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FISCAL IMPACT REPORT

ORIGINAL DATE 02/06/11

SPONSOR Rehm LAST UPDATED 02/10/11 HB 150/aHHGAC/aHFI#1

SHORT TITLE NM Law Enforcement Academy Board Changes SB _____

ANALYST Wilson

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY11	FY12	FY13	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
Total		NFI				

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Attorney General's Office (AGO)

Department of Public Safety (DPS)

SUMMARY

Synopsis of HFI#1

The House Floor Amendment #1 to House Bill 150 removes language requiring the Attorney General to provide legal advice to the Law Enforcement Academy and Law Enforcement Academy Board.

Synopsis of HHGAC Amendment

The House Health and Government Affairs amendment to House Bill 150 removes a state police officer and a retired New Mexico police officer from the Law Enforcement Academy Board, thereby bringing down the number of members from nine to seven.

Synopsis of Original Bill

House Bill 150 House amends Section 29-7-3, NMSA 1978 by changing the makeup of the Law Enforcement Academy Law Enforcement Academy Board (LEAB). The Attorney General will continue to serve on the LEAB and function as its chair. The Attorney General will have the option to appoint a designee to serve in his or her place. In addition, the new statute indicates clearly that the Attorney General will provide legal advice to the academy and the LEAB.

The bill increases the LEAB from eight members to eleven members. The members will be appointed by various associations such as the New Mexico Association of Counties (NMAC), the New Mexico Municipal League (NMML) and the Governor. This is a change from the current law in which all appointments are made by the Governor.

The bill increases the number of sheriffs from one to three. These appointments will be made by the NMAC according to the distribution required in the bill.

The bill increases the number of municipal police chiefs from one to three. These appointments will be made by the NMML according to the distribution required in the bill.

Finally, the current appointment of two citizens-at-large will be reduced to one citizen-at-large member and one new position for a retired New Mexico police officer who has retired no more than ten years from the date of the appointment and who held the rank of sergeant or higher. These two appointments will also be appointed by the governor.

The LEAB currently has one state police officer, one district attorney and one certified police chief of a New Mexico Indian nation, tribe or pueblo. These three positions will continue to serve on the LEAB. They also are appointed by the Governor.

FISCAL IMPLICATIONS

There will be increased costs associated with per diem and mileage for three additional LEAB members.

SIGNIFICANT ISSUES

A larger board will provide more representation.

DPS questions the language requiring the AGO to provide legal advice to the academy and the LEAB. The academy and the LEAB personnel are DPS employees and DPS already gets legal advice from an assistant Attorney General.

DPS also notes that a larger board could make getting a quorum problematic

ADMINISTRATIVE IMPLICATIONS

DPS can handle the provisions of this bill with existing staff as part of its ongoing responsibilities.

DW/svb:mew