, Jr.
Executive Director



Mandi Torrez
Education Reform
Director

INTRODUCTION

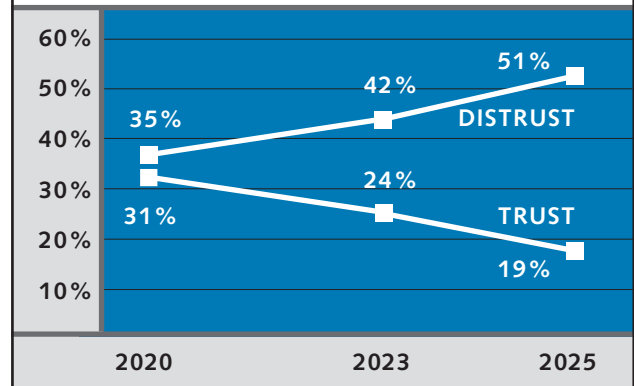
On August 14, 2026, a former New Mexico House Majority Leader was convicted of 31 federal felonies including bribery, mail fraud, and money laundering for using her position in the legislature to steal over \$2 million in education funding intended for public school students in Albuquerque. At least \$72,649 was spent remodeling her house.

As the *Albuquerque Journal* reported, this scandal was the latest chapter in “a recent history of [New Mexico] legislators convicted of public corruption offenses,” including a former state senator who was found guilty of fraud and bribery in 2017; a former Senate President Pro Tem who pleaded guilty to conspiracy and mail fraud in connection with a multimillion dollar kickback scheme in 2008; and a former state representative who was convicted of soliciting a bribe in 1992.

A 2025 poll by Research & Polling, Inc. for the Albuquerque-based Garrity Group found that only 19% of New Mexico residents trust state government officials, a record low and down from 31% just five years earlier. (National trust in government fell by 10% over the same period according to a Pew study.)

Multiple report cards have given New Mexico low marks for our state government ethics laws, including the States With Anti-Corruption Measures for Public Officials (S.W.A.M.P.) Index, which ranked New Mexico 36th in the nation for our laws governing ethics and transparency. Similarly, the Center for Public Integrity’s most recent State Integrity Investigation gave New Mexico an overall grade of D-, tied for 34th in the nation, based on its evaluation of the systems we have in place to deter government corruption.

Percent of New Mexicans Who Trust or Distrust Their State Government



Source: 2025 Garrity Perception Survey, commissioned by The Garrity Group Public Relations, conducted by Research & Polling, Inc.

These low scores reflect the serious gaps and loopholes in our ethics laws that create openings for conflicts of interest and special interests to influence the lawmaking process.

Everyday New Mexicans suffer the consequences. Legislation with broad public support may be quietly killed by special interest lobbyists who never have to disclose that they’re lobbying against the bill. Other bills may pass easily because they would benefit an industry that employs a powerful legislator—who, under current ethics laws, does not have to recuse himself or herself from sponsoring or voting in favor of the bill.

The good news is that there are commonsense ethics reforms that can help restore New Mexicans’ trust in their government. The reforms laid out in this report have already been adopted in many other states, and they are supported by an overwhelming majority of New Mexicans. They also build on more than a century of prior efforts by the legislature itself to establish better ethical guardrails for New Mexico’s state government.

A BRIEF HISTORY OF STATE GOVERNMENTAL ETHICS REFORMS IN NEW MEXICO

The journey to improve ethics in New Mexico's state government has advanced in fits and starts.

Statehood came during an era in which muckraking journalism had shone a light on rampant corruption and conflicts of interest by territorial legislatures across the Western United States. One research paper described them as "raucous bodies drowned in whiskey and shenanigans," and they were widely viewed as being susceptible to the influence of powerful industries, particularly the railroads.

In response, when delegates gathered to draft New Mexico's constitution in 1910, they included several anti-corruption measures.

Most of those measures were directly inspired by corruption related to the railroad industry. For example, in the wake of vast giveaways of public land to railroad corporations, the constitution's Anti-Donation Clause bars state and local government from giving aid or donations to individuals or private enterprises. Likewise, the constitution still specifies that if a member of the legislature accepts a free railroad pass, it is grounds for removal from office.

But the constitution's drafters did not limit themselves to reining in the railroads. For instance, the drafters put the crime of bribery directly into the Constitution and stated that members of the legislature who solicit or accept bribes of any kind in return for their vote or influence on any legislation are guilty of a felony. Furthermore, the drafters prohibited members of the legislature from benefiting from a government contract that was authorized by a law passed during that legislator's term.



New Mexico's constitutional convention in 1910. Photo by William R. Walton, courtesy Palace of the Governors Photo Archives (NMHM/DCA) #008199.

The drafting of the constitution became a bit of a high water mark for government ethics for the half century after statehood, as there was little to no movement toward enacting further reforms during this period. It was truly the Wild West and a culture of *laissez faire* prevailed. There were no restrictions on lobbyists, who were not even required to register, meaning that the public and media had no way of knowing who was influencing their laws. Likewise, all political giving was essentially dark money, as there was no public reporting of sources or amounts of campaign contributions.

That began to change in the mid-20th century, thanks to hard fought efforts by legislators and governors on both sides of the aisle. In many cases, they were motivated by the need to restore public trust in government in the wake of a high-profile political scandal.

Lobbyist Regulation Act (1967, updated 1977)

Lobbying has become a robust business in New Mexico. When lobbyists were first required by the legislature to register with the Secretary of State in 1967, there were just 15 lobbyists listed. By 1980, barely a decade later, that number had grown by

more than twentyfold to 310 lobbyists. Today the number has more than doubled to 654.

The first attempt to regulate lobbyists and “loose practices” came about in 1951 at the behest of Representative Calvin Horn. Legislative leaders appointed Representative Horn to chair the “Committee of Legislative Procedures and Ethics.” The Committee was composed of representatives of the media, academia, churches, five legislators, and nine “lay members” who were “to be primarily men who have had experience in the ‘Third House’—that is, the group of non-legislators interested in influencing passage of laws,” according to an *Albuquerque Journal* article from November 29, 1951, titled, “Lobbyists will help prepare Legislators’ Code of Ethics.”

A clearly exasperated Representative Horn told the *Journal* in that same article, “As far as I know, asking lobbyists to serve on such a committee is unique in New Mexico and other states.”

That attempt at regulating lobbyists failed, as reported by the *Albuquerque Journal* on March 10, 1953 in an article titled, “‘Special Interests’ Count Session a Success so Far”:

“Probably the tip-off on the attitude of the lawmakers came early in the session when they promptly killed a proposal which would have required lobbyists to register and buried another which would have created a code of ethics for members of both Houses.”

During that 1953 session, it was reported by the *Albuquerque Tribune* that Representative Horn got stuck with a \$15 lunch tab when a group of his legislative colleagues joined his table and explained that they were afraid to eat with lobbyists under the “Calvin Code of Ethics.” (However, Horn’s failed crusading for ethics reform didn’t hurt his popularity with voters. When Horn later



Calvin Horn with two of his daughters, Brenda and Melinda, around 1966.

ran for Governor in 1968, he finished only 282 votes behind the second place finisher in the Democratic primary, Bruce King, a political force and future three-term governor.)

By the time lobbyist registration finally passed in 1967, New Mexico was one of the last three states that did not have a statute regulating lobbyists, according to then-Governor Dave Cargo. The legislature returned to the issue a decade later, in the post-Watergate era, and updated the law to require lobbyists to file reports with the Secretary of State disclosing their contributions and lobbyist expenditures (e.g., meals with legislators).

The Conflict of Interest Act (1967), later updated to the Governmental Conduct Act (1993) and the Financial Disclosure Act (1993)

The driving force behind the passage of the Conflict of Interest Act, like the Lobbyist Registration Act, was Dave Cargo, first as a member of the New Mexico House of Representatives from 1962–1966 and later as a two-term Governor from 1967–1970.¹

1] At that time, governor terms were limited to two years.

In December of 1965, Representative Cargo called for an investigation of State Senator James Patton, whom Cargo alleged had voted to appropriate money to build the state Capitol building, then received two state contracts, first to serve as a consultant to the Capitol's architect to develop the specifications for the building's furnishings, and then as the contractor to provide those furnishings, a contract for which he was the only bidder.

Cargo also alleged that 38 of his legislative colleagues, whom he didn't name, had acted on various conflicts of interests as well, such as selling milk to state schools, cars to the state motor pool, and group insurance to state employees. (This likely did not endear him to his legislative colleagues and may help to explain Cargo's nickname of "Lonesome Dave," which was also the title of his autobiography.)

Cargo continued to hammer on the conflict of interest issue when he campaigned for governor in 1966. He won that race in an upset, as only one other Republican had been elected to the office in the previous 35 years. On taking office, Cargo issued an executive order to prevent executive branch employees from acting on conflicts of interest.



Governor Dave Cargo (left), campaigning in Taos County in 1968.

In his first year as Governor, Cargo also succeeded in getting a conflict of interest law passed by the legislature. Among other things, the Conflict of Interest Act barred state agencies from entering into no-bid contracts with legislators for amounts over \$1,000. The law also curtailed the state from granting contracts to entities represented by former public officials. In addition, it required state employees and legislators to annually disclose to the Secretary of State any business interests affected by government acts. At the time, House Majority Leader Dave Norvell said of the legislation: "It's as strong as you can, as a practical matter, make it and leave anybody in the legislature."

Twenty-five years later, in 1992, the legislature returned to the Conflict of Interest Act. They were prompted to do so by Attorney General Tom Udall's indictment of a sitting legislator for soliciting a \$15,000 bribe in exchange for help obtaining state funding in violation of the state constitution. That legislator was later convicted of two fourth-degree felonies and forced to resign.

In response to outrage from the media and the public over this instance of public corruption, legislative leaders established a Governmental Ethics Task Force, which considered a smorgasbord of reforms to address loopholes across all of the state's governmental ethics laws.

The task force recommended significantly strengthening the Conflict of Interest Act and splitting it into two new laws: the Financial Disclosure Act and the Governmental Conduct Act. The task force also recommended expanding the definition of lobbying to include advocacy before executive branch agencies in rulemaking actions, and they called for a thorough re-write of the Campaign Reporting

Timeline of Major State Governmental Ethics Reforms in New Mexico

1910	Anti-corruption provisions included in New Mexico's state constitution
1967	Conflict of Interest Act enacted; Lobbyist Registration Act enacted
1977	Lobbyist Registration Act updated to Lobbyist Regulation Act
1979	Campaign Reporting Act enacted, requiring reporting of candidate contributions & expenditures
1993	Financial Disclosures Act enacted; Conflict of Interest Act broadened and updated to Governmental Conduct Act
2007	Gift Act enacted, capping the value of gifts lobbyists may give to legislators
2009	Campaign contributions capped
2019	Legislation enacted to create the Independent Ethics Commission; some dark money loopholes closed

Act, including updating campaign reporting rules to include Political Action Committees (PACs); increasing the frequency of reports; prohibiting the use of campaign funds for personal expenses (like purchasing vehicles and flowers, and paying down mortgages); and prohibiting anonymous contributions over certain amounts.

The Associated Press reported that:

"Lawmakers are starting to acknowledge that they have little choice but to enact laws to enforce good ethical behavior and financial conduct in the Legislature.

The debate is punctuated by praise for each other's integrity, complaints about their poor pay and, especially, attacks on the news media for creating the public's negative attitude toward them."

In the end, major reform legislation passed both the House and Senate unanimously.

State Ethics Commission (2019)

To say that the process of enacting a state Ethics Commission was contentious would be an understatement. Between 2007 and 2019, we counted 60 bills that were introduced to create an independent state ethics commission before it was finally enacted.

As early as 1992, the Governmental Ethics Task Force considered the need for an independent ethics commission for New Mexico, although they did not ultimately endorse the idea.

When two successive state treasurers were indicted in 2005 and charged with extortion and racketeering for funneling state business to certain financial brokers in return for millions of dollars in kickbacks, the idea of establishing an independent

state ethics commission gained new life. Governor Bill Richardson, a Democrat, appointed former Governor Garrey Carruthers, a Republican, to lead a bipartisan task force on ethics. The top recommendation to emerge from that task force was the creation of an independent state ethics commission.

In the 2007 session, the state Senate rejected the independent state ethics commission legislation, with then-Senate Majority Leader Michael Sanchez quoted in a February 27, 2007 *Albuquerque Journal* article as asking: “What did the Legislature do to warrant the push for the change? Give me something factually that we’ve done to warrant all the changes that have been proposed.” Instead, the legislature opted to enact other recommendations from the task force, such as passing a Gift Act to limit the amount of gifts to state officials, and fine-tuning the Governmental Conduct Act and the Campaign Reporting Act.

The independent ethics commission odyssey continued for another decade and finally began to gain traction after two more high-profile criminal convictions. The first, in 2015, involved the Republican Secretary of State, who had used some of her campaign contributions to gamble at casinos. The second was a Democratic state senator who used his position to profit from the sale of a state-owned building. He was indicted on criminal charges in 2016 and later sentenced to 18 months in prison.

These scandals led a bipartisan group of legislators, including state Representative Nathan Small and state Senator Jeff Steinborn, to introduce a constitutional amendment in 2017 to create an ethics commission. The House and Senate passed it enthusiastically by votes of 66-0 and 30-9, respectively.

In 2018, the voters approved the constitutional amendment by a vote of 75% to 25%, one of the widest margins for any of the constitutional amendments in the state’s history.

Generally, the most difficult part of passing a constitutional amendment is enacting the enabling legislation, which fills in all the details of the constitutional amendment. In 2019, the legislature crafted that enabling legislation, drawing closely from lessons learned by 44 other states that had previously established independent ethics commissions. However, it was a wild ride to passage for the enabling act, which experienced two near-death experiences before being rescued in the last few days of the session by Senate President Pro Tem Mimi Stewart. Dozens of legislators who are still serving today voted in favor of the law.

Today the state Ethics Commission is charged with overseeing and enforcing the Governmental Conduct Act, the Financial Disclosure Act, the Lobbyist Regulation Act, and the Campaign Reporting Act, among others. In addition, the commission is charged with investigating complaints made against candidates, lobbyists and elected officials in the executive and legislative branches.

By all accounts, the New Mexico legislature created one of the best independent ethics commissions in the nation. Although there are ways the commission could be strengthened, such as providing it with an independent source of recurring operating funding, the commission has been very effective at fulfilling its statutory functions under the leadership of its bipartisan board and Jeremy Farris, its inaugural Executive Director.

OPPORTUNITY FOR FURTHER REFORM: MODERNIZING NEW MEXICO'S LEGISLATIVE PROCESS

As state government ethics laws gradually advanced over the last half-century, a parallel effort was unfolding to modernize how legislators are paid for their service.

At statehood, a provision was included in New Mexico's constitution specifying that each legislator would receive \$5 for each day's attendance during the session—the equivalent of about \$173 today—along with 10 cents per mile traveled to and from the Capitol, one round-trip per session. The provision ended with the same language it still includes today: legislators shall receive “no other compensation, perquisite, or allowance.”

Efforts to change this structure began almost immediately after statehood. Constitutional amendments to increase legislative per diems and mileage payments were sent to the voters starting in 1925. A legislative salary (\$600 annually) was proposed for the first time in 1941; it failed 35%-65%.

Voters did, however, approve constitutional amendments to increase the legislature's daily per diem to \$10 in 1944; \$20 in 1953; \$40 in 1971; and \$75 in 1982. Finally in 1996, a constitutional amendment tied the per diem to the rate set (and regularly updated) by the Internal Revenue Service, ending the need for future votes on increases (the rate is currently \$202 per day). That amendment also for the first time provided legislators with per diems for attending committee meetings during the interim period between legislative sessions.

(Since 1963, legislators have also been eligible for a pension after 5-10 years of service, depending on the age of the legislator. Participating legislators

contribute \$1,000 per year. Pension payments are currently \$2,911 for each year of legislative service, meaning that a legislator who retires after 10 years would be eligible for \$29,110 annually.)

While voters approved periodic increases to the per diem for legislators, they repeatedly rejected attempts to enact an actual legislative salary. Constitutional amendments on this issue were sent to the voters in 1961, 1965, 1969, 1974, 1978, 1990, and 1992. Each time, they failed to pass.

However, over the past decade, a new push to modernize the legislature has gathered momentum. Multiple studies on legislative modernization have been published by good government non-profits like Common Cause New Mexico and the New Mexico League of Women Voters. In 2022, Professors Timothy Krebs and Michael Rocca at the University of New Mexico published *A Report on Legislative Professionalism for the State of New Mexico*, which ranked the state near the bottom of the nation in its capacity to provide government oversight and perform other important functions. Inside the legislature, a growing cohort of women lawmakers began to champion the issue.

In 2024, the legislature took a significant step toward modernization when each legislator was allowed to hire one paid, full-time staff member. Legislators were also able to open district offices starting in 2025.

Then, during the 2026 legislative session, the legislature passed House Joint Resolution 5, placing a constitutional amendment on the ballot to pay legislators a salary equivalent to the state's median household income. If Constitutional Amendment 4 is approved by the voters this November, legislators would begin receiving salaries of approximately \$68,000 annually.

Top 10 Highest Paid State Legislatures

STATE	ANNUAL SALARY
New York	\$ 142,000
California	\$ 132,703
Pennsylvania	\$ 110,015
Illinois	\$ 93,712
Alaska	\$ 84,000
Massachusetts	\$ 82,044
Hawaii	\$ 74,160
Ohio	\$ 72,343
Michigan	\$ 71,685
Alabama	\$ 62,212

Source: Compiled by Think New Mexico from the National Conference of State Legislatures, 2025 Legislator Compensation, August 5, 2026.

This time around, it is better positioned to succeed. While New Mexico's volunteer legislature was not out of the ordinary at the state's founding, it is now the last unsalaried legislature in the nation, and polls show that voters have grown more supportive of paying legislators than they have been in the past.

This opens a window of opportunity to modernize another aspect of the legislative branch that has lagged behind other states: the ethics laws that apply to legislators and lobbyists.

The volunteer status of New Mexico's legislature has long been cited as the primary reason for the state's relatively lax approach to ethical requirements.

For instance, a 1992 editorial from the *Santa Fe New Mexican* stated, "a cavalier approach to ethics is to be expected from a gang of people paid only on a per diem basis."

Similarly the final report of the 1992 Governmental Ethics Task Force noted that the group had rejected some proposals for ethics rules—such as recusal requirements for legislators or a cooling off period before legislators become paid lobbyists—because the task force concluded that many of the ethical rules that apply to professional legislatures in other states are "wholly inappropriate in the part-time [unpaid] citizen context."

By contrast, as discussed later in this report, states with paid legislatures generally follow professional codes of conduct designed to prevent conflicts of interest and protect the interests of the public that is paying them.

In many cases, the higher the legislative salaries, the higher the ethical expectations.

Similarly, members of New Mexico's other two branches of government are paid public servants and they also follow detailed and specific codes of conduct, including provisions designed to prevent conflicts of interest.

Ethical requirements for the Executive Branch are largely laid out in the Governmental Conduct Act, which was described in the prior section. This law includes provisions prohibiting state employees from "engaging in any official act directly affecting the public officer's or employee's financial interest," and barring former state employees from representing clients before state agencies on any matters in which the former state employee had "parti-

pated personally and substantially” while in their public service role.

The Governmental Conduct Act is enforced by the state Ethics Commission, which can file lawsuits to punish violations of the law with monetary fines. The Ethics Commission can also report violations to the Attorney General or relevant district attorney, which can pursue criminal penalties, including prison sentences of up to a year.

Similarly, New Mexico’s judiciary is subject to its own Code of Judicial Conduct. Among other provisions, the code prohibits judges from “abusing the prestige of judicial office to advance the personal or economic interests of the judge” and it bars judges from participating in any financial activities that “may reasonably be perceived to exploit the judge’s judicial position.”

The Code of Judicial Conduct is enforced by the Judicial Standards Commission, an independent state agency that was created by constitutional amendment in 1967. Judges can be disciplined or removed from office for misconduct. The system has worked so well that New Mexico ranked third best in the nation for judicial accountability in the Center for Public Integrity’s final state integrity report card in 2015—a bright spot in a report card that ranked New Mexico’s legislative accountability 39th in the nation, and ranked the state’s lobbying disclosure 43rd.

Think New Mexico is not the first to note the logical connection between legislative pay and a higher standard of ethics. In 1990, Representative Pauline Eisenstadt introduced legislation that linked ethics reforms with legislative pay. As she wrote in her memoir, “in the first committee these two bills were separated and the constitutional amendment for legislative pay went forward while the ethics legislation was tabled in committee.”

In response, the *Albuquerque Journal* editorialized against the legislative pay proposal:

“Legislators have long argued against stricter ethics controls on the ground that members of a citizen legislature must be free to make their livings unhampered by restraints. The reverse of that is also true: Legislators shouldn’t receive a salary *and* the ethical freedom they feel is the due of a citizen legislature.”

Now that New Mexico is in the midst of the most serious effort in a generation to modernize legislative pay, it is a good time to consider what a modernized code of ethics for our state’s legislative branch might look like.



Former State Representative and State Senator Pauline Eisenstadt chairing a committee in the state House in the early 1990s.

REFORM #1: LEGISLATIVE DISCLOSURE AND RECUSAL

In her 2014 book, *Inside the New Mexico Senate: Boots, Suits and Citizens*, former state Senator Dede Feldman, who served from 1996–2012, reflected on her time in the legislature. In a chapter focused on ethics and conflicts of interest, she stated:

“Almost every day legislators are called upon to vote on issues that have a direct financial effect on them—well beyond taxes or general regulations. Sen. Phil Griego, who was in the title insurance business for years, voted on a number of bills that would have removed title insurance companies’ liability and made it tougher for people to sue them. Sen. Tim Eichenberg sponsored property tax bills even though his bread and butter was property tax appeals. Insurance agents like Sens. John Sapien and Carroll Leavell vote on plenty of insurance measures. Rep. James Strickler runs a small oil and gas production company, and Reps. Don Bratton, Bill Gray, and Bob Wooley have ties to oil and gas. They vote on environmental issues affecting that business. The spouses of county and state employees vote on their pensions and health benefits. Rep. Debbie Rodella, a Democrat from Española, once asked me to sponsor an amendment that would have exempted her husband, a county sheriff, and other public safety employees from a prohibition against ‘double-dipping’ (getting a state salary and a state pension at the same time). A number of senators are educators or retired educators; any solution to the state’s shrinking educational retiree fund may affect them directly.



Former State Senator Dede Feldman in 2025.

In sixteen years I have seen only a few legislators excuse themselves from voting on these kinds of issues. One was Sen. Phil Maloof, whose family owned a liquor empire. The other was Sen. Sue Wilson Beffort, whose husband’s University of New Mexico salary might have been affected by the outcome of one bill. On one occasion, Sen. Dianna Duran tried to recuse (or excuse) herself from an issue involving a family member, but was discouraged by then president pro tem Manny Aragon. ‘We don’t do that here,’ he said, according to several onlookers. For the most part, senators feel that their ‘impartiality is not impaired by their employment,’ but sometimes there is more than a shadow of a doubt.”

Senator Feldman’s observations are supported by the classic 2006 textbook *Governing New Mexico*, edited by a group of prominent University of New Mexico and New Mexico State University political science professors, which explains the problem succinctly, “Many observers argue that some legislators function as inside lobbyists, for they seem to be at least as concerned with defending the

interests of their industry or profession as they are with guarding the interests of the state as a whole.”

Some may argue that the solution to preventing conflicts of interest is to have a year-round legislature with outside employment prohibited. However, one of the biggest strengths of the New Mexico legislature is that it is truly a citizen legislature, in which legislators are not full-time professional politicians, but instead come from all walks of life and regularly share their different perspectives and expertise, which is often informed by the work they do in their home communities when they are not in session.

A better approach would be to pay legislators an appropriate salary for their legislative work, maintain our part-time legislature, continue to allow legislators to have outside employment, but strengthen the current provisions around recusal and disclosure when conflicts of interest arise.

Requiring Recusal when a Legislator has a Direct Financial Conflict of Interest

Whether legislators will recuse themselves from voting on legislation when they have a direct financial conflict of interest is controlled by House and Senate Rules in New Mexico, which are adopted by each chamber to govern their members and procedures. Those rules set out some high-minded principles regarding ethics.

For example, Senate Rule 26-1 states in part:

“Members of the senate shall conduct themselves in a manner that justifies the confidence placed in them by the people. The members shall not use their offices for private gain and shall at all times maintain the integrity and discharge ethically the high responsibilities of their legislative positions. ...

To avoid a potential conflict of interest...a senator shall attempt to ensure that the senator's private employment does not impair impartiality and independence of judgment in the exercise of official duties.”

However, when it comes to the specific rule governing voting and recusal, Senate Rule 7.5, the expectation is that legislators should very rarely recuse themselves, and instead should vote on bills even if they believe they may have a financial conflict of interest — consistent with Senate President Pro Tem Aragon's admonishment to Senator Duran, as recounted by Senator Feldman in the passage on the prior page.

More recently, a 2015 column by Milan Simonich for the *Santa Fe New Mexican* titled, “Lawmakers divided on conflict-of-interest recusals,” documented another instance of legislators struggling with the issue of recusal. Senator Gay Kernan asked to be recused on a bill impacting medical professionals because her husband is a doctor.² However, Senate Majority Floor Leader Michael Sanchez objected and argued that the Senate should not allow a colleague to withdraw from debates and votes unless the circumstances are extraordinary. Otherwise, it was argued that senators could use conflicts of interest as a pretext to duck politically difficult votes. Sanchez asked for a vote of the Senate on whether it supported recusal for Senator Kernan. In this instance, Senator Kernan prevailed and was allowed to recuse herself.

2] New Mexico is one of nine states that are “community property” states, meaning that any income earned by either spouse during the marriage belongs equally to both spouses. This means that when a legislator's spouse has a financial conflict of interest with a bill, the legislator does, too.

As Raul Burciaga, former Director of the Legislative Council Service, explained in a February 2026 email to Simonich regarding a question about a different legislative conflict of interest: “By Senate rule, a senator cannot excuse (or recuse) him- or herself; only the Senate can excuse a member from voting. ... I bring this up because it is commonly believed that a legislator can excuse or recuse one- self from voting, but only the body can do that.”

Similarly, under New Mexico’s parallel House Rule 7-5 a representative cannot simply recuse himself or herself from voting on legislation in which they have a direct financial conflict of interest. Instead the representative must request to be excused and that request must be approved by a majority of those present.

As the nearby chart illustrates, New Mexico’s approach is at odds with the practices of most other states, which require recusal if a legislator has a direct conflict of interest.

Thirty-six states have an expectation that legislators will recuse themselves when they have a financial conflict of interest—and legislators do not need permission from their colleagues to recuse. That is the case in both chambers in 29 states and in one chamber in seven states. Another five states give legislators the option of recusing themselves, but do not require it. New Mexico is one of just nine states in which recusal is discouraged.

New Mexico is also an outlier in only addressing whether legislators should recuse themselves in its House and Senate rules, as more than two-thirds of states regulate recusal in statute or in their state constitution. Both are more difficult to change or repeal than House and Senate rules.³

States that Require Recusal for Legislators with Financial Conflicts of Interest

Alabama	Minnesota (House)
Alaska	Mississippi
Arizona	Missouri
Arkansas (Senate)	Nevada
California	New Jersey
Colorado	North Carolina
Connecticut	North Dakota
Delaware	Ohio
Florida	Oklahoma
Georgia (Senate)	Oregon
Indiana (House)	Pennsylvania
Iowa (House)	South Carolina
Kentucky	Texas
Louisiana	Vermont
Maine	Virginia
Maryland	Washington
Massachusetts (House)	Wisconsin
Michigan (Senate)	Wyoming

Source: Compiled and updated by Think New Mexico from the National Conference of State Legislatures, Voting Recusal Provisions. August 24, 2021.

3] In a February 2026 advisory opinion, the New Mexico Ethics Commission notes that the state’s constitution assigns each chamber of the legislature the power to regulate the voting and recusal of its members. This means that a statute requiring recusal might be vulnerable to a constitutional challenge. Therefore, in New Mexico, a recusal requirement would likely need to be placed either in House and Senate rules, or in the state constitution.

Location of Law or Rule Governing Whether Legislators Should Recuse Themselves

STATE CONSTITUTION

Alabama	Pennsylvania
Colorado	Texas
Kentucky	Washington
Oklahoma	

STATE STATUTE

Alaska	Nebraska
Arizona	Nevada
California	New Jersey
Connecticut	North Carolina
Delaware	Ohio
Florida	Oregon
Idaho	Rhode Island
Illinois	South Carolina
Louisiana	Utah
Maine	Virginia
Massachusetts	West Virginia
Minnesota	Wisconsin
Missouri	Wyoming
Montana	

HOUSE & SENATE RULES

Arkansas	Mississippi
Georgia	New Hampshire
Hawaii	New Mexico
Indiana	New York
Iowa	North Dakota
Kansas	South Dakota
Maryland	Tennessee
Michigan	Vermont

Source: Compiled and updated by Think New Mexico from the National Conference of State Legislatures, Voting Recusal Provisions. August 24, 2021.

Seven states believe so strongly in deterring legislators from voting on financial conflicts of interest that they put a recusal requirement into their state constitutions. The seven states are a mix of blue, purple, and red states. They include three neighbors: Colorado, Oklahoma, and Texas, plus Alabama, Kentucky, Pennsylvania, and Washington.

In addition to requiring recusal, at least eight states include a penalty for failure to recuse when a legislator has a financial conflict of interest. For instance, the Kentucky Constitution states: "A member who has a personal or private interest in any measure or bill proposed or pending before the General Assembly, shall disclose the fact to the House of which he is a member, and *shall not vote thereon upon pain of expulsion.*" (emphasis added) This provision was adopted as part of Kentucky's 1891 Constitution and remains in force today.

Meanwhile, neighboring Arizona requires that legislators both disclose a conflict of interest before voting and recuse themselves from voting when there is a conflict of interest. Intentional violation is a felony punishable up to 18 months in prison. Criminal penalties are not the norm among the 50 states; rather, most states utilize remedies like censure—or expulsion, in extreme cases—or civil penalties similar to those that New Mexico has in place for violations of our state's ethics laws.

There is already ample precedence for strong recusal requirements in New Mexico in the executive and judicial branches. For example, the Conflict of Interest Act, which the legislature passed more than a half century ago, prohibited executive branch employees from participating in any official act directly affecting a business in which the employee had a financial interest.

Meanwhile, the New Mexico Code of Judicial Ethics, adopted in 1974, also has clear and strong recusal requirements, including in cases where a judge has “an economic interest in the subject matter.”

Some may argue that prohibiting a legislator from voting, even on a matter where they have a conflict of interest, violates their First Amendment rights. In fact, a Nevada legislator alleged just that in a 2011 case that reached the United States Supreme Court. In an unanimous 9-0 vote, the justices upheld Nevada’s legislative recusal law in *Nevada Commission on Ethics v. Carrigan*.

The court noted that recusal laws “have been commonplace for over 200 years” and noted that, “Within 15 years of the founding, both the House of Representatives and the Senate adopted recusal rules. The House rule—to which no one is recorded as having objected...was adopted within a week of that chamber’s first achieving a quorum.” (Thomas Jefferson wrote the Senate’s recusal law 225 years ago, in 1801, when he was President of the Senate.)

The opinion asked, “But how can it be that restrictions upon legislators’ voting are not restrictions upon legislators’ protected speech?” The Justices explained, “The answer is that a legislator’s vote is the commitment of his apportioned share of the legislature’s power to the passage or defeat of a particular proposal. The legislative power thus committed is not personal to the legislator but belongs to the people; the legislator has no personal right to it...the legislator casts his vote ‘as a trustee for his constituents, not as a prerogative of personal power.’”

POLLING RESULTS

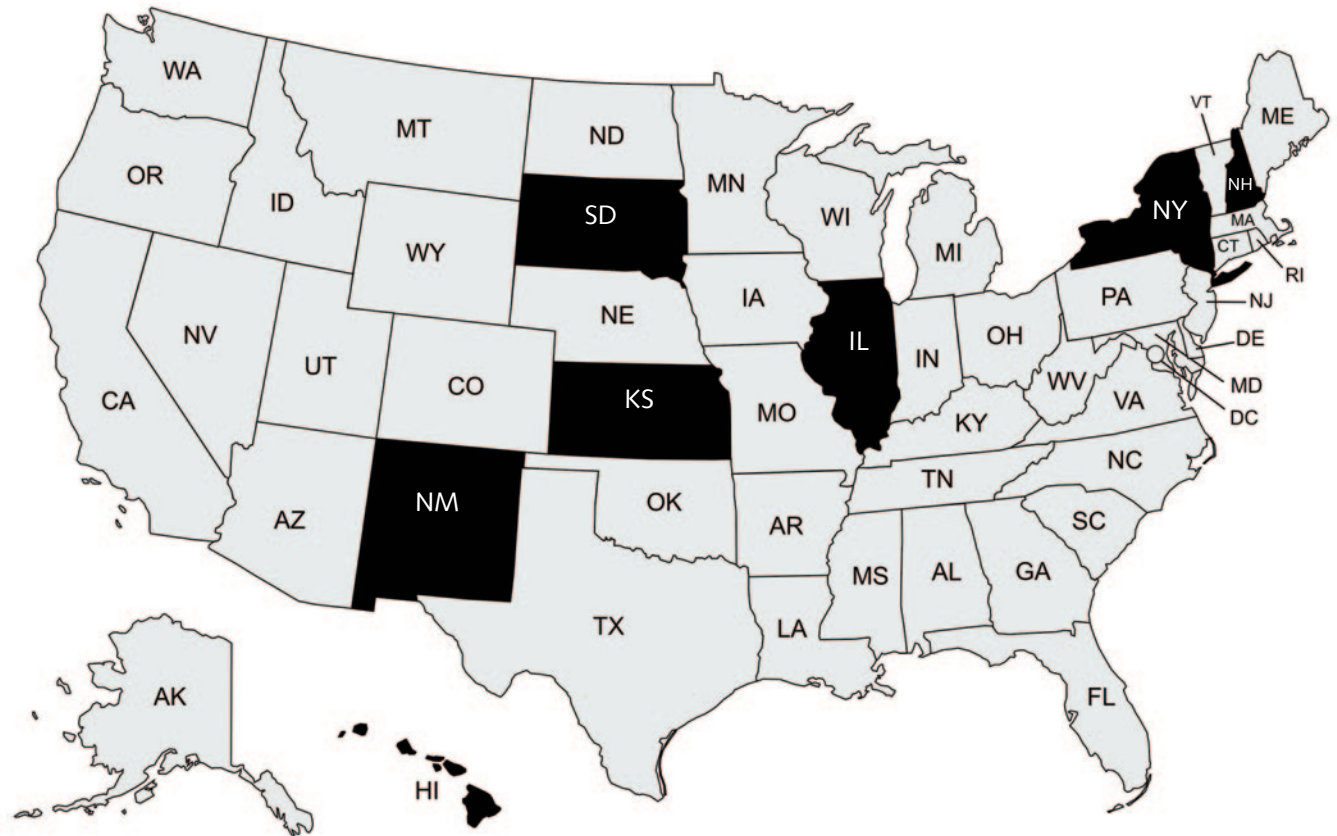
Percent of New Mexicans who believe legislators should recuse themselves from voting on bills where they have a direct, personal conflict of interest

81% SUPPORT
5% OPPOSE
14% UNDECIDED

Source: 2026 Poll by BSP Research for Think New Mexico.

Another argument that might be made against recusal is that almost every bill impacts legislators in some way: legislation that cuts the state’s income or gross receipts (sales) tax will financially benefit legislators along with other New Mexicans, and the annual budget bill funds services that they use, such as public schools and hospitals. However the test for recusal is whether a bill will result in a financial benefit or harm to a legislator that is disproportionately greater than the benefit or harm to the public at large (this is already the standard that governs recusal requirements for executive branch employees in the Governmental Conduct Act). For example, a teacher in the legislature should vote on the budget bill that includes funding for public education generally, but should recuse themselves from a vote on a bill that directly increases pensions for retired teachers. Similarly, the owner of an oil and gas company should vote on a bill to raise or lower the corporate income tax rate, but should recuse themselves from voting on a bill to raise or lower taxes specifically on oil and gas companies.

43 States Require Disclosure of Conflicts of Interest During the Legislative Process in at Least One Legislative Chamber



The 43 gray shaded states require disclosure of conflicts of interest during the legislative process. Thirty-six of them also require recusal. Source: Compiled and updated by Think New Mexico from the National Conference of State Legislatures, Voting Recusal Provisions. August 24, 2021.

New Mexicans overwhelmingly support enhanced recusal laws. In August of this year, a poll commissioned by Think New Mexico and conducted by Dr. Gabriel Sanchez of BSP Research (and former Chair of the Political Science Department at the University of New Mexico) found that 81% of New Mexico voters believe legislators should recuse themselves on bills in which they have a direct, personal financial conflict of interest. Moreover, 73% believe legislators should recuse themselves from voting on bills that would affect the industries they work in.

Think New Mexico recommends placing a constitutional amendment on the ballot to allow the public to decide whether salaried legislators should be required to recuse themselves from acting on legislation when they have a direct financial conflict of interest (without having to ask permission from their colleagues).

Requiring More Meaningful Disclosure of Potential Financial Conflicts of Interest

Along with recusal, effectively preventing conflicts of interest requires meaningful disclosure of potential conflicts of interest, not only during the lawmaking process but also in annual financial disclosure filings with the Secretary of State.

Disclosing Conflicts of Interest During the Legislative Process

Both House and Senate rules set out the principle that: “Full disclosure of real or potential conflicts of interest shall be a guiding principle for determining appropriate conduct of members.”

Yet these same legislative rules do not require disclosure of real or potential financial conflicts of interest during the legislative process.

(We would note here that, in our experience, some New Mexico legislators do voluntarily disclose their financial conflicts of interest during legislative debate. However, without some type of requirement, we are relying only on an honor system.)

In fact, New Mexico’s legislative rules in this area are not as strong as most other states. Think New Mexico’s analysis found that 43 states require legislators to disclose financial conflicts of interest when acting on bills (35 states require it for all legislators; eight states require it in one chamber). Of those 43 states that require disclosure, 36 also require recusal.

For example, neighboring Colorado, a blue state like New Mexico, requires in its constitution that a member of the General Assembly who has a “personal or private interest” in pending legislation must disclose the fact of such interest and must not vote on the legislation.

Some conflicts of interest are not financial. For example, it is not at all uncommon for family members of legislators to engage in lobbying in New Mexico, as they do in other state legislatures and in Congress. This raises the question of how to

POLLING RESULTS

Percent of New Mexicans who believe legislators should disclose when an immediate family member is lobbying on a bill

78% SUPPORT
5% OPPOSE
17% UNDECIDED

Source: 2026 Poll by BSP Research for Think New Mexico.

handle the situation when a legislator is voting on legislation that is being lobbied by an immediate family member.

No state bans immediate family members of legislators from lobbying. The best approach here is full disclosure and transparency. For example, in its 2025 Annual Report, the state Ethics Commission recommends amending the Lobbyist Regulation Act to require that: “a legislator shall, before voting on a bill, disclose that the legislator’s family member is lobbying on a bill on which the legislator must vote.”

In Think New Mexico’s August 2026 poll, registered voters were asked, “Do you support or oppose requiring legislators to report when an immediate family member—a spouse, parent, child, or sibling—is being paid to lobby for or against a bill that the legislator is voting on?” Seventy-eight percent supported disclosure and only 5% opposed it.

Think New Mexico recommends following Colorado’s example and requiring legislators to disclose financial conflicts of interest during the

legislative process (and, as discussed in the prior section, to refrain from voting or acting on the legislation).

With regard to family members of legislators who lobby, Think New Mexico endorses the state Ethics Commission recommendation described above. (In addition, because New Mexico is a community property state, meaning that any income earned by either spouse during a marriage belongs equally to both spouses, Think New Mexico would recommend requiring recusal for a legislator voting on legislation that a spouse is lobbying.)

Requiring More Meaningful Disclosures in Annual Financial Filings

Under New Mexico's Financial Disclosure Act, state agency heads, statewide office holders, and legislators are required to file an annual financial disclosure statement with the Secretary of State.

The law is rigorous and comprehensive with regard to reporting occupational information by elected officials, such as the employer, job title, or position held, and a description of the nature of the business or occupation. This information includes spouses' employers since New Mexico is a community property state. For example, spouses who are lobbyists are required to list all their clients for the prior two years.

However, the Financial Disclosure Act is not nearly as rigorous and comprehensive when it comes to other forms of income and assets. As the state Ethics Commission has observed, the Financial Disclosure Act is "vague and undemanding" as to what must be disclosed regarding income and assets. "It requires public servants to disclose sources of gross income in excess of \$5,000 but

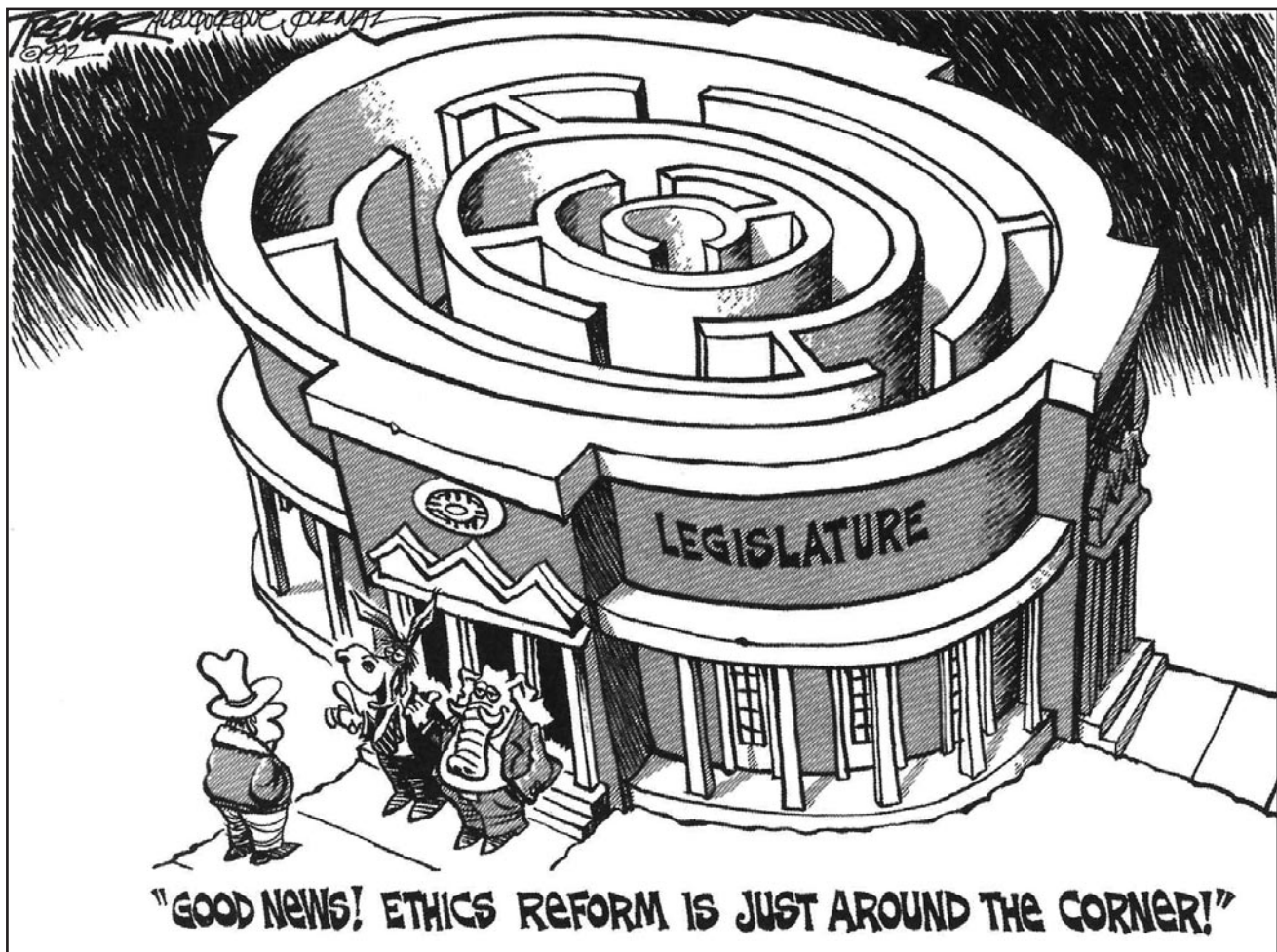
does not require disclosure of the specific source of the income." As a result, "the public is not able to determine what (if any) conflicts of interest might affect the legislators' votes."

For example, the Financial Disclosure Act asks legislators, statewide elected officials, and agency heads only for "general category descriptions" of their income and assets (e.g., "finance and banking," "medicine and healthcare," and "government"). Yet, these categories are so broad as to be almost meaningless. If it is a business providing income, then the name of the business should be disclosed, rather than a vague category.

Similarly, some filings by elected officials just list "bonds," "investment income," "real estate," or "general stock market holdings." This makes it impossible for the public to detect if there might be a conflict of interest, such as significant ownership of stock in renewable energy, mining, or technology corporations, which might be seeking permits, funding, or legislation from state government.

In addition to the need to identify specific sources of income, the Financial Disclosure Act also omits several important areas of reporting by statewide elected officials, state agency heads, and legislators, such as honoraria and debts.

Thirteen states go much further and require elected officials to disclose the amounts of income earned by lawmakers in their non-legislative employment (with 11 states requiring income to be reported within ranges and two states requiring exact amounts). Think New Mexico aims to strike a balance between the public's right to know and public servants' legitimate privacy interests. It is enough to know that a conflict of interest exists, and the amount is unnecessary to determine that. (The Financial Disclosure Act already limits disclosures



Cartoon by John Trever, copyright 1992. Reprinted with permission.

to income or assets of over \$5,000, and that seems to be a reasonable threshold.)

The reforms outlined here promote greater transparency and will help to identify and deter conflicts of interest going forward, which will lead to greater trust in government and our democracy.

Think New Mexico again concurs with the state Ethics Commission recommendations to require greater disclosure from statewide elected officials, state agency heads, and legislators around their specific sources of income and assets.

REFORM #2: CLOSING THE
REVOLVING DOOR
BETWEEN GOVERNMENT
SERVICE AND LOBBYING

In 1992, New Mexico’s Senate Minority Leader resigned from the Legislature in the middle of the year and announced that he would be converting the practice of his family law firm “almost exclusively to governmental relations and lobbying,” with one major client already lined up.

It is a common practice for legislators to become lobbyists in New Mexico, just as it is in other states and Congress. In fact, under current New Mexico law, it is perfectly legal for a legislator to resign from the legislature in the middle of a legislative session and be paid by a special interest to lobby their former colleagues the next day.

This revolving door system erodes trust in government. As former state Senator Dede Feldman noted to the *Albuquerque Journal* in a 2013 article, the lack of a cooling off period between legislating and lobbying enables legislators to rapidly “mone-tize” their public service. There is also a related issue that harms public trust, which the *Journal* identified in an editorial titled, “N.M.’s ‘revolving door’ should be closed tight”:

“Immediate lobbying for interests that favored or opposed legislation a lawmaker was in-volved with when that person was in office clearly raises questions of whether those same interests influenced that lawmaker’s votes.”

This may help explain why 37 states have enacted “cooling off” or waiting periods that require legis-lators to wait for a period of time before becoming lobbyists, according to the National Conference of State Legislators. Of those 37 states, 32 have cool-ing off periods of either one or two years.

States with Mandatory “Cooling Off” Periods Between Legislative Service and Lobbying	
Alabama	Montana
Alaska	Nevada
Arizona	New Jersey
California	New York
Colorado	North Carolina
Connecticut	North Dakota
Delaware	Ohio
Florida	Oregon
Georgia	Pennsylvania
Hawaii	Rhode Island
Illinois	South Carolina
Indiana	South Dakota
Iowa	Tennessee
Kentucky	Utah
Maine	Vermont
Maryland	Virginia
Massachusetts	West Virginia
Michigan	Wisconsin
Missouri	

Source: Compiled by Think New Mexico from the National Con-ference of State Legislatures, Legislator Revolving Door Prohibi-tions. January 15, 2025.

Florida has the longest cooling off period at six years, which was added to that state’s constitution in 2018 when voters approved it by a margin of 79% to 21%.

Congress has had a cooling off period since 1989. Former U.S. Senators are prohibited from lobbying Congress for two years, while former U.S. House of Representatives are prohibited from lobbying Congress for one year.

Similarly, since 1993, the New Mexico's Governmental Conduct Act has required a cooling off period of a year for executive branch employees who become lobbyists:

"For a period of one year after leaving government service or employment, a former public officer or employee shall not represent for pay a person before the state agency or local government agency at which the former public officer or employee served or worked."

Some may argue that a cooling off period might infringe on a former legislator's First Amendment rights to free speech, but it does not restrict the former legislator from testifying or lobbying without compensation until the cooling off period expires—it only bars them from doing so for pay.

Another argument against a cooling off period is that it could discourage candidates from running for the legislature, but if a candidate's motive for running for the legislature is to become a lobbyist, then public service may not be for them.

Other critics of a cooling off period might point out that Congress, like state employees in New Mexico and elsewhere, are paid a salary while New Mexico legislators currently do not receive a salary. Nevertheless, and to their credit, the Legislature has not ignored the revolving door issue, but has tried to close it. In fact, revolving door bills for legislators have been introduced at least seven times since 2012.

The reform came closest to passing in 2017, when a two-year cooling off period sponsored by Representatives Jim Dines, a Republican, and Nathan Small, a Democrat, reached the House floor and passed 58-2, but it later died in the

POLLING RESULTS

Percent of New Mexicans who support a two-year revolving door law for legislators

66% SUPPORT
10% OPPOSE
24% UNDECIDED

Source: 2026 Poll by BSP Research for Think New Mexico.

Senate Judiciary Committee. However, there is also support in the Senate. For instance, in 2014, Senate President Pro Tem Mimi Stewart introduced a two-year cooling off period that would apply to legislators, as well as Public Regulation Commissioners and cabinet secretaries. More recently, Senator Harold Pope has introduced bills to enact a two-year cooling off period in 2023, 2025, and 2026.

This commonsense ethics reform is not a partisan issue. Democratic Governor Bill Richardson and Republican Governor Susana Martinez both advocated for a cooling off period between legislating and lobbying. As Martinez noted in her 2012 State of the State address to the legislature, "Both parties are guilty of this. It's wrong for Democrats and it's wrong for Republicans."

The state Ethics Commission recommends that New Mexico should "slow the revolving door between government service and lobbying" by passing a two-year cooling off period for legislators.

Think New Mexico concurs—and, for consistency's sake, recommends extending the waiting period before executive branch employees can become paid lobbyists from one to two years.

REFORM #3: ENHANCING LOBBYIST TRANSPARENCY

In New Mexico, registered lobbyists currently outnumber legislators by a ratio of about six to one.⁴ They are deeply involved throughout the legislative process, from writing legislation to bending legislators' ears about the benefits or drawbacks of bills — sometimes over meals or social events that the lobbyists pay for.

Lobbyists bring expertise to the process and often provide legislators with information and perspectives they would not otherwise have access to. However, the power wielded by professional lobbyists has occasionally attracted attention. One infamous incident occurred when Frank “Pancho” Padilla, a former state representative and chief lobbyist for the New Mexico Retail Liquor Dealers Association, attended a party with other lobbyists and legislators in January 1963. Boasting about his success defeating a bill to regulate the liquor industry, Padilla crowed: “I own and run the legislature.” (The following day, the House and Senate passed resolutions barring him from the legislative chambers.)

In order to truly understand the role lobbyists are playing in the policymaking process, it is essential for the public, the media, and members of the legislature to know how much money lobbyists are spending, which special interests are ultimately writing those checks, and which bills they are targeting.

Unfortunately, New Mexico has long ranked near the bottom of the nation for lobbyist transparency. In 2015, in its final State Integrity Investigation,

4] Full disclosure: that number includes several members of Think New Mexico's team, as our staff members who advocate for our policy proposals register as lobbyists.



Cartoon reprinted by permission of Gary Varvel & Creators Syndicate, Inc.

the Center for Public Integrity gave New Mexico a grade of F for its lobbying disclosure laws, ranking the state 43rd in the nation and noting that, in New Mexico, “lobbyists aren’t required to tell the public what issues they’re working on or how much they make.”

In 2022, the national nonprofit Open Secrets also ranked New Mexico in the bottom 10 states (41st in the nation) for its lobbyist disclosure laws, specifically noting that New Mexico fails to require lobbyists to report their compensation and that the schedule of required reports does not give the public and lawmakers the information they need when it can make a difference in policy decisions.

In 2024, the New Mexico Ethics Commission staff joined the calls for reform, publishing an analysis explaining:

“New Mexico has one of the least effective lobbyist regulation statutes in the country... [It] does not require meaningful disclosure of expenditures and activities connected with lobbying; it contains no provisions that serve as guardrails against conflicts of interest; and, perhaps worst of all, it *creates* dark-money problems.”

All of these critiques highlight two major areas in need of reform: first, gaps in the content and timing of the financial disclosures that lobbyists are required to make, and second, a lack of transparency around which particular bills lobbyists are seeking to pass or kill.

Filling Gaps in Lobbyist Financial Disclosures

Under New Mexico's current Lobbyist Regulation Act, registered lobbyists are required to file financial reports three times a year. Those reports list a lobbyist's political campaign contributions and lobbying expenditures.

Thanks to these reports, we know that lobbyist spending in 2025 broke a new record, cresting \$1.25 million by October of that year.

Unfortunately, there are serious gaps in what is disclosed about all this spending. Lobbyists do not have to report which legislators are benefiting from an expenditure, which of their clients is picking up the tab, or even the bills that they are lobbying.

For example, one lobbyist report from May 2026 listed \$8,300 in expenditures during the most recent legislative session. This total included 31 payments to various restaurants, but for the most part, the beneficiary listed for each expenditure was "various legislators and staff," and the purpose listed was "meal for various legislators and staff."⁵ This particular lobbyist had 22 clients and likely worked on dozens of bills, but the current law does not shed any light on which of those clients were paying for the meals, which bills were under discussion, or which legislators participated.

Another 2026 lobbyist report, from a lobbyist with 19 clients, listed an expenditure of \$22,710 for flowers for "members of the legislature." Another showed \$2,893.58 spent on meals and beverages for the stated purpose of "good will" and attributed to the lobbyist's lobbying business, rather than any of their 24 clients. The largest disclosure filed so far in 2026 included more detail than many. It listed \$3,444,500 in spending on consulting, polling, and political advertisements attributed to Oracle America, Inc.—but it did not disclose the legislation that was being promoted with that spending.

Think New Mexico recommends amending the Lobbyist Regulation Act to require lobbyists to list which legislators are benefiting from an expenditure, which of a lobbyist's clients is ultimately paying for the expenditure, and which bills or issues are being lobbied with the expenditure.

The New Mexico Ethics Commission concurs in this recommendation, as do three out of four New Mexico voters. Think New Mexico's August 2026 poll found that 75% supported disclosure of the specific elected officials who benefit from a lobbyist expenditure (11% opposed); 73% supported disclosure of which of a lobbyist's clients paid for

⁵ The lobbyist reporting form provided by the Secretary of State's office includes an optional field where lobbyists can voluntarily disclose which legislators are benefiting from an expenditure—and some lobbyists do list the names of legislators or the legislative committee or caucus for which a meal was purchased. However, because it is optional, other lobbyists leave it blank or include only a vague statement such as "various legislators."

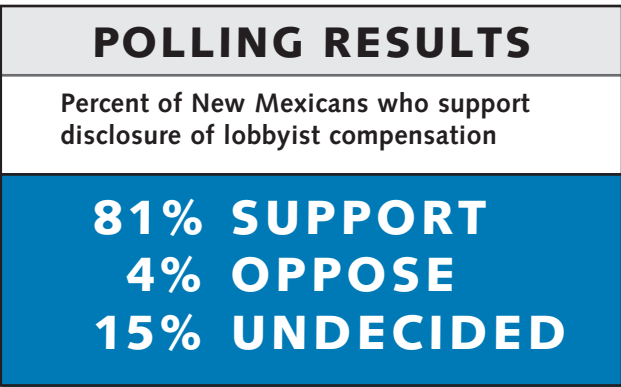
each expenditure (10% opposed); and 74% supported disclosure of which bill or issue area a lobbyist is promoting with each expenditure (9% opposed).

These reforms would bring New Mexico in line with the lobbyist disclosure laws in at least 33 other states, including our neighbors in Colorado, Texas, and Arizona. Legislation to require these more detailed lobbyist disclosures was introduced in 2025 by Senators Harold Pope and Natalie Figueroa; their bill survived its first hearing in the Senate Rules Committee, but died in the Senate Judiciary Committee.

Disclosing Lobbyist Compensation

While there is at least some transparency around lobbyist expenditures, New Mexico currently does not require any disclosure of how much lobbyists are paid by their clients, which is likely many times larger.

In 2022, Open Secrets compiled all available data on the money being spent on lobbying at the state level, and of the \$1.8 billion total, 84% of that spending consisted of compensation paid to lobbyists.



Source: 2026 Poll by BSP Research for Think New Mexico.

States that Require Disclosure of Lobbyist Compensation	
Alaska	Minnesota
California	Mississippi
Colorado	Montana
Connecticut	Nebraska
Florida	New Hampshire
Georgia	New York
Hawaii	Oregon
Indiana	Pennsylvania
Iowa	Rhode Island
Kansas	South Carolina
Kentucky	Texas
Louisiana	Vermont
Maine	Virginia
Maryland	Washington
Massachusetts	Wisconsin
Michigan	

Source: Compiled and updated by Think New Mexico from the National Conference of State Legislatures, Lobbyist Activity Report Requirements, May 15, 2018.

If that ratio holds true in New Mexico, it would mean that in 2025, lobbyists received over \$7.8 million in compensation that is currently unreported.

By contrast, 31 states require disclosure of how much each lobbyist is paid by their clients.

Legislation to require reporting of lobbyist compensation has been introduced in the New Mexico Legislature at least as far back as 1997; in 2007 a bill reached the Senate Floor where it died without receiving a vote. The most recent effort came in 2023, with a bipartisan bill sponsored by Senator Jeff Steinborn, Senator Gregg Schmedes, and Representative Joy Garratt. Unfortunately, none of

these bills have yet made it through a single chamber of the legislature.

In Think New Mexico’s August 2026 poll, 81% of New Mexico voters supported requiring lobbyists to disclose how much they are paid by each client, with only 4% opposed.

Think New Mexico recommends adding a provision to the Lobbyist Regulation Act requiring lobbyists to disclose how much they are compensated by each client.

Timing Disclosures When They are Most Meaningful

Along with the content of what is reported, the timing of when it is reported also matters. Under New Mexico’s Lobbyist Regulation Act, lobbyists generally have to file reports on January 15 (just prior to the start of a legislative session); on the first Monday in May; and on the first Wednesday after the first Monday in October. Lobbyists are also required to file what is known as a “48-hour report” within 48 hours of making any single expenditure of \$500 or more during a legislative session.

However, as the Ethics Commission puts it, this schedule allows “significant lobbying activity to remain undisclosed during the period when the public and policymakers most need transparency.” All lobbying expenditures under \$500 that occur during the session are not revealed until May—long after the information could make any difference to legislators or the governor in their consideration of bills.

Thirty-three states require more frequent reports, and specify that reports must be filed at times when

States that Require Lobbyists to File Reports More Frequently than New Mexico	
Alabama	Missouri
Alaska	Montana
Arizona	Nebraska
Arkansas	Nevada
California	New Hampshire
Colorado	New Jersey
Connecticut	New York
Delaware	North Carolina
Florida	Oklahoma
Georgia	Oregon
Hawaii	Pennsylvania
Idaho	Rhode Island
Illinois	Texas
Kansas	Utah
Kentucky	Vermont
Louisiana	Washington
Maine	

Source: Compiled and updated by Think New Mexico from the National Conference of State Legislatures, Lobbyist Activity Report Requirements, May 15, 2018.

the transparency is most meaningful for lawmakers and the public. Eighteen of those states require quarterly reports and another 16 require monthly reports, at least while the legislative session is active. (Of our neighboring states, Colorado and Texas require lobbyists to file monthly expenditure reports, while Arizona and Utah require quarterly reporting.)

The New Mexico Ethics Commission recommends that additional lobbyist reports be filed at the

halfway mark of a 60-day session, as well as on the Monday immediately preceding the adjournment of a session. This would bring New Mexico more in line with the majority of states, and it would ensure that the information about lobbyist spending is available to elected officials and the public during the critical time that bills are being voted on, signed, or vetoed.

Legislation to require an additional lobbyist report shortly after a session adjourns was introduced in 2019 by Representatives Day Hochman-Vigil and Liz Thomson, and Senator Jeff Steinborn. It passed the House on a unanimous vote but died in the Senate Rules Committee.

In Think New Mexico's August 2026 poll, 79% of New Mexico voters supported requiring lobbyists to report their spending during and immediately after a legislative session, with only 7% opposed.

Think New Mexico recommends adding lobbyist reports at the midpoint and immediately after the conclusion of regular legislative sessions.

Disclosing Which Bills Are Being Lobbied

Senator Jeff Steinborn has been working to improve lobbyist transparency laws for well over a decade. Along with sponsoring legislation to add a post-session lobbyist report and to require reporting of lobbyist compensation, Senator Steinborn has also fought to require lobbyists to report which bills they are targeting and what positions they are taking on those bills.

It has been an uphill battle.

"I had an easier time banning the storage of high-level nuclear waste in New Mexico than increasing transparency of lobbyists," Steinborn told the *Santa Fe New Mexican* in February 2024. This followed

multiple attempts to enact this reform, going back to legislation Steinborn sponsored in 2015, and including bills by Representatives Day Hochman-Vigil, Liz Thomson, and Joy Garratt.

In 2025, first-term Representative Sarah Silva teamed up with Senator Steinborn to introduce this reform as House Bill 143. They successfully navigated the bill through tough votes in the House (where it passed 36-26) and the Senate (22-15), but unfortunately the bill was ultimately vetoed by the governor. As Representative Silva told the *Santa Fe Reporter*, "It's ironic that HB143 would have given us information about who lobbied the governor to veto the bill—and without it, we have no way to know."

At least a dozen states require lobbyists to file reports listing the bills they worked on and the positions they took on those bills. These states include our neighbor, Colorado.

Under Colorado's Lobbyist Transparency Act, lobbyists are required to file a disclosure within 72 hours of taking a position on a bill. They are also required to disclose their clients and how much the lobbyist is paid by each of them. This transparency provides the public with a valuable window into the interests that are shaping legislation.

For example, in 2019 the *Colorado Sun* reported on the "most-lobbied bills" in a session, noting that "the most lobbied bills... do not match the legislation that received the most interest from the public." Instead, the most-lobbied bills were often the ones where the most money was at stake, even if the public was not widely aware of them. Thanks to Colorado's transparency law, the public is able to discover which bills had the most money spent for and against them, and which interests are spending those dollars.

POLLING RESULTS

Percent of New Mexicans who support a requiring lobbyists to publicly disclose which bills they are lobbying for or against

72% SUPPORT
10% OPPOSE
18% UNDECIDED

Source: 2026 Poll by BSP Research for Think New Mexico.

Disclosure of the bills a lobbyist is working on would not only provide helpful information to lawmakers, the media, and the public, it might also be illuminating to the lobbyist's clients. As Representative Patty Lundstrom told *New Mexico In Depth* in 2019: "There's not a day that goes by that you don't see major conflicts of interest. ... Sometimes you have lobbyists who have conflicts even among their own clients. And you stand there and say, wait a minute, what hat are you wearing today?"

As Bill Jordan, longtime lobbyist for the nonprofit New Mexico Voices for Children, explained in a 2024 interview with *New Mexico In Depth*, on many occasions he was "in a committee hearing, and a lobbyist will stand up and say, I support this bill, and I'm here for Company X. And then the [committee] chair will say, is anybody in opposition to the bill, and the same lobbyist will stand up and say, I have another client who is opposed to the bill, and ... the whole room laughs."

This situation may, however, be less amusing to the clients who have paid the lobbyist to take opposing positions on the same bill, and who might have no idea that lobbyists are working both sides (or which side the lobbyist is actually

advocating for in their private conversations with legislators). Disclosure of the bills a lobbyist is working on could help illuminate conflicts of interest.

The New Mexico Ethics Commission has endorsed this proposal as another important element of lobbyist transparency reforms. It was supported by 72% of New Mexico voters in Think New Mexico's August 2026 poll.

Think New Mexico joins the Ethics Commission, good government groups like Common Cause New Mexico, and reform-minded legislators in supporting the enactment of a law requiring lobbyists to disclose which bills they are supporting or opposing.

The bottom line is that the public—and legislators themselves—have a right to know which bills lobbyists are seeking to pass or kill, how much money special interests are spending on lobbyists and lawmakers, and that information needs to be made public at a time when it can actually make a difference in the legislative process.

REFORM #4: TACKLING DARK MONEY & DECEPTIVE ADVOCACY PRACTICES

The influence of special interests extends well beyond the walls of the Roundhouse. Advocacy groups frequently spend money on political advertisements to shape the outcomes of elections and votes by government officials. The laws governing this type of advocacy are also in need of modernization.

On May 1, 2026, a new Political Action Committee (PAC) called New Chapter New Mexico registered with the state. Their website claims they are “fighting for New Mexico, fighting for working families, rebuilding our economy, and restoring civility.”

As part of this fight for New Mexico, the group spent \$438,198 on political advertisements during the 2026 primary election cycle, paying for mailers and digital advertisements supporting and opposing various legislative candidates.

Thanks to previous work by the New Mexico legislature, state law requires that groups paying for political advertisements register with the Secretary of State and disclose their contributors. New Chapter New Mexico PAC complied with this law, meaning that curious New Mexicans can go online and see who paid New Chapter New Mexico PAC to buy these advertisements.

However, those curious New Mexicans would be disappointed. New Chapter New Mexico PAC has only one contributor: New Chapter New Mexico, the nonprofit.

Because this group did not directly pay for political advertisements, New Chapter New Mexico, the nonprofit, can keep the identities of its contributors

POLLING RESULTS

Percent of New Mexicans who support requiring groups that spend money on political advertisements to publicly report their donors and sources of funding

71% SUPPORT
9% OPPOSE
20% UNDECIDED

Source: 2026 Poll by BSP Research for Think New Mexico.

hidden. Thus, New Mexicans are in the dark about who truly paid for these political advertisements.

Investigative journalism by *New Mexico In Depth* revealed several groups with similarly non-substantive disclosure reports. For instance, Accountable New Mexico spent \$975,500 in the same primary election cycle, with \$865,000 — 88.7% of their total funding — coming from one nonprofit, Stand for New Mexico, with no disclosure of that group’s contributors.

Unlike direct campaign contributions, which are limited in New Mexico to prevent quid pro quo corruption, anyone can spend an unlimited amount of money on political advertisements for candidates or issues — also known as independent expenditures. Under the 2010 U.S. Supreme Court decision *Citizens United v. F.E.C.*, states cannot limit the amount of this type of spending.

However, states are allowed to require disclosure of who is paying for political advertisements. Disclosure requirements have thus become an essential tool for states to protect the public’s right to know who is weighing in on elections and legislation.

In New Mexico, the legislature has taken steps to enhance disclosure of funding for political advertisements. After the *Citizens United* decision led to an increase in dark money, transparency-minded legislators led by Senate Majority Leader Peter Wirth worked for nearly a decade to pass a disclosure law. In 2019, Senator Wirth's Senate Bill 3 closed loopholes in the state's Campaign Reporting Act and required the reporting of direct contributions for political advertisements.

In its first year, Senate Bill 3 led to the disclosure of more than \$800,000 that would have otherwise been dark money, a victory for transparency in New Mexico. However, in that same year, more than \$4.8 million of dark money was still spent in New Mexico without disclosure of its original source, according to an analysis by *New Mexico In Depth* and *The Fulcrum*. This \$4.8 million came from groups akin to New Chapter New Mexico, the nonprofit, which are shielded from disclosure requirements because they don't directly pay for political advertisements.

Dark money is not only used to elect or defeat candidates. It's also used to try to persuade elected officials to vote a certain way. This type of advertisement is called an issue advertisement.

For example, a group called Elevate New Mexico spent \$419,478 this year on advertisements to promote Project Jupiter, the data center project in Southern New Mexico, which needs state and local permits.

Elevate New Mexico reported \$3,667,000 in contributions for these advertisements, with all of that money coming from one contributor: Yucca Growth Infrastructure LLC.

Where did Yucca Growth Infrastructure LLC get that money? We don't know. It's possible that the \$3,667,000 is original business income. It's also possible other parties interested in supporting Project Jupiter gave that money to Yucca Growth Infrastructure LLC. If that is the case, New Mexicans remain in the dark about who truly paid for these political advertisements.

The public has a right to know who is paying to influence their votes and the votes of their representatives. This loophole allowing dark money to continue pouring into our political system highlights the need for a disclosure law that reveals the true sources of funding for campaign and issue advertisements.

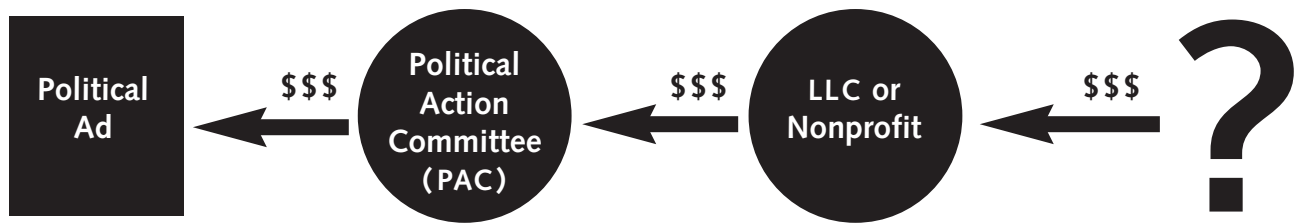
Requiring Disclosure of the True Sources of Funding for Political Advertisements

"True source" disclosure laws shed light on not only direct sources of funding, as is required by current New Mexico law, but also all intermediary sources and original sources of funding for political advertisements.

For instance, if New Mexico had a true source law, New Chapter New Mexico, the nonprofit, would have to disclose its major contributors. Those major contributors would have to disclose their major contributors, and so on, until the true source of the funds is revealed.

To date, six states (blue, red, and purple) have enacted true source laws: Alaska, Arizona, California, Montana, North Dakota, and Washington. North Dakotans even added a true source disclosure requirement to their state constitution.

Disclosure of Dark Money Under Current New Mexico Law



Under current state law, only the direct contributors to a group paying for political ads need to be disclosed. There is no way to know if the money originally came from other sources.

Arizona's "Voters' Right to Know" Act is a particularly comprehensive and effective true source disclosure law.

In 2016, former Arizona Attorney General Terry Goddard began working with a coalition on what eventually became Proposition 211, the "Voters' Right to Know" Act. At the time, Arizona was described as one of the most pro-dark-money states in the country, according to one legislative journal. The coalition spent years tailoring a robust law to ensure disclosure of the true sources of money spent on political advertisements.

In November of 2022, Arizona voters approved Proposition 211 with 72% support. The law has withstood a number of legal challenges in state and federal courts. On June 29, 2026, the Arizona Supreme Court upheld the Voters' Right to Know Act.

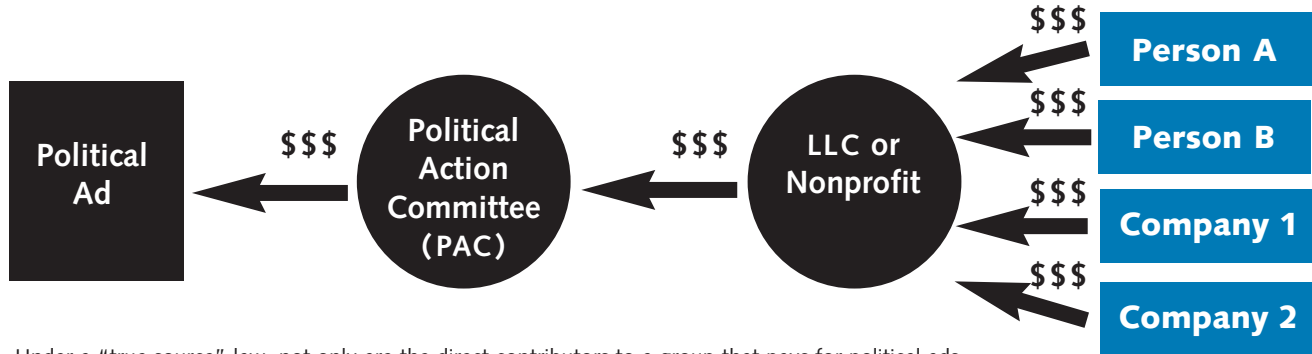
In the Voters' Right to Know Act, if anyone spends over \$50,000 on political advertisements in a state-wide campaign, or \$25,000 on a local campaign, that group must disclose the names of any contributors who gave over \$5,000.

Then, to reveal the true source of the money, these large contributors also have disclosure requirements. The large contributors must reveal the source of any contributions they received over \$2,500. This disclosure requirement continues back to the original source of the funds.

Further, the Voters' Right to Know Act requires substantive disclosures to be displayed directly on advertisements ("on-ad disclosures"), so members of the public can understand who is truly paying for an advertisement without doing in-depth research.

The Voters' Right to Know Act requires this on-ad disclosure of: (1) the group paying for the advertisement; (2) the three largest contributors to that group, if the contributions total over \$20,000; and (3) the percentage of out-of-state contributions. Currently, New Mexico requires on-ad disclosure of the group paying for a political advertisement. However, on-ad disclosure of major contributors or percentage of out-of-state contributors is not required.

Disclosure of Dark Money Under a “True Source” Law



Under a “true source” law, not only are the direct contributors to a group that pays for political ads disclosed, but also any major contributors to those direct contributors. The disclosures continue until the true source of the funding is reached.

In New Mexico, campaign-related advertisements are governed by the Campaign Reporting Act, and issue advertisements are governed by the Lobbyist Regulation Act.

Think New Mexico recommends amending both sections of state law to require the disclosure of the true sources of money spent on campaign and issue advertisements, modeled on Arizona’s Voters’ Right to Know Act.

Closing Loopholes for Out-of-State PACs

In 2016, the New Mexico legislature increased transparency by requiring all campaign and lobbyist reports to be filed through an online portal run by the Secretary of State’s Office. This online portal allows any member of the public to view reports filed by groups paying for political advertisements.

However, the Campaign Reporting Act includes a loophole that exempts out-of-state political committees registered with the Federal Election Committee (FEC) from filing state reports.

Investigative reporting by *New Mexico In Depth* recently revealed how one PAC, American Energy Action Fund, bypassed New Mexico’s reporting requirements. The American Energy Action Fund submitted its FEC documents to the New Mexico Secretary of State. However, these forms are not available through the online portal, not reported on a timely schedule, and do not include the same disclosures as required by New Mexico state law.

New Mexico is one of just five states that explicitly exempt federal PACs from state reporting requirements. On the other end of the spectrum, seven states explicitly require federal PACs to file state reports in statute.

Think New Mexico recommends holding out-of-state groups paying for campaign related political advertisements to the same standard as in-state groups and groups paying for issue advertisements.

Safeguarding Constituent Advocacy

Recently, a new tactic has emerged that goes beyond obscuring the source of funding for issue advocacy and actively misleads lawmakers about where their constituents stand on issues.

In 2026, the New Mexico Environment Department received many public comments in support of the Project Jupiter data center. However, reporting by *Source New Mexico* revealed that at least 42 of those comments were fake. Per *Source New Mexico*, it appears that groups in support of Project Jupiter took real names and emails of New Mexico constituents and submitted public comments under their names, without their knowledge. These groups even used the names and emails of elected officials, including Representative Cristina Parajón.

This tactic has been used before. During the 2026 legislative session, *New Mexico In Depth* reported that an advocacy group opposing medical malpractice reform allegedly used constituents' names and emails to send fake messages to legislators.

The problem is not unique to New Mexico. Project Atlas, a data center project in Coweta, Oklahoma was cancelled after a similar controversy. Reporting revealed that hundreds of fake emails were sent to the Coweta mayor in support of the data center, under the names of real constituents. When asked, several of those constituents said they had never sent the emails.

Think New Mexico is not aware of any laws in New Mexico that explicitly outlaw misrepresenting constituent voices in civic engagement.

California, however, has a law on the books prohibiting lobbyists from taking actions that: "create or attempt to create a fictitious appearance of public favor or disfavor of any proposed legislative

or administrative action or cause or attempt to cause any communication to be sent to any elected state officer, legislative official, agency official, or state candidate in the name of any fictitious person or in the name of any real person, except with the consent of such real person." The law was updated in July 2026 to extend the prohibition to lobbyist's employers, in addition to lobbyists and lobbying firms. Violation of the law is punishable as a misdemeanor.

Think New Mexico recommends explicitly making it illegal to mislead New Mexico lawmakers and other government officials by misrepresenting constituent voices.

CONCLUSION

A decade ago, a report by University of New Mexico Professor Michael Rocca and others, titled *Crony Capitalism, Corruption, and the Economy in the State of New Mexico*, highlighted the economic cost of corruption in state government. They noted that “there is a clear negative relationship between a state’s corruption rank and its economic growth rank. That is, the more corrupt a state, the lower its economic performance.”

At the time, the authors noted that New Mexico was ranked as the 5th most corrupt state in the nation. However, the report also had encouraging news: “the stronger a state’s laws, the less corrupt it is perceived to be.”

The reforms laid out in this report would bring New Mexico into line with the ethics laws in place in most state legislatures across the nation. Just as most states pay their legislators a salary, they also generally require greater disclosures from both legislators and lobbyists, as well as other proactive steps to avoid conflicts of interest, such as recusal and a cooling off period between legislative service and lobbying.

The August 2026 poll commissioned by Think New Mexico found that 81% of New Mexico voters support reforms to hold legislators to a higher ethical standard. Voters also support the idea of linking those ethics reforms with pay for legislators, with 64% saying that they support paying legislators a salary—but only if legislators also have to comply with mandatory ethics reforms.

By implementing the reforms recommended in this report, lawmakers can lay a foundation for a healthier democracy, a stronger economy, and a renewed public trust in New Mexico’s state government.

Summary of Ethics Reforms to Modernize New Mexico’s Legislative Process

LEGISLATOR REFORMS:

- Disclose when they have a conflict of interest on a bill and recuse themselves from voting on that bill
- Disclose the specific sources of their income and assets
- Wait two years before becoming paid lobbyists

LOBBYIST REFORMS:

- Disclose the specific legislators who are benefiting from a lobbyist expenditure, the client who is paying for it, and the bill or issue being lobbied with the expenditure
- Disclose lobbyist compensation
- Disclose which bills they are lobbying
- File financial reports during and immediately after legislative sessions

ADVOCACY GROUP REFORMS:

- Disclose the true sources of funding for political advertisements
- Follow New Mexico’s disclosure requirements even if the group is located in another state
- Not misrepresent constituent voices to lawmakers

TAKE ACTION!

Follow Think New Mexico on social media and sign up for email alerts at www.thinknewmexico.org to learn more about how you can get involved in this effort to modernize legislative ethics in New Mexico!

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