

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 (www.nmlegis.gov). 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

01/31/13
ORIGINAL DATE 02/21/13
LAST UPDATED 02/26/13 **HB** 159/HJCS/HFL#1

SPONSOR HJC

SHORT TITLE NM Law Enforcement Academy Board **SB** _____

ANALYST Chenier

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY13	FY14	FY15	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		Minimal*	Minimal*	Minimal*	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

*See “Fiscal Implications” discussion below

SOURCES OF INFORMATION

LFC Files

Responses Received From

Association of District Attorneys (AODA)

Attorney General’s Office (AGO)

Department of Public Safety (DPS)

SUMMARY

Synopsis of House Floor Amendment #1

House Floor Amendment #1 inserts language allowing designees of the Attorney General, county sheriffs, police chiefs, district attorneys, and tribal police chiefs to serve on the Law Enforcement Academy Board.

Synopsis of Bill

House Judiciary Committee Substitute for House Bill 159 would amend NMSA 1978, Section 29-7-3 to effect significant changes to the composition of the Law Enforcement Academy Board (Board). Changes include: the elimination of the requirement that the Attorney General sit on the Board and serve as chair, and an increase in the size of the Board from eight to eleven.

HB 159 would require the following Board composition: three members would be County Sheriffs; three would be municipal police chiefs; one rank and file law enforcement officer; one

district attorney; one certified police chief of an Indian nation, tribe or pueblo; and two a citizens at large appointed by the governor.

The bill would mandate that the Attorney General act as counsel to the Law Enforcement Academy and the Board.

FISCAL IMPLICATIONS

The Association of District Attorneys (AODA) indicates the fiscal implications of HB 159 are minimal, limited to per diem and mileage for board members if they request it. There is no fiscal impact on DA offices.

SIGNIFICANT ISSUES

AODA states that the attorney general is currently an automatic member of the board and is automatically board chairman by virtue of his office. Instead he would be limited to just providing legal advice. The board would select its chairman at the first board meeting of the year and they would serve for that year.

AODA discusses the bill's changes to the Board's composition:

The number of required members who are sheriffs would be increased from one to three. The bill increases the number of municipal police chiefs from one to three, and specifies: one must be from a city with over 100,000 population, one from a city with population of more than 10,000 but less than 100,000, and one from a city of less than 10,000 population. The requirement to have one district attorney and one certified police chief from an Indian tribe, pueblo or nation are unchanged.

The bill further provides that beginning this July, three members shall be appointed for one year, three appointed for two years, three appointed for three years, and two appointed for four years.

In addition to removing the attorney general as a member, and automatic chairman of the law enforcement academy board, the bill would insure more diversity in the jurisdictions represented on the board.

ADMINISTRATIVE IMPLICATIONS

HB 159 would relieve the Attorney General of the obligation to serve as a member and chair of the Board. No other administrative implications are noted for the agency.

EC/blm