

NOTE: As provided in LFC policy, this report is intended for use by the standing finance committees of the legislature. The Legislative Finance Committee does not assume responsibility for the accuracy of the information in this report when used in any other situation.

Only the most recent FIR version, excluding attachments, is available on the Intranet. Previously issued FIRs and attachments may be obtained from the LFC office in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

SPONSOR:	Stockard	DATE TYPED:	02/11/00	HB	
SHORT TITLE:	NM State Police as Separate Agency			SB	1
				ANALYST:	Trujillo

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY00	FY01	FY00	FY01		
		Unknown - See Narrative			

(Parenthesis () Indicate Expenditure Decreases)

Conflicts with HB174, HB45 Relates to SB108

SOURCES OF INFORMATION

LFC Files

Legislative Council Service

Department of Public Safety

Attorney General

Administrative Office of the District Attorney's

Agencies who did not respond include:

Administrative Office of the Courts

Bernalillo County Metro Court

Department of Finance and Administration

Criminal Juvenile Justice Coordinating Council

Adult Parole Board

Municipal League and Association of Counties

SUMMARY

Synopsis of Bill

SB1 dissolves the Department of Public Safety (DPS), including eliminating the office of the DPS Secretary. SB1 creates the New Mexico State Police Department (SPD) and the Law Enforcement Academy (LEA).

Significant Issues

SB1 changes the language of current law to reflect an organizational restructuring. SB1 makes few substantive changes to the law. SB1 is an LFC sponsored bill.

The Legislative Council Service reports the legislative request was to return the state police to its former independent status. Given the structure of DPS, if the state police is returned to former status, with all its powers and duties intact, the only remaining programmatic divisions would be training and recruiting (the old

law enforcement academy) and the recently transferred motor transportation division.

SB1 is drafted to eliminate DPS and the expenses of maintaining a cabinet department with very little function. SB1 makes the state police (including motor transportation) and the law enforcement academy independent agencies. The following describe the key components of the bill:

- •Repeals the Department of Public Safety Act;
 - •Creates the New Mexico State Police, governed by a board;
 - •Creates the New Mexico law enforcement academy, governed by a board;
 - •Divides the department into two separate agencies:
- State police, with the Special Investigations Division, Motor Transportation Division and Technical and Emergency Support Division (all of which were previously with the state police, except motor transportation division); and
 - The Law Enforcement Academy, which is composed of the current Training and Recruitment Division ;
- •Both boards are policy-making boards, with the members to be confirmed by the Senate;
 - •Personnel, functions, appropriations, money and other property are transferred to each of the new agencies, including providing that contracts are binding. The property of the Office of the Secretary and Administrative Services Division are distributed and the bill provides for transitional computer system support. The Legislative Council Service notes an appropriation for computer system work may be needed as expressed by the transitional language.

FISCAL IMPLICATIONS

Unknown. Personnel, functions, appropriations, money and other property are transferred to the new agencies. DPS must carefully implement the changes and any requests for supplemental appropriations will be directly related to how careful the restructuring and reorganization are carried out. SB1 may result in a savings of less than \$200.0.

ADMINISTRATIVE IMPLICATIONS

See Significant Issues and Fiscal Implications.

CONFLICT/DUPLICATION/COMPANIONSHIP/RELATIONSHIP

DPS reports SB1 may conflict with HB174, which amends the sex offender registration notification.

The Attorney General reports there may be a conflict with HB45 Law enforcement training and Recruiting Fund and relates to SB108 Reimburse Law Enforcement Training Facilities

TECHNICAL ISSUES

In discussion with Legislative Council Service, the sponsor of the bill may choose to propose the following amendments:

- page 31, line 1, strike "civilian" and insert "other";
- page 49 , line 12 after period, strike "approve or disapprove" and replace with "appoint";
- page 94, line 25 after "authority" strike rest of line;
- page 95, line 1 strike line up to "shall".

OTHER SUBSTANTIVE ISSUES

The bill analysis provided by DPS included recommendations for changes to the current statutes.

LAT/gm