



New Mexico State Senate

State Capitol
Santa Fe

COMMITTEES:

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Finance

VICE-CHAIRMAN:
Committees' Committee

SENATOR JOSEPH A. FIDEL
D-Cibola, Socorro & Valencia-30

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March 14, 2005

Mr. John A. Carey
President of Government Affairs
Association of Commerce & Industry of New Mexico
P.O. Box 9706
Albuquerque, NM 87119-9706

Dear Mr. John A. Carey,

This letter is written to inform you of an incident that occurred in the Senate Finance Committee on Saturday, March 12, 2005. While preparing for a Committee meeting to be held later that day, I was approached by Mr. J.D. Bullington, the lobbyist for your Association. At that time, he informed me that the sponsor of a piece of proposed legislation did not want the scheduled hearing to occur until the following Monday. As I had no reason to doubt his word, I postponed the hearing. After the Saturday hearing, I was informed that the sponsor and witness had been waiting patiently for the entire duration of the hearing which was over four hours, and were unaware that Mr. Bullington had effectively pre-empted their appearance and hearing opportunity. I consider this behavior to be unethical and I am concerned that his actions threaten the integrity of the New Mexico State Senate. In every instance of interaction between lobbyists and Senate staff, there is an understanding that a person's word is his bond. Mr. Bullington has violated this trust and I am deeply offended by his actions.

In the many years I have been associated with your Association, both as an executive in the New Mexico Department of Health and the Environment Department and as an employee of the New Mexico State Senate, I have been impressed and worked with numerous members and lobbyists that have represented the Association's interests and worked with me in the collective best interests of the people of New Mexico. I will continue to value the knowledge and expertise of the members and representatives of your association. I will not work with Mr. Bullington in the future, and I certainly will not allow him access to my staff.

Finally, I have informed both Senator Fidel and Senator Smith of Mr. Bullington's actions and have shared this letter with them so that they are aware of this breach of trust.

Sincerely,



Michael J. Burkhart,
Chief Of Staff
Senate Finance Committee

cc: Officers of the Association