



P. O. Box 1864 · Santa Fe · NM · 87504-1864 · 505.982.2568 · www.nmoga.org

**Legislative Affairs Committee
March 29, 2012 – 1:30 p.m.
New CONCHO Offices
1048 Paseo de Peralta (upstairs)
Santa Fe, New Mexico**

PROPOSED AGENDA

1. Introductions
2. Recap of the 2012 session
3. Committee Charter -- We will distribute a draft that is consistent with NMOGA By-Laws for your review before the meeting. We need to act on it at the meeting.
4. Where are we going?
 - a. Campaigns -- Design NMOGA's role.

Our By-Laws currently state: "The Association is a nonpartisan organization. Neither money nor other Association resources shall be expended for the benefit of an individual political candidate, office holder, or political party." The expectation from Legislators is that NMOGA makes contributions or causes its members to make contributions. That leaves NMOGA staff in a difficult situation. How can NMOGA provide the best for our industry in this circumstance? There are many possible roles, so our charge for the meeting is to consider some of them, think of more, and review them so we may provide suggestions for the Board to consider at its meeting on May 2, 2012. Please think about the following ideas before the meeting and bring your own suggestions:

- (1.) Create a PAC for industry in New Mexico and have NMOGA involved in a meaningful way;
- (2.) Coordinate campaign contributions from members to enhance both the contributor and NMOGA;
- (3.) Provide an information service to members regarding the past assistance of Legislators and campaign statements supportive of industry by candidates who have not served;
- (4.) Provide a calendar of upcoming campaign events as a news service to members; and
- (5.) Your idea as to the best way to strengthen NMOGA's representation of industry with Legislators and candidates.

If we can develop a recommendation for the Board it would be great. If not, we will report on the committee members' reactions to all proposals.

b. Legislative Proposals

- (1.) Compulsory pooling;
- (2.) OCD pre-emption of local government regulation in certain areas. Draft briefs to the Board will be distributed to those attending the meeting. Your reactions and suggestions will be incorporated in a draft that will be the subject for additional consideration at a Committee Meeting prior to the August Board meeting; and
- (3.) Other proposals

4. Other issues for discussion

DIRECTIONS: Concho new offices are at 1048 Paseo de Peralta. It is located on the Paseo de Peralta directly across from the Gerald Peters Gallery. It is due east of the PERA building and next to the KaKaWa chocolate store. We have access to about 15 parking spaces in our lot. If it is full please exit with a right turn and make a right into the PERA parking lot and come around behind the building where there are a few more spots.

New Mexico Oil and Gas Association
Charter for the Legislative Affairs Committee

May 2012

The New Mexico Oil and Gas Association Constitution and By-laws provide overall governance guidance for the Legislative Affairs Committee. This Charter has been developed to:

- Provide a clear statement of the role, responsibility, interaction, and operation of the Legislative Affairs Committee for the benefit of the Committee itself, the NMOGA Board, NMOGA staff, other standing committees, and NMOGA members.
- Augment the relevant elements of the Constitution and By-laws as they relate to the operations of the Legislative Affairs Committee
- Ensure the efforts of the Legislative Affairs Committee are consistent with and reflect the priorities established by the NMOGA Board.

1. Responsibilities of the Legislative Affairs Committee

A. General:

Working with and on behalf of the NMOGA Board, the Committee members act in the collective interests of the industry, and will use their best efforts to ensure NMOGA legislative affairs activities are properly managed and improved.

The Principal Roles of the Legislative Affairs Committee are as follows:

Provide guidance and input into the development, modification and implementation of the legislative affairs activities contained in the Strategic Plan and annual budgets.

Respond effectively to proposals arising in the legislative arena during the session and throughout the year.

Monitor legislative affairs programs and content for effectiveness.

B. Specific:

- i. The NMOGA Legislative Affairs Committee delegates certain responsibilities and tasks to NMOGA staff charged with specific responsibility to the Governmental Affairs Director. The NMOGA Strategic Plan will serve as the base authorization and control mechanism for the delegation of such responsibilities and tasks for all items including those specifically related to legislative affairs. Annual budgets will supplement and modify the Strategic Plan as appropriate in establishing priorities and positions.

- ii. To be considered for an official NMOGA position all measures must be brought before the legislative affairs committee in either a regular meeting or a special meeting. The Legislative Affairs Committee will seek broad-based agreement on significant items within its purview. In the event agreement is not reached, the Committee will vote in accordance with the procedures below:
 - For significant items needing immediate action and/or attention, legislative affairs decisions shall be delegated to the Chairs(s) of the Legislative Affairs Committee, NMOGA President, and NMOGA Governmental Affairs Director. Legislative affairs decisions in these cases will be based on the availability and best judgments of the parties involved. As soon as time allows, items for which immediate action and/or attention is required will be communicated to the other appropriate parties within NMOGA including the Executive Committee where appropriate.
 - Legislative affairs of a routine nature or for significant items for which guidance has already been provided shall be delegated to NMOGA Governmental Affairs Director or other staff members as appropriate.

C. Committee Contributions to Strategic Plan Development and Implementation

- i. Strategic Planning: Contribute to the development of strategic priorities for NMOGA; provide input into all items related to legislative affairs in the strategic planning process and timeline, performance measures and any subsequent revisions. Once items have been adopted by the NMOGA Board or included in the NMOGA Strategic Plan or annual budget, the Legislative Affairs Committee will endeavor to support the implementation of each item under its purview.
- ii. Funding: Provide input for the budget items related to legislative affairs items in the annual operating budget; develop strategic recommendations and funding strategy recommendations to the NMOGA Board for special projects.
- iii. Performance Monitoring: Oversee the conduct and performance of the legislative affairs activities of the Association to ensure proper and professional management and implementation that projects the stated values of the Association and reflects positively on the industry.

2. Membership and Structure

A. Membership

The Legislative Affairs Committee shall be made up of members in good standing who have indicated a willingness to participate in the Committee. Committee members may attend meetings in person or through telephonic means.

B. Structure

- i. Chairperson and/or Co-Chairpersons shall lead the Legislative Affairs Committee. The Members of the Committee shall elect the Chair(s) at least annually or as needed to fill the position.
- ii. The Chair(s) will only formally assume their roles when appointed by the NMOGA Board at a regularly scheduled board meeting.
- iii. In the absence of the Chair, another Committee member may preside over a regularly scheduled Committee meeting.

The role of the Chair is to ensure the Committee is functioning effectively, and he/she will:

- Chair Committee meetings;
- Establish the agenda, and frequency of Committee meetings
- Advise the Committee members of Board decisions and directives
- Be the link between the Board and the Committee
- Provide guidance and advice to NMOGA staff related to legislative affairs matters
- Form Sub-Committees and name Sub-Committee chairs and Sub-Committee members.
- Timely inform the President of any proposed actions or recommendations that could impact the Association, the results of any votes taken or any other significant issues discussed during the meeting that could impact the Association or otherwise require a vote of the Board of Directors to adopt.

3. Administrative Procedures

A. Voting

- i. All Committee and Subcommittee recommendations require a vote. In cases where there is not broad-based agreement among the Committee members, then voting will be determined by a two-thirds majority of the Members attending the meeting present and voting.

- ii. Only Members may vote and each Member will have only one vote. Members must be in attendance to vote.
- iii. Members may vote through their registered lobbyist members so long as they provide written delegation authorizing the lobbying member to vote for the Member in advance of any vote. The delegation must be for a specific time period, such as one meeting or the length of the legislative session or a specific date, but not to exceed one year.
- iv. Any Committee/Subcommittee chair or member must recuse themselves from voting or participating in any discussion concerning any matters in which they or their employer will give or receive any commission, fee, rebate, gift or entertainment of significant cost or value in connection with such matter.

B. Meetings

- i. After the opening day of the Legislative session, the Committee shall meet every Tuesday at 11 a.m. until the session ends.
- ii. Other meetings will be called by the Chair or by the Association staff.

The Agendas for meetings outside of the legislative session timeframe will be sent to Committee members in advance of the meeting. The Chair will develop the Agenda but all members are encouraged to contribute topics. The Chair may delegate this duty to Association staff.

C. Minutes

- i. Staff will prepare minutes of every meeting and record the outcome of every vote. The minutes shall be provided to the members at the following meeting if not before. Copies of the minutes also will be sent to the Board.

4. Governance Inconsistency

In the event of inconsistency between this Charter and the Constitution or By-laws, the Constitution or By-laws will prevail in determining approach.