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## FISCAL IMPACT REPORT

SPONSOR Cheney ORIGINAL DATE 2/4/06 HM 32  
LAST UPDATED \_\_\_\_\_ SB \_\_\_\_\_  
SHORT TITLE Deploy National Guard To Southern NM Border SB \_\_\_\_\_  
ANALYST Peery

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### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Department of Military Affairs (DMA)  
Department of Public Safety (DPS)

#### No Response Received From

Governor's Office/Homeland Security (GOHS)

### SUMMARY

#### Synopsis of Bill

House Memorial 32 urges the governor to deploy the National Guard immediately to New Mexico's southern border in an operation called "Operation Protecting New Mexico's Borders" pursuant to the governor's constitutional duties as commander-in-chief of the military forces of the state to preserve the public peace.

### FISCAL IMPLICATIONS

It is unclear what the fiscal impact would be to deploying the National Guard to the southern border of New Mexico. The Department of Military Affairs would mainly have costs in personnel services and employee benefits to conduct the operation.

### SIGNIFICANT ISSUES

DPS reports it currently has officers deployed along the southern border of New Mexico participating in "Operation Safe Border". DPS reports members of the National Guard are specifically prohibited from engaging in police activities by federal law in the Posse Comatatis Act.

**ADMINISTRATIVE IMPLICATIONS**

The house memorial puts the Department of Military Affairs in charge of the operation called “Operation Protecting New Mexico’s Borders” It appears the Department of Military Affairs would be in charge of the administration of the operation.

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

The proposed House Memorial is a duplicate of Senate Memorial 32.

RLP/nt