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FISCAL IMPACT REPORT

SPONSOR Cisneros **ORIGINAL DATE** 1/22/2018
LAST UPDATED _____ **HB** _____
SHORT TITLE Dept. of Military Affairs Changes **SB** 16
ANALYST Edwards

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY18	FY19	FY20	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	NFI	NFI	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

Senate Bill 16 amends Chapter 20, governing Military Affairs, to reflect changes in the Department of Military Affairs' current organizational structure and ensures federal compliance. The bill updates minimum rank qualifications for Adjutant General candidates, eliminates the Vice Deputy Adjutant General designation, and updates the designation of special or summary court-marital convening authorities. The bill also makes minor grammatical changes.

FISCAL IMPLICATIONS

There is no fiscal impact as a result of this bill. The bill updates sections of the Department of Military Affairs' organizational structure and procedure to reflect the agency's current practices.

SIGNIFICANT ISSUES

DMA states the bill would ensure that an appointed Adjutant General having a rank as a Colonel would be appropriately positioned for promotion and full federal recognition. Army promotions are controlled by time in service (TIS) and time in grade (TIG). Time in service is the total accumulated military service and time in grade is the amount of service in the current paygrade. For officers, TIG requirements are set by federal law (United States Code: Title 10) while TIS can fluctuate based on needs of the Army.

DMA explains “General officers are the ranks of Brigadier General, Major General, Lieutenant General and General. A promotion to General Officer is extremely competitive with less than 1 percent of career officers ever advancing to become a General Officer. The President of the United States nominates General officers with confirmation by the Senate. To help facilitate the process, the Army holds promotion boards to recommend officers for promotion from Brigadier General to General. As there are set limits for the general officer ranks, vacancies usually occur only when a general officer gets promoted or retires. When that happens, the President nominates officers for promotion from the list of recommendations provided by the Army (with advice from the Secretary of Defense, Secretary of the Army, and the Army Chief of Staff).”

DMA also explains “the current language of our statute would allow a Major to serve as the Adjutant General of New Mexico as long as that Major has been recognized as an Officer for at least three years. Under the federal standards, however, that Major would not be eligible to be federally recognized as either a Brigadier General or a Major General because they would not have the requisite time in grade and time in service which usually is acquired by time in grade and time in service as a Lieutenant Colonel and Colonel. Without federal recognition, the title of Adjutant General is purely ceremonial.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Chapter 20 will remain unchanged and will not accurately reflect the current structure within the New Mexico National Guard.

TRE/jle