



NEW MEXICO



STATE LEGISLATURE

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## **WELCOME TO THE NEW MEXICO STATE LEGISLATURE...**

The 112 members of the New Mexico Legislature are pleased that you are interested in the legislative process. We hope you will have a chance to visit the State Capitol and, more importantly, have the opportunity to look in on a legislative session.

Only a small part of the legislature's activities occur in the Senate and House chambers. Much of the work is done in the standing committees. Legislators break from the chamber floor to meet in committees to consider each piece of legislation.

One of the legislators' primary functions is to represent the people who elect them, but it is by no means their only function. They help to solve the numerous problems of their constituents, they serve on interim committees and they continually study new ideas for legislation.

While you are at the Capitol, be sure to take a tour and enjoy the architecture and art collection that reflect New Mexico's unique culture. New Mexico is fortunate to have a State Capitol of which its citizens can be proud.

We feel that understanding the legislative process is important to every person in New Mexico. For this reason, we have prepared this booklet in an effort to make your visit more enjoyable.

Sincerely,

**YOUR STATE LEGISLATOR**

## VISITING THE LEGISLATURE

The legislature welcomes visitors and guests to the State Capitol. The Capitol, also known as the Roundhouse, is located on the corner of Old Santa Fe Trail and Paseo de Peralta. There is a visitors parking lot off Paseo de Peralta.

During session, your legislator will want to know when you are visiting, so it is a good idea to call your legislator's office in advance and let him

or her know your plans. If you are with a group and want to ensure that you have seats in the galleries to observe legislative proceedings, it is necessary to write the chief clerk of each house and specify the day and time of your arrival.



Legislative Council Service

A few simple rules should be observed when visiting the legislature:

- No applause or loud talking in the galleries and committee rooms.
- Food or drinks are not allowed in the galleries and committee rooms; however, during session there is a public coffee shop on the ground level.
- Visitors are not permitted on the floor of the chambers while the legislature is in session.
- Smoking is not allowed in the building.

Information kiosks are located at the Capitol's east and west entrances and building directories are located near the elevators on every level. An information desk is located in the east lobby. The knowledgeable staff working there will assist you with questions and direct you around the building. During session, agenda boards containing notices of committee meetings, special public hearings and

hearings on specific bills are located outside each committee room. You may also want to check the calendar on our web site for special days and events during session.

During session, the billroom/mailroom, located on the first level by the east elevator, offers copies of all printed bills for sale at a nominal price. The billroom also sells the *Daily Bill Locator*, a publication that tracks the status of every bill, memorial and resolution. Copies of the daily calendar, committee lists, names and addresses of legislators and other materials are also available from the billroom. In addition, mail and messages for legislators are received and distributed there.

For information on touring the Capitol, call (505) 986-4589. During the legislative session, tours are conducted by the Senate Tours Office or the House Tours Office. During the interim, tours are conducted by the legislature's year-round Information and Tours staff.



Legislative Council Service

## HISTORY

New Mexico, the forty-seventh state to join the Union, has the nation's oldest historical record, dating from about 1534 when Alvar Nuñez Cabeza de Vaca traveled through this land. His report and a subsequent exploration by Fray Marcos de Niza led to the conquest of New Mexico by Francisco Vasquez de Coronado and his Spanish conquistadores in 1540. General Stephen Watts Kearny occupied New Mexico for the United States in 1846. The Territory of New Mexico, established in 1850, included all of present-day Arizona, along with parts of Utah, Nevada and Colorado. New Mexico was granted statehood on January 6, 1912.

The Roundhouse is the fifth capitol building in New Mexico. The oldest government building in the United States and the first capitol of New Mexico, the Palace of the Governors, was built in 1610 in the capital city of Santa Fe. It has served as a residence and an executive office for New Mexico governors under Spanish, Mexican and United States administrations.

## MEMBERS

The New Mexico Legislature is composed of a Senate and a House of Representatives. There are 70 members of the House of Representatives and 42 members of the Senate. Representatives must be at least 21 years old and senators at least 25 years old. Legislators must be citizens of the United States and must live in the districts from which they are elected.

Legislators are elected from districts of approximately equal population. A large county such as Bernalillo may have many districts, and several counties with small populations may be combined to form a single district.

Members of the House of Representatives run for office every two years, while members of the Senate are elected for four-year terms.

The New Mexico Legislature is an unpaid volunteer citizens' legislature, which means that members do not receive a salary for their public service. However, legislators do receive a per diem and mileage reimbursement. Article 4, Section 10 of the Constitution of New Mexico sets compensation for representatives and senators as follows:



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Each member of the legislature shall receive:

A. per diem at the internal revenue service per diem rate for the city of Santa Fe for each day's attendance during each session of the legislature and the internal revenue service standard mileage rate for each mile traveled in going to and returning from the seat of government by the usual traveled route, once each session as defined by Article 4, Section 5 of this constitution;

B. per diem expense and mileage at the same rates as provided in Subsection A of this section for service at meetings required by legislative committees established by the legislature to meet in the interim between sessions; and

C. no other compensation, perquisite or allowance.

## SESSIONS

By law, the New Mexico Legislature convenes in regular sessions in Santa Fe at 12:00 noon on the third Tuesday in January each year. In odd-numbered years the legislature meets for 60 days and in even-numbered years for 30 days.

The Governor may call the legislature into a special session by proclamation. The only matters that may be considered in a special session are those contained in the Governor's proclamation. The legislature may call itself into an extraordinary session if it considers the need great enough. In May 2002, the legislature convened in an extraordinary session; this was the first time in New Mexico's history that the legislature had used this power.

YEAR	SESSION	OPENING DAY	CLOSING DAY
2005	47th, First Session	January 18	March 19
2006	47th, Second Session	January 17	February 16
2007	48th, First Session	January 16	March 17
2008	48th, Second Session	January 15	February 14
2009	49th, First Session	January 20	March 21
2010	49th, Second Session	January 19	February 18

## ORGANIZATION

The organization of the New Mexico Legislature is similar to those in most other states of comparable size and population.

The legislature is divided into two chambers — the House of Representatives and the Senate. Individual legislators serve in leadership positions in both chambers. The single most dominant leader in the House of Representatives is the Speaker. The Speaker is not required to share the office’s broad powers with any other legislative officer or committee. The Speaker alone appoints House committees and their chairs and vice chairs, controls the procedural strategy and the administration of the House and presides over the daily session. Of all the leadership roles, only the Speaker is elected by a vote of the entire House.

The other leaders of the House are party leaders. They are selected by party caucuses generally prior to the beginning of each 60-day session. The party leaders are the Majority Floor Leader, the Majority Whip, the Minority Floor Leader and the Minority Whip. Their pri-

mary purpose is to see that the interests of their respective parties in the House are well-served.

In the Senate, leadership and administrative control are exercised by the Senate Committees' Committee rather than by a single officer. This powerful committee, which is composed of majority and minority leaders, duplicates some of the powers and functions of the Speaker of the House. The committee is chaired by the President Pro Tempore of the Senate, who is elected to that position by the full Senate. As provided in the Constitution of New Mexico, the Lieutenant Governor is the presiding officer of the Senate and, when serving in that capacity, is called the President of the Senate. The Lieutenant Governor is a member of the executive branch of government and can vote only in the case of a tie.



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## COMMITTEE STRUCTURE

The legislature considers proposals ranging in size from simple one-paragraph bills to 400-page bills, so it would be a staggering job for each legislator to review in detail all of the proposed changes and additions to the law. Committees therefore play an important role in guaranteeing that proposed legislation is given a fair hearing.

Early in each legislative session, the committees of the legislature are formed. Committee membership is largely determined by the preferences of individual legislators. Care is taken to place members on committees in which their previous experience and training can be used. For example, members of the judiciary committees may be lawyers, or teachers may serve on the education committees. In the House of Representatives, the Speaker appoints the committee members and their committee chairs, while in the Senate,



appointments are made by the Senate Committees' Committee. Senators serve on two substantive standing committees (committees operating during session established by rule to handle legislation on a particular subject), except that members serving on the Senate Finance Committee do not serve on any other substantive committee (Senate Rule 9-3). Representatives serve on no more than two standing substantive committees (House Rule 9-3).



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Other committees deal with administrative matters. These include House Enrolling and Engrossing, House Printing and Supplies, House Rules and Order of Business and Senate Committees' Committee.

In the House of Representatives, bills are referred to committees by the Speaker; in the Senate, by the bill's sponsor, subject to the approval of the Senate. After a bill has been referred to a committee, it is scheduled for consideration by the committee chair. Committee hearings are open to the public and interested parties may testify in favor of or in opposition to the bill. Upon completion of discussion and testimony, the committee makes its decision on the proposed legislation and reports its recommendation to the full House or Senate.

Bills are generally referred to two or three committees. Members of the legislature rely heavily on a committee's judgment when they consider the adoption of a committee's report.

Standing committees work only during the legislative sessions, but other committees are created to work on specific problems and projects in the period between sessions. These are called interim committees.

Several permanent interim committees assist the legislature by providing year-round professional staff for research, bill drafting, fiscal and budget analysis, school research and general housekeeping. These are the New Mexico Legislative Council and its staff, the Legislative Council Service; the Legislative Education Study Committee; and the Legislative Finance Committee.

## THE LEGISLATURE AT WORK

Daily sessions of the House and Senate begin with a roll call of members and a prayer by the chaplain. Traditionally, floor sessions are held nearly every day and last until the immediate business to be considered is finished. Committee meetings are generally scheduled to prevent conflict with the floor sessions. The floor sessions held at the beginning of a legislative session are usually short, as bills are being drafted and considered by committees, but toward the end of session, floor sessions usually become longer, lasting into the late afternoon and evening.

Some of the activity on the floor is necessary daily administrative routine and, at these times, legislators may be away from their desks during floor sessions. Some may be presenting and testifying on their own bills before House and Senate committees. Others may be involved in hurried conferences with other members or seeing constituents from their home districts who are visiting the Capitol. Some informal conferences on controversial issues take place on the chamber floor itself.

The chief clerk and the assistant chief clerk, the journal clerk, the reading clerk, the secretaries and the bill historian sit at long desks just below the podium where the Speaker and the President sit in their respective houses. The chief clerks, who are elected by the membership of their houses, are responsible for keeping a daily record of all matters coming before the legislature and for all legislative documents. They are also in charge of housekeeping

matters; that is, they interview prospective employees and supervise their work, purchase supplies, assign space and generally take care of the many details connected with a legislative session. The legislature hires many other “behind-the-scenes” workers — secretaries, bill analysts, enrolling and engrossing clerks, doorkeepers, custodians, pages and messengers.

When the legislature is in session, news reporters are allocated space in specially equipped radio, television and press rooms overlooking the chambers.

The large boards on the walls on each side of the House chamber are part of an electronic roll call system. Members vote electronically from their desks and the vote is counted and displayed on the wall boards within seconds.

Many people visit the legislature at work. Some come merely to observe the proceedings while others have an interest in particular legislation. Representatives of organized groups, called lobbyists, are there for the purpose of looking after the interests of their particular group. They keep track of pending legislation and attempt to influence the attitudes and opinions of legislators. To many people, the word “lobbyist” has a negative connotation, but lobbyists are often sources of information as well as spokespersons for the groups they represent. In New Mexico, lobbyists must be registered with the secretary of state.

## TYPES OF LEGISLATION

Members consider a variety of matters during a legislative session.

A **bill** is the form used to propose laws. A bill may originate in either house, but in order to become law, it must be passed by both houses and signed by the Governor. By custom the General Appropriation Act, which appropriates the money to fund state government, originates in the House but there is no legal requirement that it do so.

A **resolution** is a formal declaration of the legislature concerning some subject that it either cannot or does not wish to control by law. Resolutions are joint, concurrent or simple, and they require no action on the part of the Governor. A joint resolution can be a declaration by both houses proposing an amendment to the Constitution of New Mexico. For example, the question of making the Superintendent of Public Instruction a cabinet position under the authority of the Governor was considered in the form of a joint resolution, approved by the legislature and voted on by New Mexico residents. Joint resolutions are also used to express the will of the legislature, such as in approving the sale, trade or lease of state-owned real property. Concurrent resolutions are used for the purpose of adopting or amending joint rules of the legislature. Simple resolutions are seldom used.

A **memorial** is an expression of legislative desire that is usually addressed to another governmental body in the form of a petition or declaration of intent. For example, a memorial may ask the Department of Transportation to build a road in a certain part of the state or a legislative interim committee to study a particular issue. Joint memorials are passed by both houses; simple memorials are an expression of only one house.

# LEGISLATIVE PROCESS

**1. Introduction...** Only legislators may introduce bills. A bill may be introduced in either the House of Representatives or the Senate. After a bill has been drafted and prepared for introduction, it is presented to the chief clerk, who assigns it a number. The reading clerk reads it twice by number and title along with the name of the principal sponsor. The presiding officer orders the bill printed and assigns it to one or more appropriate committees for further study. With few exceptions, bills must be introduced by the halfway mark of a session.

**2. Committee Action...** Most of the consideration of legislation in New Mexico is done in committees. It is in committees that the public has the opportunity to testify in favor of or in opposition to a bill. After considering the testimony, the committee can take one of several actions. It may:

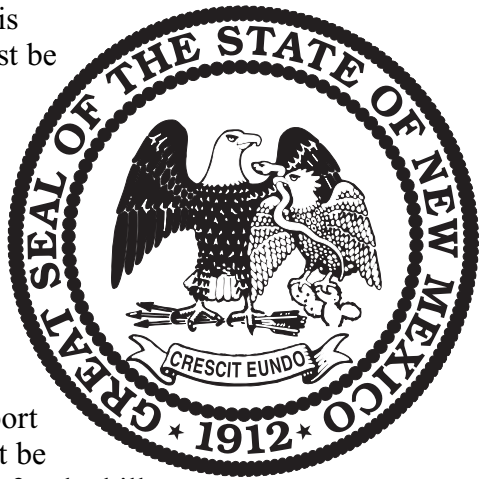
- a) recommend to the legislative body that a bill DO PASS, DO PASS AS AMENDED or DO NOT PASS, or refer the bill back to the floor WITHOUT RECOMMENDATION;
- b) substitute a new and similar bill for the original bill, incorporating changes the committee wishes to make;
- c) recommend referral of the bill to another committee; or
- d) simply do nothing and let the bill die by not reporting it out of committee.

Committee reports are subject to adoption by the full House or Senate. When a favorable committee report is adopted, the bill is placed on the calendar, which is the schedule of business the House or Senate will consider on a given day.

**3. Final Passage...** When a bill is called for its third reading, members may debate its pros and cons on the chamber floor. Amendments may be added at this stage, or the entire bill may be substituted by another bill similar to it. The sponsor of the bill is allowed to close debate by speaking last on the bill. A final vote is taken and recorded.

**4. Sent to the Other House...** If a bill receives a favorable vote, it is sent, with a letter of transmittal, to the other house, where it follows much the same procedure. To many, this duplication of process may seem unnecessary; however, this duplication in our form of government provides a necessary check to ensure that all aspects of the bill have been considered before it is enacted into law.

**5. Concurrence...** A bill that is amended in the second house must be sent back to the first house for agreement. This is called concurrence. If concurrence is denied, the second house votes on whether to recede, or withdraw, from its amendment. If the second house fails to recede, the bill is usually sent to a conference committee to work out a version agreeable to both houses. The report of the conference committee must be agreed to by both houses in order for the bill to pass.



**6. Enrolling and Engrossing...** When both houses of the legislature have agreed on the final version of a bill, it is enrolled and engrossed, which means that it is copied very carefully, with all of its amendments incorporated. The presiding officers of both houses sign the bill, and it is sent to the Governor for his or her consideration.

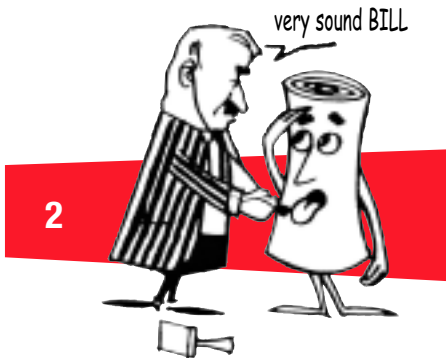
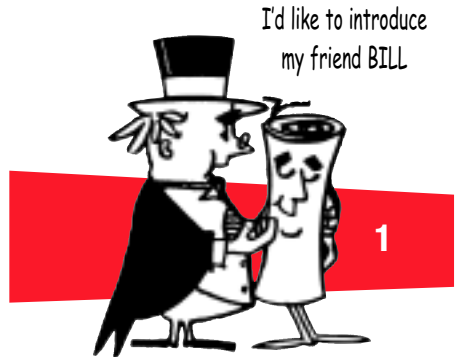
**7. Governor’s Approval or Veto...** The Governor may either sign the bill, in which case it becomes law, or he or she may veto it, in which case it does not become law unless the legislature overrides the Governor’s veto. A bill received by the Governor during or after the last three days of a legislative session is automatically vetoed — in what is known as a “pocket veto” — if the Governor does not sign it within 20 days of the legislature’s adjournment. On the other hand, a bill received by the Governor with more than three days left in the session automatically becomes law, even without the Governor’s signature, unless he or she vetoes it.

**8. Laws...** Not all laws go into effect at the same time. Some bills carry emergency clauses and become effective as soon as the Governor signs them, some become law 90 days after the legislature adjourns and others take effect at the start of the next fiscal or calendar year.

# PASSAGE OF A BILL

## 1. Introduction and Committee Referral.

A bill may be introduced in the House of Representatives or in the Senate. It is assigned a number, read twice by title, ordered printed and referred to the proper committee.



## 2. Committee Consideration.

Committee meetings are usually open to the public. A bill may receive one of the following recommendations: Do Pass, Do Pass As Amended, Do Not Pass, Without Recommendation or Without Recommendation As Amended.

## 3. Adoption of Committee Report.

Reports of committees are subject to adoption by the full House and Senate. When a favorable committee report is adopted, the bill is placed on the calendar, which is the list of bills scheduled for third reading and possible final passage.



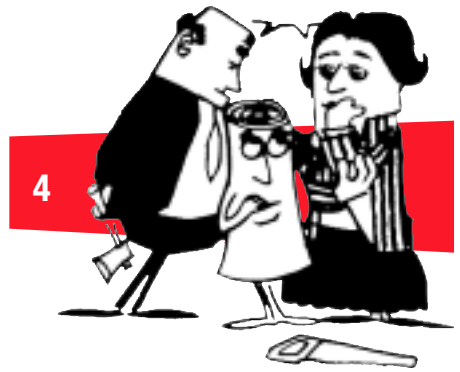


**4. Third Reading and Final Passage.** This is the stage at which the fate of a bill is usually decided. Action may be to amend a bill, to substitute one bill for another, to send a bill back to committee, to refer it to another committee or to defeat it altogether.



**6. What happens next?** The bill is sent to the other house and repeats much the same procedure outlined above. Both houses must agree on the final form of a bill. If either house fails to concur with an amendment, the differences must be reconciled by a conference committee representing both the House and Senate. A compromise worked out in a conference committee is subject to approval by both houses.

this will take some doing

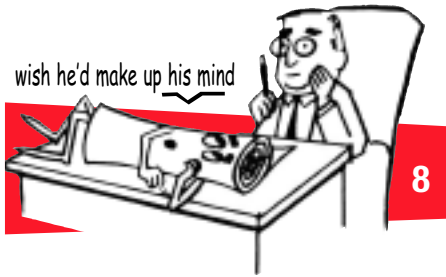
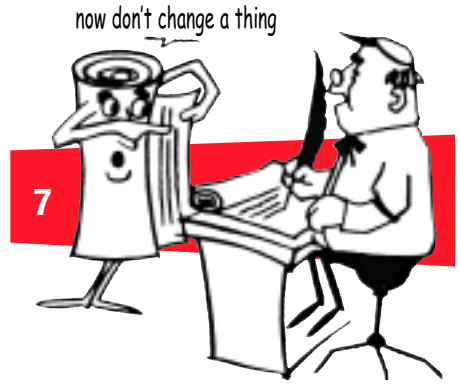


**5. Voting on a Bill.** Following sometimes lengthy debate on a bill, a final and recorded vote is taken on whether it is to pass. There must be a quorum of the committee present and every bill requires at least a majority vote of the members present and voting in order to pass. A quorum is generally a simple majority of the members.



## 7. Enrolling and Engrossing.

After passage by both houses, a bill is carefully copied by the enrolling and engrossing staff of the house in which it originated, signed by the presiding officers of each house and sent to the Governor.



**8. Governor's Action.** The Governor may sign a bill, veto it or, if it carries an appropriation, partially veto it. The legislature may override the Governor's veto by a two-thirds' majority vote of each house.

Bills carrying an emergency clause become effective immediately upon the Governor's signature. All other bills, except those that carry a later effective date, become effective 90 days following adjournment of the legislature.

## LEGISLATIVE COUNCIL SERVICE

The Legislative Council Service (LCS) was established by law in 1951 to provide year-round staff services for legislators. Bill drafters, researchers, a legislative reference librarian, proofreaders, word processors, print service operators and other employees provide a multitude of services for members of the legislature.

The LCS prepares all of the bills, memorials and resolutions that are introduced in the legislature. This drafting service is provided to every legislator, to interim and standing committees and to state agencies and public institutions. In addition, at the request of a legislator, the LCS will assist in the preparation of bill drafts for private groups and citizens.

Although the preparation of bills for introduction in the legislature is the primary function of the LCS during the session, the office also prepares research reports on almost any subject a legislator may request, provides staff for the interim committees, organizes agendas with the chairs and vice chairs, assists with policy research and generally assists legislators in carrying out their legislative duties. In addition, the LCS answers requests for information about New Mexico law from individuals and government agencies all over the United States.

The LCS maintains a legislative reference library with books and other printed matter covering almost any subject on which a legislator might need information. The LCS also does general housekeeping chores for the legislature and its committees, particularly during the interim when the legislature is not in session. It maintains the legislative buildings and grounds through the Legislative Building Services Department, maintains the equipment and furniture belonging to the legislature, forwards mail, answers correspondence upon requests from legislators, provides staff and bookkeeping services for interim committees, schedules meetings, provides information technology services and provides printing services. The LCS is also in charge of

the joint billroom/mailroom services provided during the legislative session.

A 16-member permanent legislative interim committee, the New Mexico Legislative Council, serves as the board of directors for the council service. Its statutory members are the Speaker of the House and Minority Floor Leader of the House, the President Pro Tempore and Minority Floor Leader of the Senate, and six representatives and six senators chosen proportionally from both political parties.

## **LEGISLATIVE EDUCATION STUDY COMMITTEE**

The Legislative Education Study Committee (LESC) was created in 1965 as a permanent committee of the New Mexico Legislature, authorized by statute to conduct a continuing study of education and laws governing education in New Mexico as well as the policies and costs of the New Mexico educational system. The committee is also responsible for recommending changes in laws relating to education and reporting its findings and recommendations.

The LESL is composed of legislators appointed to provide proportionate representation of both houses and political parties. Assisted by a permanent staff, the committee meets regularly during the interim to study education issues. To fulfill its statutory responsibilities, the LESL provides legislators with objective information pertaining to New Mexico public schools as well as state and national education trends.

LESL staff provide support for all of the committee's functions, conduct research, prepare reports and present findings and recommendations to the committee at its regularly scheduled meetings. Staff also assist individual legislators in assembling and presenting information about education and analyzing potential education legislation.

Finally, the LESC serves as a resource to New Mexico citizens, particularly to public schools, as well as to other states and national organizations seeking information about education in New Mexico. LESC staff also provide information to legislators, education policy-makers, local school districts and education agencies, as well as assisting school personnel with requests related to education.

The major responsibilities of the LESC staff during legislative sessions are to assist the education committees of the House and Senate as well as other committees by providing analyses of public-school-related legislation and by supplying technical support in the development of public school support appropriations. Staff prepare statistical and graphical analyses of both financial and program aspects of the New Mexico educational system.

## LEGISLATIVE FINANCE COMMITTEE

The Legislative Finance Committee (LFC) was established in 1957 as a fiscal and management oversight arm of the New Mexico Legislature. Since its inception, the committee's role in the state budget process has grown as the complexity and size of the budget has increased. The committee makes budgetary recommendations to the whole legislature for the funding of state government, higher education and public schools. The committee also prepares legislation addressing financial and management issues of state government.

New Mexico is unusual in that both the Governor and an agency of the legislature (the LFC) propose comprehensive state budgets to the full legislature.

## THE ROUNDHOUSE

New Mexico claims the distinction of having the oldest as well as one of the newest state capitols in the United States. The oldest is the Palace of the Governors in Santa Fe, built in 1610 and the seat of government for nearly three centuries — under Spanish, Mexican and American administrations.

The Capitol, otherwise referred to as the Roundhouse, was dedicated in December 1966 and underwent extensive remodeling in 1991. Built in traditional Territorial style and resembling the Zia sun symbol (which appears on the state flag), the building consists of four levels. The first level contains the House and Senate chambers, legislative offices, mailroom/billroom, lounges and underground parking.

The second level is the area visitors see when they enter the building. The great rotunda soars to the glass-enclosed dome above, and its floor is inlaid with the Great Seal of the State of New Mexico. Visitors can peruse the exhibits in the Hall of History or watch the legislature at work from the House or Senate gallery. A visitors' information service is located near the east entrance to provide assistance and building information. The second level also contains legislative office space, offices for the Legislative Building Services Department, offices for the news media and a coffee shop.

The third level contains House and Senate committee rooms and legislative office space. From the third level balcony overlooking the rotunda floor, visitors can see the cream pillars and walls of New Mexico marble quarried 20 miles west of the Rio Grande in central New Mexico.

The fourth level is devoted to the Governor's suite, the Lieutenant Governor's offices, the staff of the Legislative Council Service and legislative office space.

The adjacent Capitol North was completed in 2000 and is connected to the main Capitol by a walkway. The Administrative Office of the Courts, the Legislative Education Study Committee, the Legislative Finance Committee, the Secretary of State and additional House legislative office space are located in Capitol North.



Legislative Council Service



Legislative Council Service



Legislative Council Service

## **WRITING OR EMAILING YOUR LEGISLATOR**

Writing letters or emailing can be a very effective means of making your legislator aware of your opinions on legislation. Write to your legislator before or during the time the matter is being considered, and do not hesitate to write to the chair of a committee that is considering a bill you are interested in, even if he or she is not from your own district.

## **TALKING WITH YOUR LEGISLATOR**

During session, your legislator will be extremely busy. Consider making an appointment in order to make your visit successful. State your facts as clearly and as briefly as possible and give specific examples to support your opinion. Be willing to listen to the views of others who may disagree with you.

## **VISITING THE LEGISLATURE'S WEB SITE**

The New Mexico Legislature's web site ([www.legis.state.nm.us](http://www.legis.state.nm.us)) offers a wide range of information. You may view a legislator's contact information and find legislation, calendars, agendas and other information on important issues facing the state. By entering your home zip code, you may identify the legislator who represents your district. You may also contact the legislature through the web site.



## CAN YOU ANSWER THESE QUESTIONS?

1. When was New Mexico's State Capitol built?
2. What are the two houses of the legislature called?
3. How many legislators serve in the Senate? In the House?
4. What are the salaries of legislators?
5. How often does the legislature meet, and for how long?
6. Who are the leaders of the House and Senate?
7. What are the functions of committees?
8. What are interim committees?
9. Who are lobbyists?
10. What are the various types of legislation?
11. What does the Governor do when he or she disapproves of a bill?
12. When do most new laws go into effect?

## HISTORY OF THE FLAG OF NEW MEXICO

The first flag of New Mexico statehood was designed by historian Ralph Emerson Twitchell in 1915. It consisted of a blue field with a miniature United States flag in the upper left corner, the state's great seal in the lower right corner and "New Mexico" embroidered diagonally across the field from the lower left to the upper right.



In 1920, the New Mexico chapter of the Daughters of the American Revolution advocated the adoption of a flag representative of New Mexico's unique character. Three years later, the DAR conducted a design competition that was won by the distinguished Santa Fe physician and archaeologist, Dr. Harry Mera. The doctor's wife, Reba, made the winning flag design with a symbolic red Zia on a field of gold. In March 1925, Governor Arthur T. Hannett signed legislation proclaiming the Mera design as the official state flag.

The state flag of New Mexico features a modern interpretation of an ancient symbol — a sun design as seen on a late-nineteenth-century water jar from the Pueblo of Zia. This pueblo is thought to have been one of the Seven Golden Cities of Cibola sought by explorer Vasquez de Coronado. The red sun symbol is called a "Zia" and is shown on a field of gold. Red and gold are the colors of Queen Isabella of Castile and were brought to the New World by the Spanish conquistadores.

The flags of Spain, the Republic of Mexico, the Confederate States of America and the United States of America have all flown over New Mexico.

## Amphibian



New Mexico Department of  
Game and Fish – Charlie Painter

The New Mexico spadefoot toad, or *Spea multiplicata*, is named for the sharp-edged scrapers on the underside of its hind feet. Using its hind feet, the spadefoot toad burrows deep underground to avoid dehydration. The spadefoot is nocturnal, and is rarely seen above ground when the weather is dry. It can eat as much as one-half of its body weight in one night's feeding and can store enough fat to survive for a year or more underground.

In 2003, the state legislature adopted the New Mexico spadefoot toad as the official state amphibian.

## Animal

The state legislature selected the black bear as the official state animal on February 8, 1963.

In 1944, the U.S. Forest Service and the Advertising Council created a poster featuring a fictional Smokey the Bear as a symbol for fire prevention. In 1950, a New Mexico black bear cub was found cowering in a



New Mexico Department of  
Game and Fish – Don MacCarter

tree after a forest fire in the Lincoln National Forest near Capitan. The cub's caretakers began calling him Smokey Bear after the poster, and he became the living symbol for forest and wildfire prevention.

This black bear received much notoriety and lived to a ripe old age. He is buried at Smokey Bear State Park in Capitan.

The black bear is common in wooded areas throughout New Mexico, and the bear's head is the insignia of the New Mexico

Department of Game and Fish. The bear is a protected game animal and may only be hunted with a license in the proper season.

## Bird

The chaparral bird, commonly called the roadrunner, is a species of ground cuckoo, a combination of chicken and magpie. It is approximately two feet long and has a tail that accounts for one-half of its length. The roadrunner has a long bill and crested head and its pheasant-like brown plumage attains a rich, greenish sheen in the sunlight. This camouflage is ideal among the mesquite and cactus it uses for nesting.



Jeff Alford

The bird can fly in a soaring sweep at low altitude, although it seldom does. It prefers to skim along the ground on long and powerful legs at speeds up to 20 miles per hour.

Travelers along the Santa Fe Trail noticed the chaparral bird as it raced along in wagon ruts made by prairie schooners. The pioneers nicknamed the bird “the roadrunner”. In Spanish, it is also known as “el correcaminos”.

The New Mexico Legislature adopted the chaparral bird as the official state bird on March 16, 1949.

## Butterfly



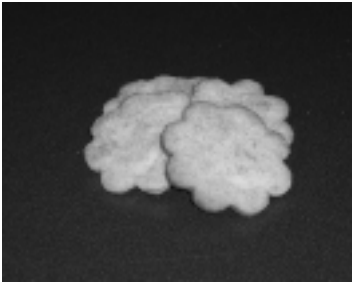
New Mexico Energy, Minerals and Natural Resources Department – Steve Cary

The Sandia hairstreak, or *Callophrys macfarlandi*, is the official state butterfly. The Sandia hairstreak was discovered in Albuquerque in 1959 at La Cueva Canyon and can easily be found in New Mexico’s wide open spaces, towns and cities among native beargrass. The butterfly is gold and green in

color, while its caterpillar is pink, lavender and white.

In 2002, the state legislature studied the possibility of including the Sandia hairstreak as an official symbol of New Mexico. In 2003, the legislature adopted the Sandia hairstreak as the official state butterfly.

## Cookie



Legislative Council Service

The biscochito (bizcochito) was adopted as the official state cookie in 1989 by the New Mexico Legislature. This act made New Mexico the first state to have an official cookie. The biscochito is a small anise-flavored cookie that was brought to New Mexico by the early Spanish settlers. The cookie is served during special celebrations, including wedding receptions, baptisms, the Christmas season and holy days. It was chosen to help maintain traditional home-baked cookery.

## Fish

The New Mexico cutthroat trout (Rio Grande cutthroat trout) is native to the cold mountain streams and lakes of northern New Mexico. It is a dark olive color with sparsely scattered black spots, and it derives its name from the red streaks under its throat. Although it is only six to eight inches long, anglers like the fish for its fighting spirit.

The cutthroat population in northern New Mexico has been declining in recent years, but the New Mexico Department of Game and Fish, which manages sport fishing in the state, has a continuing rehabilitation program to maintain the cutthroat strain.



New Mexico Department of  
Game and Fish – Mark Gruber

## Flower

The yucca (pronounced “yuh-ka”) was called “our Lord’s candles” by early settlers who saw its beautiful flowers gracing the plains and deserts of New Mexico. It is found in abundant quantities throughout the state. The yucca elate is considered the most elegant of the species.

The yucca is a member of the lily family and is a symbol of sturdiness as well as beauty. In early summer, pale ivory flowers bloom at the tips of its long, fibrous stalks. At the base of the plant are broad, sharp-edged leaves that look like stilettos. The yucca sometimes grows to the height of a small tree.

Early inhabitants found that ground yucca roots were an excellent substitute for soap. Yucca has always been popular among New Mexicans for shampoo, and it is rapidly gaining commercial favor throughout the country.

The yucca was selected after a survey of schoolchildren found that they preferred it for New Mexico’s state flower. The New Mexico Federation of Women’s Clubs supported the children’s choice, and on March 14, 1927, the state legislature adopted the yucca as the official state flower.



New Mexico Energy, Minerals and  
Natural Resources Department – Robert Sivinski

## Fossil



New Mexico Natural History Museum

Archaeological research in New Mexico has revealed much exciting information about the history of the earth and its early inhabitants, including the fascinating Folsom Culture and the “Clovis point” that illustrates the early development of tools used by homo sapiens on this continent.

When it was decided that New Mexico should join a handful of states that have designated an official fossil to honor continuing research into our origins, historians selected the *Coelophysis* (pronounced see-LA-fisis) dinosaur. It is the state’s only triassic dinosaur. In 1947, an expedition of paleontologists led by Dr. Edwin Colbert discovered a remarkable example of the *Coelophysis* in the triassic Chinle formation near Ghost Ranch north of Santa Fe.

*Coelophysis* reached no more than six feet in length and was so lightly built (with hollow bones) that it weighed only about 50 pounds. Judging from its skeleton, the small dinosaur could run at high speeds, and unlike many dinosaurs, it was probably a carnivore, preying on small reptiles, amphibians and maybe even the first triassic mammals. It may have even been warm-blooded. Despite some last-minute lobbying for the more numerous *Brontosaurus*, the *Coelophysis* was adopted as the New Mexico state fossil by the state legislature in 1981.

## Gem

In 1535, Alvar Nuñez Cabeza de Vaca made an extraordinary journey from eastern Texas through New Mexico to Sonora on the Pacific coast. Cabeza de Vaca and his companions were the first to note the use of turquoise among Native Americans. Hundreds of years before

the Spanish explorers arrived, Native Americans were mining and fashioning ornaments out of this gemstone and the shell and coral from the California coast that they acquired in trading with other tribes.

Chemically, turquoise is a phosphate of aluminum carrying small quantities of copper and iron. Turquoise is the only phosphate that is considered a precious stone and is the most valuable nontransparent mineral in the jewelry trade.



Orogrande, Otero County  
New Mexico Bureau of Geology and  
Mineral Resources Mineral Museum

The Navajo and Pueblo Indians of the Southwest call turquoise *chalchihuitl*, as did the ancient peoples of Mexico and Central America, who used the same word to describe jade or green turquoise. Turquoise set in silver is a big industry in New Mexico. Beautiful and authentic pieces may be purchased on reservations or at fashionable stores throughout the United States.

The state legislature adopted turquoise as the state gem in 1967.

## Grass

The blue grama, or *Bouteloua gracilis*, is a low-growing, six-to-12-inch-tall warm season perennial sod or bunch grass. Its seed stalks, with two comb-like purplish spikes on each side, occasionally grow as high as four feet.

The blue grama is found in all areas of New Mexico, but especially on sand, loam, shallow sites, bottomlands and mountain grasslands, mostly between 3,000 and 8,000 feet. The blue grama was adopted as the official state grass in 1973 by the state legislature.



Kelly Allred



## Insect

The selection of the state insect was prompted by a group of schoolchildren. After an Edgewood, New Mexico, elementary school class found that some other states have state insects, they selected three likely candidates for an official New Mexico insect. They mailed ballots to every school in a statewide election, and the tarantula hawk was the clear favorite. A class from Alaska became involved in the process through a former New Mexico resident who was teaching there, and that class even came to New Mexico to attend the hearing when the bill was introduced. The tarantula hawk was adopted as the state insect by the legislature in 1989.

The tarantula hawk is part of a large family that contains many species of common wasps that build nests in the ground and provision them with spiders. The female slowly approaches and then stings the much larger tarantula, which offers no resistance and acts as if it is hypnotized. The paralyzed spider is then dragged to a previously prepared burrow, where it is implanted with an egg and serves as food for the developing larva. The *Pepsis formosa* was the specific species selected by the state. The adult *Pepsis formosa* is metallic blue with reddish antennae and fiery red wings, except the outer margin and base, which are dusky. The species is found in New Mexico and other southwestern states.



County Extension Agricultural Agent Stan Jones (Curry County 2002)

## Nickname

New Mexico's official nickname is "The Land of Enchantment".

This phrase has a long history in New Mexico. It began appearing in print around the turn of the twentieth century, *New Mexico Magazine* began using it in 1935 and it appeared on state license plates in 1941. A ballad titled "The Land of Enchantment" by songwriter and Taos resident Michael Martin Murphey was named New Mexico's "official state ballad" in 1989. The legislature finally adopted "The Land of Enchantment" as the state nickname in 1999.

## Question

Chile, along with frijoles, was adopted as one of New Mexico's two state vegetables in 1965. Its significance is further evidenced by the adoption in 1999 of an official state question.

Chiles are served green or after they have ripened and turned red, and those who appreciate New Mexico cuisine have definite opinions as to which color they prefer with what dish. The issue is so important that diners are always asked for their preference when they order a meal.

"Red or Green?" was adopted as New Mexico's official state question in 1999.

## Reptile

The whiptail lizard, or *Cnemidoporus neomexicanus*, is found from the northern Rio Grande valley south to northern Chihuahua, Mexico.



New Mexico Department of  
Game and Fish — Charlie Painter

The diurnal whiptail is in constant motion as it forages for insects among vegetation. The lizard is six to nine inches long, and its long tail is three times its combined head and body length. Its brown

coloring is marked with pale yellow stripes and light spots between the stripes. This species is exclusively female — reproduction occurs through parthenogenesis, a process in which an unfertilized egg develops into a new individual.

The whiptail lizard was adopted as the official state reptile by the legislature in 2003.

## Tree

The piñon (*Pinus edulis*) is the official state tree. This sturdy, slow-growing little evergreen flourishes over a vast area of the state.

When the Spanish settlers arrived in New Mexico in the early sixteenth century, they found Native Americans harvesting the tiny, tasty nuts of the piñon. Every few years, the piñon tree produces a bumper crop of nuts and New Mexicans scurry to go piñon picking before nut-loving birds steal them. When cold weather sets in, the distinctive incense of burning piñon logs perfumes the air of villages and towns throughout the state.

The New Mexico Federation of Women's Clubs was asked to select the state tree and the piñon proved to be the historic favorite. On March 16, 1949, the state legislature officially adopted the piñon as the state tree.



New Mexico Energy, Minerals and Natural Resources  
Department — Forestry Division

## Vegetables

New Mexico's state vegetables represent the culinary contributions of the early Spanish settlers, who brought chile (*Capsicum annum L.*) from Mexico, and of New Mexico's indigenous Pueblo people, for whom frijoles (pinto beans of the *Phaseolus vulgaris* variety) were a dietary staple. Chile is a pungent pepper that is harvested in early fall, then roast-



Legislative Council Service

ed, peeled and served. When chile ripens, it turns bright red, and red chile is often strung in ristras and hung out to dry. New Mexico State University has developed a variety of new strains of chile, and there are always conflicting claims as to who harvests the mildest or hottest. Chile and frijoles combine in a distinctive cuisine that can only be considered “native New Mexican”.

The combination of vitamin-rich chile and protein-rich frijoles offers natives and visitors alike a memorable dining experience. In 1965, the legislative debate over adoption of the vegetable centered on the argument that the two vegetables were inseparable, so both chile and frijoles were adopted as the official state vegetables.

