

HOUSE COMMERCE AND ECONOMIC DEVELOPMENT
COMMITTEE SUBSTITUTE FOR
HOUSE MEMORIAL 56

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

A MEMORIAL

REQUESTING THAT THE SOUTH CENTRAL COUNCIL OF GOVERNMENTS
CONVENE A SERIES OF MEETINGS WITH STAKEHOLDERS ALONG THE
STATE'S BORDER WITH MEXICO TO STUDY THE BORDER DEVELOPMENT ACT
AND TO MAKE RECOMMENDATIONS FOR LEGISLATION THAT UPDATES THE
BORDER DEVELOPMENT ACT TO INCREASE TRANSPARENCY AND OVERSIGHT.

WHEREAS, the Border Development Act was enacted in 1991,
establishing the border authority to "encourage and foster
development of the state, its cities and counties by developing
port facilities at international ports of entry"; and

WHEREAS, the Border Development Act has not been amended
since 2011; and

WHEREAS, since then, the United States economy has
experienced development due to geopolitical shifts, global
supply chain resets, climate change and a rapidly emerging

.228290.2

underscoring material = new
~~[bracketed material] = delete~~

1 electric vehicle industry; and

2 WHEREAS, the border authority is currently
3 administratively attached to the economic development
4 department; and

5 WHEREAS, the Border Development Act does not specify
6 professional requirements for border authority membership,
7 which may result in limited knowledge and skill sets in this
8 niche area of government; and

9 WHEREAS, the composition of the border authority should be
10 amended to be more inclusive of both the executive and
11 legislative branches; and

12 WHEREAS, the border authority only reports to the New
13 Mexico finance authority oversight committee regarding general
14 border activities and annual budget requests; and

15 WHEREAS, it would be beneficial for the border authority
16 to report to other committees, such as the legislative finance
17 committee; and

18 WHEREAS, reporting requirements for state agencies provide
19 oversight and transparency to the legislature and the public;
20 and

21 WHEREAS, the border authority is not authorized by statute
22 to promulgate rules; and

23 WHEREAS, the Border Development Act should be amended to
24 address these issues and to reflect the current needs of the
25 border authority;

1 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
 2 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the south
 3 central council of governments be requested to convene a series
 4 of meetings with state and local stakeholders along the state's
 5 border with Mexico to study the Border Development Act and make
 6 recommendations for legislation that updates the Border
 7 Development Act to increase transparency and accountability and
 8 to inform the state of the value of the border authority in
 9 overseeing economic and other growth along the border; and

10 BE IT FURTHER RESOLVED that input received from the
 11 stakeholders during the study inform the proposed legislation;
 12 and

13 BE IT FURTHER RESOLVED that the study review the current
 14 composition of the members of the border authority to consider
 15 including members from the legislature who will work with the
 16 governor's appointees; and

17 BE IT FURTHER RESOLVED that this proposed legislation be
 18 presented to the appropriate interim committees dealing with
 19 economic development and infrastructure during the 2024
 20 interim; and

21 BE IT FURTHER RESOLVED that a copy of this memorial be
 22 transmitted to the executive director of the south central
 23 council of governments.

underscoring material = new
 [bracketed material] = delete