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FISCAL IMPACT REPORT

ORIGINAL DATE 2-20-09

SPONSOR O'Neill LAST UPDATED _____ HB 706

SHORT TITLE Fire Protection Council Appointee Exclusions SB _____

ANALYST Lucero

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY09	FY10	FY11	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
Total		Minimal			Non- Recurring	Fire Protection Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Public Regulation Commission (PRC)

SUMMARY

Synopsis of Bill

House bill 706 proposes to amend Section 59A-53-19 NMSA 1978 to delete the prohibition of active members of a municipal fire department or a county fire district from serving on the Fire Protection Grant Council.

FISCAL IMPLICATIONS

There may be minimal additional costs associated with implementing this bill including updating statutes, rules, policy, etc.

SIGNIFICANT ISSUES

According to the State Fire Marshal's Office, the intent of the original exclusion was to avoid any conflict of interest, or the appearance of a conflict of interest, in the determination of grant awards to the state's fire departments and fire districts. If a member of the council was an active member of a municipal fire department or a county fire district, then there may be it an appearance of favoritism in a grant selection toward their department, a department in their home area, or favoring large against small departments, career against volunteer departments if such a grant was awarded.

However, by eliminating current members of a fire department or district the number of qualified candidates to serve on the board is reduced. An active member of a fire department or district could better understand the current needs of the fire service and may be better suited to make informed decisions about grant awards.

Currently, the Fire Grant Council consists of 1 appointee of the New Mexico Municipal League, 1 appointee of the New Mexico Association of Counties, 2 appointees of the Public Regulation Commission, 3 appointees of the Governor and the State Fire Marshal. No appointee may be an active member of a municipal fire department or a county fire district. The exclusion of active members of municipal fire departments or county fire districts as appointees would be eliminated.

AMMENDMENTS

The bill could be amended to preclude an active member of a municipal fire department or a county fire district serving on the council from voting on a grant of award that benefits the member's home area or fire district.

DL/mt