

Special Session 2008 - Summary

By Richard J. Berry
State Representative-District 20

August 21, 2008



Governor Richardson called us into this special session to address matters that he considered to be emergencies. While many of the issues brought forward were indeed crucial in addressing the future needs of our State, they were mostly issues that I feel we could have worked on during the regular January session. It cost taxpayers over \$250,000 to convene the legislature for this 5 day session. In my opinion one of the few emergencies we faced during the special session was a disaster relief package for Lincoln and Otero Counties, where we provided \$5 million to help with the devastation caused by the recent flooding. I voted for this relief package.

Here is a brief summary of several other key pieces of legislation that we considered and how I voted on each.

School Bus Transportation Funding: \$5 million dollars to help cover school bus fuel cost increases. I voted for this bill. We have to get our students safely to and from school.

Additional LIHEAP Funding: \$1.9 million for the Low Income Home Energy Assistance program which will help pay for higher heating bills for low-income families. I voted for this bill.

Child Care Assistance: \$7.2 million for child care assistance for lower-income residents. I voted for this bill. Child care is a fundamental need for low income families in order for them to remain employed.

Additional Highway Funding: \$200 million for highway construction projects that have been postponed due to a half-billion dollar transportation financing shortfall. About \$150 million will come from bonds backed by oil and gas industry severance taxes. Approximately \$50 million will come from one-time revenues during the next two years, but only if the state has adequate cash reserves. Our roads are so important to our communities and to statewide commerce that we must make them a priority. I voted for this bill.

Rebate Checks: \$56 million one-time rebate. Rebate checks will range from \$25 to \$50 per taxpayer, with no rebates for families with combined incomes greater than \$70,000 per year. Normally I would strongly support returning excess revenues to taxpayers. However, nearly 80% of all people who pay taxes are excluded from this rebate. The rationale for the rebate centered on the hope that we will have future revenue surpluses from oil and natural gas severance taxes. With falling oil and gas prices we went from a \$400 million dollar estimated surplus to a \$200 million dollar estimated surplus in just the last few weeks prior to the session. We have no way of knowing if the surplus revenues will be realized. We will know better prior to the January session and could have looked at more current projections at that time. We are rebating money that we have not collected yet. Some have commented that this rebate was largely symbolic, rather than a meaningful transfer of dollars back to individual taxpayers. I do not believe that my constituents have sent me to Santa Fe to be symbolic, but rather to make prudent decisions that affect District 20 and all New Mexicans. Just two days after the session the Albuquerque Journal ran an article with the headline "*Many of Poorest May Be Left Out*". The article also pointed out that *Military members, senior citizens, veterans and American Indians could miss out on receiving... rebate checks designed to help low income New Mexicans*. This is no surprise as it was pointed out during debate in the House prior to the vote. I voted against this bill.

I hope that this brief overview of the session and my voting record has been informative. As always, I am very interested in your opinions and ideas and I look forward to serving you in the future. Please contact me anytime via e-mail at richard.berry@nmlegis.gov or call me at my home at 293-1130.