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HOUSE BILL 307

56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024

INTRODUCED BY

Raymundo Lara and Joy Garratt

AN ACT

RELATING TO STATE AGENCIES; CHANGING THE COMPOSITION OF THE
BORDER AUTHORITY AND THE EXECUTIVE COMMITTEE OF THE AUTHORITY;
PROVIDING THAT THE BORDER AUTHORITY IS AN ADJUNCT AGENCY
SEPARATE FROM THE ECONOMIC DEVELOPMENT DEPARTMENT; TRANSFERRING
PERSONNEL AND DUTIES OF THE BORDER AUTHORITY FROM THE ECONOMIC
DEVELOPMENT DEPARTMENT TO THE BORDER AUTHORITY; AMENDING AND
REPEALING SECTIONS OF THE BORDER DEVELOPMENT ACT; MAKING AN
APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 58-27-4 NMSA 1978 (being Laws 1991,
Chapter 131, Section 4, as amended) is amended to read:

"58-27-4. BORDER AUTHORITY CREATED--MEMBERSHIP.--

A. The "border authority" is created. The
authority is ~~[a state]~~ an adjunct agency ~~[and is~~

underscored material = new
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1 ~~administratively attached to the economic development~~
2 ~~department]~~ pursuant to Section 9-1-6 NMSA 1978.

3 B. The authority consists of [~~seven~~] six voting
4 members, [~~six of whom shall be appointed by the governor. No~~
5 ~~more than three of those appointed shall belong to the same~~
6 ~~political party. The seventh member shall be the secretary of~~
7 ~~economic development or the secretary's designee. The voting~~
8 ~~members appointed by the governor shall be confirmed by the~~
9 ~~senate. The lieutenant governor shall serve as a nonvoting ex-~~
10 ~~officio member. The chair may appoint a nonvoting advisory~~
11 ~~committee to provide advice and recommendations on authority~~
12 ~~matters]~~ who shall be appointed in the following manner:

13 (1) one member shall be appointed by the
14 speaker of the house of representatives;

15 (2) one member shall be appointed by the
16 president pro tempore of the senate;

17 (3) one member shall be appointed by the
18 minority floor leader of the senate;

19 (4) one member shall be appointed by the
20 minority floor leader of the house of representatives; and

21 (5) two members shall be appointed by the
22 governor.

23 C. The authority shall select a chair and vice
24 chair from among its members and such other officers as it
25 deems necessary. The [~~six voting~~] members of the authority

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1 [appointed by the governor] shall be citizens of the state and
2 shall serve for terms of four years except for the initial
3 appointees who shall be appointed so that the terms are
4 staggered after initial appointment. Initial appointees shall
5 serve terms as follows: two members for two years, two members
6 for three years and two members for four years. A vacancy on
7 the authority shall be filled by appointment in the same manner
8 as the original appointment."

9 SECTION 2. Section 58-27-5 NMSA 1978 (being Laws 1991,
10 Chapter 131, Section 5, as amended) is amended to read:

11 "58-27-5. AUTHORITY--MEMBERS' COMPENSATION.--[Appointed
12 voting] Members of the authority shall be reimbursed for
13 expenses in accordance with those provisions of the Per Diem
14 and Mileage Act that apply to nonsalaried public officers
15 unless a different provision of that act applies to a specific
16 member, in which case that member shall be paid under the
17 applicable provision. Members [and advisors] shall receive no
18 other compensation, perquisite or allowance for serving as a
19 member of or advisor to the authority."

20 SECTION 3. Section 58-27-7 NMSA 1978 (being Laws 1991,
21 Chapter 131, Section 7) is amended to read:

22 "58-27-7. EXECUTIVE COMMITTEE OF THE AUTHORITY.--The
23 [chairman] chair and [four] three other authority [voting]
24 members appointed by [him] the chair shall constitute the
25 border authority executive committee. The committee shall have

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1 such powers and duties as delegated to it by the authority.

2 ~~[The executive director of the authority shall be a nonvoting~~
3 ~~member of the executive committee.]"~~

4 SECTION 4. TEMPORARY PROVISION--TRANSFER OF
5 APPROPRIATIONS, EQUIPMENT, SUPPLIES, RECORDS, MONEY AND
6 CONTRACTS TO THE BORDER AUTHORITY.--On the effective date of
7 this act:

8 A. all money, appropriations made before or after
9 the effective date of this act, records, furniture, equipment,
10 supplies and other property of the economic development
11 department related to duties transferred to the border
12 authority, as necessary, shall be transferred to the border
13 authority;

14 B. all existing contracts and agreements in effect
15 pertaining to the duties of the border authority under the
16 economic development department shall be binding and effective
17 on the border authority; and

18 C. the rules, orders and decisions of the border
19 authority shall remain in effect until repealed or amended.

20 SECTION 5. REPEAL.--Sections 58-27-6 and 58-27-8 NMSA
21 1978 (being Laws 1991, Chapter 131, Sections 6 and 8, as
22 amended) are repealed.

23 SECTION 6. APPROPRIATION.--Fifty thousand dollars
24 (\$50,000) is appropriated from the general fund to the border
25 authority for expenditure in fiscal year 2025 and subsequent

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underscoring material = new
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1 fiscal years for expenses related to establishing the border
2 authority as an adjunct agency separate from the economic
3 development department. Any unexpended or unencumbered balance
4 remaining at the end of a fiscal year shall not revert to the
5 general fund.

6 SECTION 7. EFFECTIVE DATE.--The effective date of the
7 provisions of this act is July 1, 2024.

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