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FISCAL IMPACT REPORT

ORIGINAL DATE 01/23/10

SPONSOR Giannini LAST UPDATED _____ HB 11

SHORT TITLE Repeal Inactive Executive Boards SB _____

ANALYST Archuleta

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY10	FY11	FY12	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
Total		NFI				

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Public Safety (DPS)
Public Education Department (PED)

SUMMARY

Synopsis of Bill

House Bill 11 repeals the following boards and commissions:

- Children, Youth and Families Advisory Committee, NMSA 1978, Section 9-2A-12;
- Funding Formula Study Task Force, NMSA 1978, Section 22-8-46;
- Crime Stoppers Advisory Council, NMSA 1978, Section 29-12A-2; and
- Bicycle Racing Commission, NMSA 1978, Section 60-2D-3.

In addition, House Bill 11 repeals the

- Crime Stoppers Act, NMSA 1978, Sections 29-12A-1 through 29-12A-6, and
- Bicycle Racing Act, NMSA 1978, Sections 60-2D-1 through 60-2D-18, in its entirety.

FISCAL IMPLICATIONS

Both the Department of Public Safety and the Public Education Department indicate that there are no fiscal implications associated with House Bill 11

SIGNIFICANT ISSUES

DPS notes the following with regard to the local Crime Stoppers programs. Local crime stoppers programs are an effective and valuable resource to law enforcement entities statewide. Repealing the Crime Stoppers Act would undermine the ability of law enforcement entities to continue to receive confidential information from local crime stoppers programs.

The Act provides that the Crime Stoppers Advisory Council, among other things, certifies local programs for the purposes of confidentiality of records, privileges and immunities provided by the Act. The Act extends confidentiality protections to documents and communications received by local crime stoppers programs from persons filing reports about alleged criminal activity, and also protects the identity of persons filing such reports. In order to claim confidentiality, a local crime stoppers program must be certified by the Crime Stoppers Advisory Council.

Repealing the Crime Stoppers Act in its entirety would eliminate the confidentiality protections extended to records and communications received by local crime stoppers programs from persons filing reports about alleged criminal activity, and anonymity of persons filing such reports. Removing these protections would greatly reduce the amount and quality of information that law enforcement entities receive from local crime stoppers programs. This reduction in information will significantly undermine law enforcement efforts.

PERFORMANCE IMPLICATIONS

Relating to the funding formula task force; inasmuch as the task force's final report was due by December 15, 2007, there are no performance implications for the PED.

ADMINISTRATIVE IMPLICATIONS

Inasmuch as the task force's final report was due by December 15, 2007, there are no administrative implications for the PED.

TECHNICAL ISSUES

The Funding Formula Study Task Force (task force) was to function until 12/15/07. Pursuant to the statute, the Legislative Council appointed the six legislative members and the four representatives of public school administrators. The Governor appointed three members, and two members served ex officio. The statute directed the Legislative Council Service, the Legislative Education Study Committee, the Legislative Finance Committee, the PED and the Office of Education Accountability of the Department of Finance and Administration to provide staff.

Given that this task force was not entirely comprised of individuals from the executive branch of government, the short title of the bill, "REPEALING OR DISSOLVING INACTIVE EXECUTIVE BOARDS AND COMMISSIONS", may be inaccurate in describing the task force as an inactive executive board or commission. Article IV, Section 16 of the New Mexico Constitution requires that the subject of every bill shall be clearly expressed in its title.

ALTERNATIVES

Not apparent.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo

DA/svb