

HOUSE BILL 273

51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014

INTRODUCED BY

W. Ken Martinez and Mary Kay Papen

AN ACT

RELATING TO ECONOMIC DEVELOPMENT; CREATING THE ECONOMIC DEVELOPMENT GRANT PROGRAM; CREATING THE ECONOMIC DEVELOPMENT GRANT FUND; REVISING THE ECONOMIC DEVELOPMENT COMMISSION'S DUTIES; MAKING AN APPROPRIATION; DECLARING AN EMERGENCY.

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

SECTION 1. [NEW MATERIAL] SHORT TITLE.--Sections 1 through 6 of this act may be cited as the "Economic Development Grant Act".

SECTION 2. [NEW MATERIAL] PURPOSE.--The purpose of the Economic Development Grant Act is to provide matching state grants to local and regional economic development agencies to expand the economic development and job-creation capacities of those agencies through employment of economic development professionals.

.195774.2

underscored material = new  
[bracketed material] = delete

underscoring material = new  
~~[bracketed material] = delete~~

1           SECTION 3.   ~~[NEW MATERIAL]~~ DEFINITIONS.--As used in the  
2 Economic Development Grant Act:

3           A. "commission" means the economic development  
4 commission; and

5           B. "department" means the economic development  
6 department.

7           SECTION 4.   ~~[NEW MATERIAL]~~ ECONOMIC DEVELOPMENT GRANT  
8 PROGRAM--CREATED--OVERSIGHT.--

9           A. The "economic development grant program" is  
10 created in the department. The commission shall oversee the  
11 program, and the department shall provide administrative  
12 assistance to the commission as needed.

13           B. The commission shall:

14                   (1) establish and publish deadlines and  
15 guidelines for the submission of grant applications;

16                   (2) develop procedures for receipt, review and  
17 approval of grant applications;

18                   (3) receive, review and approve grant  
19 applications;

20                   (4) award grants to local and regional  
21 economic development agencies for up to fifty percent of the  
22 cost to the agencies to hire economic development  
23 professionals;

24                   (5) monitor local and regional economic  
25 development agencies' use of grant money by reviewing annual

.195774.2

underscored material = new  
[bracketed material] = delete

1 reports submitted by those agencies to the commission to ensure  
2 that grants are used consistently with the agencies' grant  
3 applications; and

4 (6) perform other duties as necessary to carry  
5 out the provisions of the Economic Development Grant Act.

6 SECTION 5. [NEW MATERIAL] GRANT APPLICATIONS--GRANT  
7 RECIPIENTS--REQUIREMENTS.--

8 A. A local or regional economic development agency  
9 may submit an application to the commission for an economic  
10 development grant. An applying agency shall comply with  
11 deadlines and guidelines published by the commission. A grant  
12 application shall include a statement of:

13 (1) the amount of money that the local or  
14 regional economic development agency has allocated to employ  
15 economic development professionals;

16 (2) the amount of matching grant money that  
17 the local or regional economic development agency requests; and

18 (3) the ways that the local or regional  
19 economic development agency's employment of one or more  
20 economic development professionals will expand the agency's  
21 economic development or job-creation efforts in the agency's  
22 local area or region or in the state.

23 B. During the time that one or more economic  
24 development professionals are employed by a local or regional  
25 economic development agency using grant money, the agency shall

underscored material = new  
[bracketed material] = delete

1 report annually to the commission. A report shall include:

2 (1) the name, dates of employment and  
3 professional credentials of each economic development  
4 professional employed by the local or regional economic  
5 development agency using grant money; and

6 (2) detailed information about each economic  
7 development professional's role and contributions to the local  
8 or regional economic development agency, including:

9 (a) new jobs in the agency's local area  
10 or region or in the state that are attributable to the  
11 professional's efforts;

12 (b) the number of cases that the  
13 professional completed;

14 (c) the number of cases that the  
15 professional managed;

16 (d) the number of job-creation leads  
17 generated by the professional; and

18 (e) the number of job-creation projects  
19 sourced through the professional's marketing efforts.

20 SECTION 6. [NEW MATERIAL] ECONOMIC DEVELOPMENT GRANT FUND  
21 CREATED.--The "economic development grant fund" is created in  
22 the state treasury. The fund consists of appropriations,  
23 gifts, grants and donations to the fund and income from  
24 investment of the fund. Money in the fund shall not revert to  
25 any other fund at the end of a fiscal year. The department

.195774.2

underscored material = new  
[bracketed material] = delete

1 shall administer the fund, and money in the fund is  
2 appropriated to the department to provide matching funds to  
3 local and regional development agencies as approved by the  
4 commission. Money in the fund shall be disbursed on warrants  
5 signed by the secretary of finance and administration pursuant  
6 to vouchers signed by the secretary of economic development or  
7 the secretary's authorized representative.

8 SECTION 7. Section 9-15-11 NMSA 1978 (being Laws 1988,  
9 Chapter 81, Section 5, as amended) is amended to read:

10 "9-15-11. ECONOMIC DEVELOPMENT COMMISSION CREATED--  
11 MEMBERSHIP--~~[ADMINISTRATIVELY ATTACHED TO THE DEPARTMENT]~~  
12 DUTIES.--

13 A. The "economic development commission" is  
14 created. The commission shall be a planning commission  
15 administratively attached to the department.

16 B. The commission shall:

17 (1) provide advice to the department on policy  
18 matters; ~~[The commission shall]~~

19 (2) oversee the economic development grant  
20 program as provided in the Economic Development Grant Act;

21 (3) review and approve applications for  
22 matching grants and award grants pursuant to the Economic  
23 Development Grant Act; and

24 (4) be responsible for the annual approval and  
25 update of the state's five-year economic development plan.

.195774.2

underscored material = new  
[bracketed material] = delete

1           C. The commission shall consist of nine members who  
2 shall be qualified electors of the state, no more than five of  
3 whom at the time of [~~their~~] appointment [~~shall be~~] are members  
4 of the same political party [~~and at least one of whom shall be~~  
5 ~~a Native American~~]. Members shall be appointed by the governor  
6 and confirmed by the senate. Seven members shall be appointed  
7 from their respective planning districts, the eighth member  
8 shall be a Native American and represent the interests of the  
9 Indian tribes and pueblos and the ninth member shall represent  
10 the public at large.

11           [~~B.~~] D. Appointments shall be made for five-year  
12 terms expiring on January 1 of the appropriate year.  
13 Commission members shall serve staggered terms as determined by  
14 the governor at the time of their initial appointment.  
15 Annually, the governor shall designate a [~~chairman~~] chair of  
16 the commission from among the members.

17           [~~G.~~] E. The commission shall meet at the call of  
18 the [~~chairman~~] chair, not less than once each quarter, and  
19 shall invite representatives of appropriate legislative  
20 committees, other state agencies and interested persons to its  
21 meetings for the purpose of information exchange and  
22 coordination.

23           [~~D.~~] F. Commission members shall not vote by proxy.  
24 A majority of the members constitutes a quorum for the conduct  
25 of business.

.195774.2

underscored material = new  
[bracketed material] = delete

1           ~~[E-]~~ G. Members of the commission shall not be  
2 removed except for incompetence, neglect of duty or malfeasance  
3 in office; provided, however, no removal shall be made without  
4 notice of hearing and an opportunity to be heard having first  
5 been given the member being removed. The senate shall be given  
6 exclusive original jurisdiction over proceedings to remove  
7 members of the commission under such rules as ~~[it]~~ the senate  
8 may promulgate. The senate's decision in connection with such  
9 matters shall be final. A vacancy in the membership of the  
10 commission occurring other than by expiration of term shall be  
11 filled in the same manner as the original appointment, but for  
12 the unexpired term only.

13           ~~[F-]~~ H. Commission members shall not be paid, but  
14 ~~[shall]~~ they are entitled to receive per diem and mileage as  
15 provided in the Per Diem and Mileage Act."

16           **SECTION 8. APPROPRIATION.**--Three million dollars  
17 (\$3,000,000) is appropriated from the general fund to the  
18 economic development grant fund for expenditure in fiscal year  
19 2014 and subsequent fiscal years for matching grants made to  
20 local and regional economic development agencies through the  
21 economic development grant program. Any unexpended or  
22 unencumbered balance remaining at the end of a fiscal year  
23 shall not revert to the general fund.

24           **SECTION 9. EMERGENCY.**--It is necessary for the public  
25 peace, health and safety that this act take effect immediately.

.195774.2