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FISCAL IMPACT REPORT

Brown/
Armstrong, G/
Martinez, R/
Garcia, H

SPONSOR _____ **ORIGINAL DATE** 2/8/19
LAST UPDATED _____ **HB** 337

SHORT TITLE State Defense Force Changes **SB** _____

ANALYST Edwards

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY19	FY20	FY21	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	NFI	NFI	NFI	NFI		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Military Affairs (DMA)

SUMMARY

Synopsis of Bill

House Bill 337 amends 20-2-3 NMSA 1978 by giving the governor discretion on when to utilize the State Defense Force instead of only when the National Guard is unavailable or insufficient. The bill eliminates the age cap (currently 64 years old) for volunteers, allowing the adjutant general discretion to maintain competent and able bodied members within the State Defense Force regardless of physical age. The bill also allows the adjutant general (currently the job of the governor) to prescribe the uniform and insignia of the State Defense Force and allows the adjutant general to detail the State Defense Force during cadre duty for training and other exercises.

FISCAL IMPLICATIONS

The Department of Military Affairs does not expect a budget impact as a result of this bill.

SIGNIFICANT ISSUES

DMA explains “domestic threats to national security and the increased use of the National Guard forces for out-of-state deployments greatly increase the potential for service by members of the

State Defense Force [SDF] established under section 109(c) of Title 32, United States Code, and NMSA 1978 Sections 20-5-1 et seq. Unfortunately the efficacy of the SDF is currently impeded by the lack of flexibility in the regulations allowing them to work in cooperation and collaboration with the New Mexico National Guard and the New Mexico Department of Military Affairs.”

DMA also explains “the SDF is a volunteer force much like the Mounted Patrol or the Search and Rescue Teams that work with the New Mexico State Police. Many of the volunteers are professionals such as doctors and lawyers who are looking for a way to continue serving within the New Mexico National Guard. Unfortunately the current language in the statute limits that ability to serve not only regarding their age, but also regarding their duties. This bill allows the adjutant general to task the SDF while they are in cadre (or training) status to assist the National Guard with training or other exercises which are not considered state ordered militia duty.”

PERFORMANCE IMPLICATIONS

This bill would allow the New Mexico National Guard to be more flexible in accomplishing training and other exercises to ensure readiness for state missions or federal activation by utilizing the State Defense Force on a more regular basis.

TE/gb