

HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR
HOUSE BILL 159

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

AN ACT

RELATING TO LAW ENFORCEMENT; CHANGING THE MEMBERSHIP OF THE NEW
MEXICO LAW ENFORCEMENT ACADEMY BOARD; ESTABLISHING TERMS FOR
MEMBERS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 29-7-3 NMSA 1978 (being Laws 1979,
Chapter 202, Section 42, as amended) is amended to read:

"29-7-3. NEW MEXICO LAW ENFORCEMENT ACADEMY BOARD.--

A. There is created the "New Mexico law enforcement
academy board".

B. The academy shall be controlled and supervised
by policy set by the board. The attorney general shall
represent the academy and the board in administrative
proceedings and shall provide legal advice to the academy and
the board. The board shall be composed of [~~the attorney~~

1 ~~general, who shall serve automatically by reason of his office~~
2 ~~and serve as chairman of the board, and six]~~ eleven members who
3 are qualified electors to be appointed by the governor and
4 confirmed by the senate. An appointed board member shall serve
5 and have all of the duties, responsibilities and authority of
6 that office during the period prior to the final action by the
7 senate in confirming or rejecting the appointment. At the
8 first board meeting of each calendar year, the board shall
9 elect a member to serve as chair for that year.

10 ~~[G. On or before July 1, 1994, the governor shall~~
11 ~~increase the number of members on the board to eight by~~
12 ~~appointing two additional members. The seventh member of the~~
13 ~~board shall be a citizen-at-large member whose term shall end~~
14 ~~on July 1, 1996. The eighth member of the board shall be a~~
15 ~~police officer who is a New Mexico certified police officer,~~
16 ~~holding the rank of sergeant or below at the time of his~~
17 ~~appointment, and whose term shall end on July 1, 1996 or sooner~~
18 ~~if he retires or is deactivated from duty for longer than~~
19 ~~thirty days.]~~

20 C. The appointed members of the board are:

21 (1) three county sheriffs, consisting of:

22 (a) one sheriff from a class A county;

23 (b) one sheriff from a class B county

24 with a valuation of three hundred million dollars

25 (\$300,000,000) or more; and

1 (c) one sheriff from a class B county
2 with a valuation less than three hundred million dollars
3 (\$300,000,000) or a class C county;

4 (2) three municipal police chiefs, consisting
5 of:

6 (a) the New Mexico state police chief or
7 one police chief from a municipality with a population of one
8 hundred thousand or more people according to the most recent
9 federal decennial census;

10 (b) one police chief from a municipality
11 with a population of more than ten thousand people but less
12 than one hundred thousand people according to the most recent
13 federal decennial census; and

14 (c) one police chief from a municipality
15 with a population of ten thousand people or fewer according to
16 the most recent federal decennial census;

17 (3) one law enforcement officer holding the
18 rank of sergeant or below at the time of the officer's
19 appointment;

20 (4) one district attorney;

21 (5) one certified police chief of a New Mexico
22 Indian nation, tribe or pueblo; and

23 (6) two citizen-at-large members, appointed by
24 the governor.

25 D. Appointments to the board shall be for terms of

1 four years or less made in such manner that the terms of not
2 more than ~~[two]~~ three members expire on July 1 of each year.
3 ~~[At all times, the board shall have represented on it, as~~
4 ~~members, one municipal police chief, one sheriff, one state~~
5 ~~police officer, one district attorney, one certified police~~
6 ~~chief of a New Mexico Indian tribe or pueblo, one certified New~~
7 ~~Mexico police officer holding the rank of sergeant or below and~~
8 ~~two citizen-at-large members.]~~ On or after July 1, 2013, three
9 members shall be appointed for terms of one year, three members
10 shall be appointed for terms of two years, three members shall
11 be appointed for terms of three years and two members shall be
12 appointed for terms of four years. Vacancies shall be filled
13 by the governor for the unexpired term as provided for the
14 original appointment.

15 ~~[D.]~~ E. Members of the board ~~[shall]~~ are entitled
16 to receive, for their service as members of the board, per diem
17 and mileage as provided in the Per Diem and Mileage Act."

18 **SECTION 2. EFFECTIVE DATE.**--The effective date of the
19 provisions of this act is July 1, 2013.