

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current FIRs (in HTML & Adobe PDF formats) are available on the NM Legislative Website (legis.state.nm.us). Adobe PDF versions include all attachments, whereas HTML versions may not. Previously issued FIRs and attachments may be obtained from the LFC in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

ORIGINAL DATE 2/12/07
 LAST UPDATED 2/20/07 HB 633/aHHGAC

SPONSOR Steinborn

ANALYST Peery-Galon

SHORT TITLE Border Police Staff SB

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY07	FY08		
NA	\$1,000.0	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Response Received From
 Department of Public Safety (DPS)

No Response Received From
 New Mexico Association of Counties

SUMMARY

Synopsis of HHGAC Amendment

The House Health and Government Affairs Committee amendment of House Bill 633 deletes all language pertaining to “border police staff” and replaces it with “additional law enforcement personnel in border counties.”

Synopsis of Original Bill

House Bill 633 appropriates \$1,000.0 from the general fund to the Department of Public Safety for the purpose of funding border police staff.

FISCAL IMPLICATIONS

The appropriation of \$1,000.0 contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2008 shall revert to the general fund.

The executive budget recommendation for DPS includes an expansion of \$1 million to the Emergency Management and Homeland Security Support Program for border security.

SIGNIFICANT ISSUES

DPS states the appropriation of \$1 million in the proposed legislation is unclear as to what is meant by “border police.” DPS notes previous allocations have been used by border counties and State Police.

In Fiscal Year 2006, the governor issued two emergency declarations (2005-040 and 2005-061). The funding was made available under the disaster assistance program for use in the joint special operation for Operation Safe Border. This funding was emergency funding for use under the same rules and limitations as any disaster or assistance funds. The funding is for overtime, per diem and extraordinary operating costs directly related to Operation Safe Border. The funding does not supplant normal operating costs nor is it used for regular salary or expenses. The \$1.5 million is emergency funds through the appropriation contingency fund under the disaster declarations statute.

One million dollars in federal tax relief funding in FY06 and \$1 million from a special appropriation to DPS for counties that border Mexico for homeland security purposes in FY07 was used by counties and select municipalities in the border region to help hire and equip law enforcement officers. Funding was not intended to be a permanent long-term solution, but to help the communities get started in providing enhanced public safety to alleviate the increased lawlessness in the border region resulting from unsecured borders. The county sheriffs and police departments used the funding to purchase vehicles and hire officers. The purchase of vehicles includes everything from the vehicle itself to radio, lights, etc. The personnel money can pay for salaries, uniforms and basic equipment other than firearms. Out of the \$1 million special appropriation for FY07, \$850 thousand has been allocated to the following counties: Luna County Sheriff’s Office (\$250,000), Columbus Police Department (\$125,000), Hidalgo County Sheriff’s Office (\$200,000), Lordsburg Police Department (\$55,000), Grant County (\$120,000), and Dona Ana County (\$100,000). DPS reports the impact so far has resulted in about an 85 percent decrease in local crime, Luna County and Columbus working to put up and man a sub-station in Columbus, an increase in the number of officers and thousands of pounds of drugs seized.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

The proposed legislation has a relationship to House Bill 227, which proposes to enact the Homeland Security and Emergency Management Act.

RPG/mt:csd