

AN ACT

RELATING TO INTERGOVERNMENTAL RELATIONS; ENACTING THE NEW MEXICO-
CHIHUAHUA COMMISSION ACT; PROVIDING FOR COOPERATIVE ACTIVITIES
BETWEEN NEW MEXICO AND THE MEXICAN STATE OF CHIHUAHUA; REPEALING
SECTIONS OF THE NMSA 1978.

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

Section 1. SHORT TITLE.--This act may be cited as the "New Mexico-
Chihuahua Commission Act".

Section 2. PURPOSES.--The purposes of the New Mexico-Chihuahua
Commission Act are to establish a framework in which New Mexico and the state of
Chihuahua, Mexico, can work to develop mutually beneficial programs to resolve
challenges along the international border common to both states, to maximize the
possibilities for economic development and to open and institutionalize lines of
communication between the public and private sector leaders of the states.

Section 3. DEFINITIONS.--As used in the New Mexico-Chihuahua Commission
Act:

- A. "Chihuahua" means the state of Chihuahua, Mexico; and
- B. "commission" means the New Mexico-Chihuahua commission.

Section 4. NEW MEXICO-CHIHUAHUA COMMISSION
CREATED--MEMBERS--ADMINISTRATION.--

- A. The "New Mexico-Chihuahua commission" is created and is
administratively attached to the economic development department.
- B. The members of the commission representing New Mexico shall be:

- (1) the governor of New Mexico;
- (2) the secretary of economic development;
- (3) the secretary of tourism;
- (4) other state officials as assigned by the governor; and
- (5) no more than ten members of the public appointed by the governor of New Mexico.

C. The members of the commission representing Chihuahua shall be appointed or assigned according to the customary procedure of the executive branch of the government of that state.

D. The economic development department shall provide administrative assistance to the commission as needed.

E. The economic development department shall keep records of commission proceedings.

F. The co-chairs of the commission shall be the governors of New Mexico and Chihuahua.

G. Meetings of the commission shall be at the call of the co-chairs or pursuant to the request of a majority of the members of the commission.

H. Terms for public members of the commission appointed by the governor of New Mexico shall be for two years with reappointment to additional terms at the discretion of the governor.

I. A vacancy in a term of a commission member representing New Mexico shall be filled by appointment by the governor of New Mexico for the remainder of the term of the position vacated.

J. The public members of the commission appointed by the governor of New Mexico shall receive per diem and mileage pursuant to the Per Diem and Mileage

Act for performance of official duties required by the commission and shall receive no other compensation, perquisite or allowance.

Section 5. POWERS AND DUTIES.--

A. The commission shall provide a forum for discussion and resolution of issues of mutual concern to the governments of New Mexico and Chihuahua.

B. The commission may:

(1) identify projects that can be cooperatively pursued by New Mexico and Chihuahua;

(2) create avenues of communication between New Mexico and Chihuahua concerning cultural, artistic, economic and industrial affairs;

(3) confer with New Mexican and Chihuahuan cultural, artistic, economic and industrial leaders to determine the best methods and procedures to carry out the provisions of the New Mexico-Chihuahua Commission Act;

(4) promote legislation to further the goals of the commission; and

(5) communicate with state or province international commissions in other states or nations in order to obtain information about successful international intergovernmental cooperative activities or models.

C. The governor of New Mexico may negotiate with appropriate officials from Chihuahua to create cooperative projects to be implemented by Chihuahua and New Mexico or to resolve issues of mutual concern to New Mexico and Chihuahua.

The governor may implement the agreements reached through those negotiations or projects developed, provided that an agreement that has a fiscal impact on New Mexico and requires an appropriation shall require an act of the legislature.

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Section 6. CONFLICT OF INTEREST.--A member of the commission who performs a function or duty pursuant to the New Mexico-Chihuahua Commission Act shall not have a direct or indirect financial interest in an activity undertaken by the commission.

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Section 7. TEMPORARY PROVISION.--On July 1, 2003, all records, contracts, assets and projects of the New Mexico border commission shall be transferred to the economic development department. All records, contracts, assets and projects of New Mexico state university to coordinate programs with Mexico shall remain with New Mexico state university.

Section 8. REPEAL.--Sections 12-13-1 through 12-13-7 NMSA 1978 (being Laws 1981, Chapter 28, Sections 1 through 7, as amended) are repealed.

Section 9. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2003.