

Department of Health (DOH)
 Parole Board (PB)
 New Mexico Corrections Department/ Corrections Industries (NMCD/CI)
 Aging and Long-term Services Department (ALTSD)

SUMMARY

Synopsis of the SPAC amendment to SRC Substitute

Senate Public Affairs Committee amendment to SRC Committee Substitute for SB 158 reinstates the Mathematics and Science Advisory Council, the Emergency Medical Service Licensing Commission and deletes the repeal of the Music Commission Act, implicitly reinstating the Music Commission. This brings the total list of boards and commissions slated for repeal to 42, as shown in the table.

Synopsis of SRC Substitute

Senate Rules Committee substitute for Senate Bill 158 was originally developed and endorsed by the Governmental Reorganization Task Force during the interim. The original plan proposed to abolish 54 boards and commissions and change the composition of another board – the behavioral health planning council. The substitute reinstates some of the controversial deletions in the original bill. These reinstatements include (among others) the governor’s commission on disability, the brain injury advisory commission, the emergency medical services advisory committee, the juvenile public safety advisory board and the library commission. The substitute also deletes two boards or commissions not included in the GRTF-endorsed bill -- the New Mexico athletic commission and its medical advisory board. In some cases, as noted in the table, the functions and duties of the board or commission are assigned to an executive agency. The final list of boards and commissions slated for repeal is 45, as shown in the following table:

| Item # | Name | Est GF Savings | GRTF RECOMMENDATIONS |
|--------------------------|--|----------------|--|
| AGRICULTURE | | | |
| (1) | Rangeland protection advisory committee — advisory to NMDA | - | Repeal |
| CULTURAL AFFAIRS | | | |
| (2) | Film museum, board of trustees of the New Mexico | - | Repeal |
| (3) | Fort Stanton development commission | - | Repeal |
| (4) | Intertribal ceremonial board GF approp \$88.1 | 1.0 | Eliminate; transfer functions to Tourism |
| (5) | King, Jr., Martin Luther, commission GF approp \$364.8 3.0 FTE | 132.6 | Eliminate; functions to the office on African-American affairs |
| EDUCATION, HIGHER | | | |
| (8) | Higher education advisory board | - | Repeal |
| (9) | Public service law advisory committee | - | Repeal |
| EDUCATION, PUBLIC | | | |

| Item # | Name | Est GF Savings | GRTF RECOMMENDATIONS |
|--|--|----------------|---|
| (10) | Family & youth resource advisory committee | - | Repeal |
| GENERAL GOVERNMENT | | | |
| (12) | Alternative dispute prevention & resolution advisory council | - | Repeal |
| (13) | Governor's residence advisory commission | - | Repeal; admin of fund transferred to GSD. |
| (14) | Private equity investment advisory committee | - | Repeal |
| (15) | Procurement standards & specifications committee, state | - | Repeal |
| HEALTH AND HUMAN SERVICES | | | |
| (16) | Behavior health planning council | | Keep, but cut membership to 20 members meeting quarterly |
| (17) | Child development board | 4.1 | Repeal |
| (18) | Children, youth & families advisory committee | - | Repeal |
| (19) | Children's cabinet | - | Repeal |
| (20) | Interagency coordinating group | | Enacted by 9-2A-13; subsumed by Children's Cabinet (32A-22-2) |
| (21) | Compulsive gambling council | - | Repeal |
| (23) | Food service sanitation advisory council | | Eliminate |
| (24) | Health care providers licensing and credentialing task force | - | Eliminate |
| (25) | HIV and AIDS policy commission, governor's | - | Repeal |
| (26) | Individual development account council | - | Repeal |
| (27) | Medical advisory committee (HIV & AIDS) | - | Repeal |
| (28) | Medical use of cannabis advisory board | - | Combine with patient qualification board |
| (29) | Next generation council | - | Repeal |
| (30) | Pain management advisory council | - | Repeal |
| (31) | Patient qualification review board | - | Combine w/cannabis bd |
| (32) | Telehealth commission, New Mexico | - | Repeal |
| INSTRUMENTALITIES—SEPARATE & APART FROM | | | |
| (33) | Exposition center authority, New Mexico | - | Repeal |
| (34) | Historic landscape trust, board of trustees of the | - | Repeal |
| (35) | Industrial and agricultural finance authority, New Mexico | - | Repeal |
| MILITARY AFFAIRS | | | |
| (36) | Armory board council | - | Repeal |
| (37) | Veterans' services advisory board | - | Repeal |

| Item # | Name | Est GF Savings | GRTF RECOMMENDATIONS |
|---|--|----------------|---|
| PUBLIC SAFETY & CRIMINAL JUSTICE | | | |
| (38) | Alcohol service education advisory committee | - | Repeal |
| (39) | Corrections industries commission | 15.0 - | Repeal; functions to NMCD/corrections industries division |
| (40) | Governor's organized crime prevention commission | | |
| SPORTS | | | |
| (41) | Bicycle racing commission | - | Repeal |
| (42) | Sports advisory committee | - | Repeal |
| (43) | New Mexico athletic commission | | Repeal |
| (44) | Medical advisory board to NMAC | | Repeal |
| TRANSPORTATION | | | |
| (45) | Traffic safety bureau advisory committee | - | Repeal |
| Total | | 152.7 | |

Boards and Commissions deleted from the Original GRTF Bill and Reinstated either by CS/SRC SB 158 or by SPAC amendment

| | | | |
|------|--|---------|--|
| (17) | Brain injury advisory council GF approp \$97.0 of DDPC 1.0 FTE | - | Eliminate; functions, staff and budget to DDPC |
| (23) | Disability, advisory council on | - | Eliminate; functions to ALTSD |
| (24) | Disability, governor's commission on GF approp \$1132.2 10.0 FTE | 1,100.0 | Eliminate; functions to ALTSD |
| (11) | Mathematics & science advisory council | | Repeal |
| (16) | Air transport advisory committee | - | Eliminate |
| (6) | Library commission, New Mexico state | - | Repeal |
| (7) | Music commission | - | Eliminate completely; functions not reassigned to Arts div/comsn |
| (22) | Emergency medical services licensing commission—receive public comment, oversee licensure, receive complaints, direct investigations, etc. | - | Eliminate; functions to EMS |
| (25) | Emergency medical services advisory committee, statewide | - | Eliminate; functions to EMS |
| (26) | Emergency medical services, joint organization on education in—develops EMS curricula and approves training pgms | - | Eliminate; functions to EMS |
| (39) | Trauma advisory committee | - | Repeal |
| (33) | Medical direction committee | - | Repeal |

| | | | |
|------|--|------|-----------|
| (48) | Domestic violence homicide review team | | Eliminate |
| (49) | Domestic violence leadership commission, New Mexico | 10.0 | Eliminate |
| (40) | Youth alliance | - | Repeal |
| (51) | Juvenile public safety advisory board GF approp \$25.0 0.0 FTE | 24.1 | Eliminate |

FISCAL IMPLICATIONS

LFC estimated the savings from these repeals with associated general fund savings. Most of the repeals would save, at most, a small amount of per diem and mileage paid to non-government members of the boards and commissions. Typically, per diem and mileage paid for meetings of the repealed boards would be, at most, \$3 to \$4 thousand a year. Many of the boards and commissions are not covered by the States’ Per Diem and Mileage Act. Significant savings would accrue only to the abolition of the Martin Luther King, Jr. Commission. (The Governor’s Commission on Disability was saved from repeal in the substitute.) The general fund appropriation for the MLK, Jr. commission for FY11 is \$364.8 and 3.0 FTE. The general fund savings from the transfer to the Office of African American Affairs is estimated at \$132.6, representing two of the three FTE currently staffing the office.

MARTIN LUTHER KING, JR. COMMISSION:

The purpose of the Martin Luther King, Jr. commission is to promote Martin Luther King, Jr.’s nonviolent principles and philosophy to the people of New Mexico through remembrance, celebration and action so that everyone gets involved in making a difference toward the improvement of interracial cooperation and reduction of youth violence in our communities.

| | | |
|---|---------|----------------|
| Appropriations: | General | |
| | Fund | Total |
| (a) Personal services and employee benefits | 189.5 | 189.5 |
| (b) Contractual services | 42.0 | 42.0 |
| (c) Other | 133.3 | 133.3 |
| Authorized FTE: 3.00 Permanent | | Subtotal 364.8 |

NMCD reports that, “...by eliminating the Corrections Industries Commission, NMCD would save approximately \$15,000 per year that it would otherwise have to pay to commission members in the way of per diem and attendance stipends.”

The savings reported in the table do not include savings of per diem or mileage for some of the miscellaneous boards that are repealed in this bill or savings of per diem or mileage for the Behavioral health planning commission cut from 44 members to 20 in this bill and restricted to meeting no more frequently than quarterly.

SIGNIFICANT ISSUES AND AGENCY COMMENT

The following is the list of proposed eliminations and transfers of functions and duties. In some cases, the agency served by the board or commission makes telling points why the board or

commission should be retained. Most of these somewhat controversial boards and commissions slated for deletion in the original bill have been reinstated in the substitute. Only the Higher Education Advisory Board is considered by the host executive agencies to be useful and productive. (Note: the Domestic Violence Homicide Review Team, the New Mexico Domestic Violence Leadership Commission and the Juvenile Public Safety Advisory Board have been reinstated in the substitute. The EMS Licensing Commission has been reinstated by SPAC amendment to the substitute bill along with two other boards or commissions not recommended for retention by the host executive agency..)

The bill changes the composition of one council:

Behavioral health planning council (24-1-28) – [CYFD] limits membership on the council to 20 gubernatorial appointees and limits the frequency of meetings to quarterly. There are currently 44 members on the Behavioral Health Planning Council – about 20 members from 11 named state agencies and 33 representatives chosen from users, providers and advocacy groups. The proposed reduction would decrease representation by greater than 50% of the current membership and would also decrease costs associated with administration and travel for the Behavioral Health Collaborative.

Primarily, the bill eliminates certain boards, commissions or committees. In some cases, the assigned duties of the eliminated boards, commissions or committees are transferred to executive agencies or other boards or commissions.

- (1) Rangeland protection advisory committee — advisory to NMDA
- (2) Film museum, board of trustees of the New Mexico
[DCA] The film museum does not exist at this time. No objection to abolishing board.
- (3) Fort Stanton development commission
[DCA] the commission is inactive and Fort Stanton is now an official State Monument. No objection to abolishing commission.
- (4) Intertribal ceremonial board
Repealed in the bill. Some discussion in GRTF about transferring administrative and promotion duties of the board to tourism, but the bill does not do that.
- (5) King, Jr., Martin Luther, commission
- (6) ~~Library commission, New Mexico State~~
~~[DCA] Section 56A repeals the Library Commission. DCA suggests that the Library Commission is essential and should not be eliminated. It is responsible for advising the State Library and providing regional representation for the allocation of resources around the state. The State Library provides direct services to all 91 public and tribal libraries in the state as well as direct library services such as the bookmobile and books my mail services to towns without public libraries. The Library Commission, because of its geographic representation, helps to allocate services and budget to all areas of the state, ensuring a fair and equitable process for all New Mexicans, despite the size or remoteness of their communities. (Reinstated in the substitute).~~
- (7) ~~Music commission~~
~~[DCA] DCA is concerned that emphasizing music — implicitly deemphasizing all other arts — might jeopardize funding from the National Endowment for the Arts. The mission of the Arts Division already includes music. Solution: transfer the music commission's duties to the Arts Division, but delete language emphasizing music in the Arts Division/ Commis-~~

~~tion's duties.~~ (The sub simply deletes the functions and duties of the music commission. The SFC amendment reinstates the Music Commission.)

- (8) Higher education advisory board
[NMED] The New Mexico Higher Education Advisory Board was created with the establishment of the cabinet-level New Mexico Higher Education Department (NMHED) in 2005. The board was created to advise the department and the Governor on policy matters. The higher education advisory board meets quarterly and brings together participants from the research universities, comprehensive universities, two year colleges, and private, tribal and for profit colleges and universities. [NMED] The advisory board is a forum for all educational entities to initiate conversation and come to conclusions that best serves the needs of all types of institutions of higher education. NMED does not support repeal. (The substitute retains the repeal of the Higher education advisory board.)
- (9) Public service law advisory committee
[NMED] The public service law advisory board was created in Section 21-22F-8 NMSA 1978 to: make recommendations to NMHED on applicants for the program; advise NMHED on the adoption of rules to implement the provisions of the Public Service Law Loan Repayment Act; and give other advice or assistance as requested.
- (10) Family & youth resource advisory committee
- (11) ~~Mathematics & science advisory council~~ (Reinstated by SPAC amendment)
- (12) Alternative dispute prevention & resolution advisory council
+Created by 2007 Governmental Dispute Prevention and Resolution Act. Representatives from GSD, DFA, SPO, RLD and four others from other agencies with highest occurrence of public liability claims. Provides feedback to Alternative Dispute Resolution Office. Without this council, ADR office will probably convene a state ADR working group. Repeal will make no difference either way.
- (13) Governor's residence advisory commission
- (14) Private equity investment advisory committee
- (15) Procurement standards & specifications committee, state
- (16) ~~Air transport advisory committee~~
Eliminate; functions to EMS bureau of DOH (Reinstated in the Substitute).
- ~~(17) Brain injury advisory council~~
Eliminate; functions to DDPC (Reinstated in the Substitute).
- (18) Child development board
Eliminate and transfer duties to child development office
- (19) Children, youth & families advisory committee
- (20) Children's cabinet
- (21) Interagency coordinating group
- (22) Compulsive gambling council
- (23) Disability, advisory council on
- ~~(24) Governor's commission on disability, the duties and powers of which are being transferred to the aging and long term services department~~ (Reinstated in the Substitute).
- ~~(25) Emergency medical services advisory committee, statewide~~
Eliminate; functions to EMS (Reinstated in the Substitute).
- ~~(26) Emergency medical services, joint organization on education in~~ develops EMS curricula and approves training programs
Eliminate; functions to EMS (Reinstated in the Substitute).

- ~~(27) Emergency medical services licensing commission—receive public comment, oversee licensure, receive complaints, direct investigations, etc. Eliminate; functions to EMS. [DOH] the dissolution of the various EMS-related boards and commissions may save per diem expenses related to meetings. However, in the case of the EMS Licensing Commission, there is a substantial likelihood that the repeal of the Commission could result in cost increases to the Department of Health. The EMS Licensing Commission offers licensees an opportunity to come before the Commission to explain their actions and defend their licenses. Often, the Bureau’s proposed penalties have been reduced in favor of lesser or different penalties. This process has created a valuable mechanism by which EMTs are given a chance to voice their perspective outside of an administrative adjudicatory process. If the EMS Licensing Commission is dissolved, there will be less recourse for licensees accused of wrongdoing, and the Department will likely see a significant increase in the number of administrative adjudicatory hearings that it must conduct each year. The Department contracts with private attorneys to act as hearing officers in all DOH administrative adjudicatory cases, and would be required to expend substantially more if and when the number of EMS licensing cases increases. (Reinstated by SPAC amendment to SRCCS/SB 158.)~~
- (28) Food service sanitation advisory council
- (29) Health care providers licensing and credentialing task force
- (30) HIV and AIDS policy commission, governor's
- (31) Individual development account council
- (32) Medical advisory committee (HIV and AIDS)
- (33) ~~EMS Medical direction committee~~-(Reinstated in the Substitute).
- (34) Medical use of cannabis advisory board
- (35) Next generation council
[CYFD] Revises 24-19-3 NMSA 1978 (Children's Trust Fund) to strike the definition and all references to the next generation council. Abolition would increase the roles and responsibilities of the Children’s Trust Fund Board relative to next generation fund projects and administrative activities.
- (36) Pain management advisory council
- (37) Patient qualification review board
- (38) Telehealth commission, New Mexico
[DOH] Repeals the New Mexico Telehealth and Health Information Technology Commission Act. The New Mexico Telehealth and Health Information Technology Commission, administratively attached to the DOH, is not currently active.
- ~~(39) Trauma advisory committee~~-(Reinstated in the Substitute).
- ~~(40) Youth alliance~~-(Reinstated in the Substitute).
- (41) Exposition center authority, New Mexico
- (42) Historic landscape trust, board of trustees of the
- (43) Industrial and agricultural finance authority, New Mexico
- (44) Armory board council
[DMA] The elimination of the Armory Board Council will not affect the Department of Military Affairs. The State Armory Board (SAB) fulfills all of the duties and functions assigned to the Armory Board Council.
- (45) Awards boards
- (46) Veterans' services advisory board

[DMA] The elimination of the Veteran’s Service Advisory Board will not impact the Department of Military Affairs.

(47) Alcohol service education advisory committee

(48) Corrections industries commission

[NMCD] Repeals the corrections industries commission. NMCD would assume all duties and responsibilities of the commission. NMCD has had great difficulty getting a quorum of the Corrections Industries Commission members to attend meetings, meaning that the Corrections Industries Division of NMCD cannot get its policies, contracts and other business transactions approved by the Commission as required by current law. NMCD is comfortable that it can properly assume and perform all of the duties of the Commission, and that its performance of these duties would in fact help improve the efficiency of the Corrections Industries Division.

~~(49) Domestic violence homicide review team~~

~~[CVRC] The Domestic Violence Homicide Review Team DVHRT (also known as the Intimate Partner Violence Death Review Team) has been in existence since 1997 and was created in statute in 2007. The DVHRT investigates homicide deaths where the perpetrator was a former or current intimate partner. The findings and the recommendations of the DVHRT have influenced best practices, protocols, legislative recommendations and funding decisions that all work to promote victim safety and offender accountability. CYFD also recommends retaining this team and the DVLC below. DOH also testifies that this team is functioning and productive and should be retained. DOH also points out that the team does not cost the state per diem or mileage. (Reinstated in the Substitute).~~

~~(50) Juvenile public safety advisory board~~

~~[CYFD] Revises Section 32A-2-23.1 NMSA 1978 RELEASE ELIGIBILITY to eliminate of the juvenile public safety advisory board. This would eliminate the external review of CYFD’s release recommendations for youth exiting the juvenile correctional facilities. CYFD notes the importance of having community participation in the Department’s Release panel to act as a check and balance on the Department’s release decisions. [The juvenile public safety advisory board is material component of a deal struck in 2009, giving the Department release authority.] The Juvenile Public Safety Advisory Board maintains a focus on community safety and provides a forum for victims in the community to express their concerns. The Juvenile Public Safety Advisory Board also serves an important function in reviewing the activities of the department and providing external community input to the cabinet secretary of the department when fulfilling the Juvenile Public Safety Advisory Board’s statutory duties. CYFD strongly advises against repealing this board. (Reinstated in the Substitute).~~

~~(51) Domestic violence leadership commission, New Mexico~~

~~[CVRC] The New Mexico Domestic Violence Leadership Commission (NMDVLC) is a multidisciplinary 26 member commission consisting of members from key state and private agencies, the judiciary, state coalitions, and service providers. The DVLC was created by Executive Order in 2007 and then created in statute during the 2010 Legislative Session. The work of the DVLC has been prolific and effective at no cost to the state. (Reinstated in the Substitute).~~

(52) Bicycle racing commission

(53) Sports advisory committee

New Mexico athletic commission (added in Substitute).

Medical advisory board to NMAC(added in Substitute).

- (54) Traffic safety bureau advisory committee: function is to study and evaluate applications for federal grants pertaining to traffic safety. Five-member committee. Last meeting 2 – 3 years ago. DOT has no objection to this abolition.

PERFORMANCE AND ADMINISTRATIVE IMPLICATIONS

With the exception of the two boards or commissions that the agencies believe should be retained, in most cases, the agencies report no change in performance measures or significant administrative difficulties. In one case – the corrections industries council, the division reports an anticipated improvement in efficiency and effectiveness if the council is eliminated.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

HB 88 establishes a schedule of sunset review of virtually all boards and commissions. Working with the professional staff at the LFC, boards, commissions and committees would appear before a legislative committee and justify their continued existence. There has been considerable anxiety provoked by this provision. HB 88 names a number of boards and commissions that are proposed for elimination in this bill.

OTHER SIGNIFICANT ISSUES

The interagency coordinating council, established in 9-2A-13, and consisting of a number of cabinet secretaries has been superseded by the children’s cabinet.

Pursuant to comments from DCA, the duties and responsibilities of the music commission have been deleted altogether. An alternative suggested in the analysis of the original bill was to assign the duties and responsibilities of the music commission to the Arts Division of DCA, but not emphasize these duties as a mandate of the Arts Commission.

Section-by-Section

Note: sections labeled “technical changes” are included in the bill to clearly identify the department which benefit from the advice and activities of the various boards, commissions and committees as they currently function. Also note that while these technical changes sections could be deleted from the bill, their inclusion makes the bill much easier to read and understand, since the department affected by the substantive changes is clearly identified in the technical section.

Section 1: retains parole board as administratively attached to the corrections department, but deletes the adult parole board and the public defender department from administrative attachment. Also conforms the list of administrative attachment to the abolition of the governor’s organized crime prevention commission.

~~Section 2: technical amendment to correctly cite the Aging and Long-Term Services Department Act.~~

~~Section 3: adds “the disabilities concerns division” to Aging and Long term Services Department” to assume the duties and functions of the abolished governor’s commission on Disability and the Advisory Council on Disability.~~

~~Section 4: (new material) establishes the new disabilities concerns division to plan, establish and maintain programs to encourage and promote attention to some of the concerns of the state’s disabled citizens.~~

~~Section 5: designates ALTS as the agency for handling all programs of the federal government related to the concerns of individuals with disabilities.~~

Section 6[2]: technical amendment to correctly cite the Higher Education Department Act (HEDA).

Section 7[3]: conforms the HEDA to the abolition of the higher education advisory board.

Section 8[4]: deletes reference in HEDA (9-25-13 NMSA 1978) to the higher education advisory board.

Section 9[5]: deletes reference in the Government Dispute Prevention and Resolution Act to the alternative dispute prevention and resolution advisory council.

Section 10[6]: repeals the duty of the office of alternative dispute prevention and resolutions bureau of GSD to staff the alternative dispute prevention and resolution advisory council.

Section 11[7]: conforms the exemption in the procurement code (13-1-98 NMSA 1978) to the abolition of the corrections industries commission and assignment of the procurement and rule-making authority for goods and services procured by the corrections industries division to the corrections department.

Section 12[8]: also conforms provisions in the procurement code to the abolition of the corrections industries commission.

Section 13[9]: abolishes the governor’s residence advisory commission and conforms other references to this abolition. This section transfers authority over the governor’s residence preservation fund to the secretary of general services and transfers the enumerated duties of the commission to the general services department.

~~Section 14: technical amendments, however, does not abolish the arts commission or change its duties significantly. Bill requires the DCA to assume the duties of the abolished music commission.~~

~~Section 15: assigns the duty of fostering appreciation of music in the state to the arts division of DCA.~~

Section 16[10]: anticipates the abolition of the armory board council by repealing the definition.

Section 17[11]: conforms the duties of the state armory board to the abolition of the armory board council.

Section 18[12]: technical to change usage from “regulations” to “rules” of the state armory board. And delete reference to annual meeting of the state armory board council.

Section 19[13]: deletes reference to the public service law advisory committee from the Public Service Law Loan Repayment Act definitions.

Section 20[14]: technical section updated citation to Mathematics and Science Education Act.

Section 21[15]: deletes reference to the mathematics and science advisory council from the Mathematics and Science Education Act to anticipate abolition of the council.

Section 22[16]: deletes the requirement for the mathematics and science bureau of PED to staff the mathematics and science advisory council, which is abolished in the bill.

~~Section 23: transfers the function of the brain injury advisory council to the developmental disabilities planning council.~~

Section 24[17]: provides more guidance to membership and operations of the behavioral health planning council. The council shall consist of no more than 20 members appointed by the governor. (In current statute, there is no fixed maximum number of members.) This section also provides for meetings no more frequently than quarterly. Both of these restrictions may slightly limit the fiscal impact of the council.

~~Section 25: technical change to correctly cite the Emergency Medical Services Act.~~

~~Section 26: abolishes the statewide emergency medical services advisory committee. The bill also abolishes the medical direction committee and deletes its required recommendation function as the injury prevention and emergency medical services bureau of the public health division of the department of health adopts rules for emergency medical services medical direction. The bureau would no longer be required to seek advice on rules from the trauma advisory committee (reference deleted in Section 28). The air transport advisory committee’s role in rulemaking for certification of air ambulance services is also deleted (reference deleted in Section 28).~~

Section 27[18]: repeals the appointed emergency medical services licensing commission, staffed by the EMS bureau. Duties of the EMS licensing commission are reassigned to the injury prevention and emergency medical services bureau.

~~Section 28: permits the Secretary of Health to appoint emergency medical services advisory ad hoc committees as needed. Broad representation is no longer required for the members of these ad hoc boards. This section repeals the joint organization on education committee and the emergency medical services medical direction committee and assigns the functions of both committees to the injury prevention and emergency medical services bureau. This section abolishes the~~

~~air transport advisory committee and the trauma advisory committee.~~

Section 29[19]: delete a definition in the Children's Trust Fund Act to conform to the abolition of the next generation council.

Section 30[20]: reassign duties of the Next Generation Council to Children, Youth and Families Department (CYFD).

Section 34[21]: deletes the authority of the division to appoint an advisory council to assist in carrying out the objectives of the Food Service Sanitation Act.

~~Section 32: updates references and reassigns some duties of the governor's commission on disability to ALTS.~~

~~Section 33: technical change to update citations to the Parking Placard Abuse Act.~~

~~Section 34: reassigns program and advisory responsibility and duties with reference to the Parking Placard Abuse Act from the governor's commission on disability to ALTS.~~

~~Section 35: reassigns revenue and grants programs with reference to the Disability Fund from the governor's commission on disability to ALTS. Money deposited in the Disability Fund is appropriated to the Department. The money in the fund may be spent for services and programs related to long term planning, training and employment of individuals with disabilities and other enumerated programs and projects.~~

~~Section 36: technical section updated citation to the Development Disabilities Act.~~

~~Section 37: increases the duties of the development disabilities planning council to include duties related to brain injuries currently performed by the brain injury advisory council. Currently 1 FTE and \$97.0 general fund appropriated to the DDPC would be transferred.~~

Section 38[22]: technical change to update reference to the African American Affairs Act

Section 39[23]: updates reference to the deletion of the Martin Luther King, Jr. commission and assigns the duties the Martin Luther King, Jr. commission to the Office of African American Affairs. Duties of the MLK commission are transferred to the OAAA.

Section 40[24]: transfers authority over the Martin Luther King, Jr. fund from the MLK commission to the OAAA.

~~Section 41: conforms references to the abolition of the juvenile public safety advisory board (JPSAB) in the delinquency parts of the Children's Code. In existing statute, the JPSAB is charged with making specific recommendations concerning individual children and makes recommendations release or non-release of adjudicated delinquent children from custody. The JPSAB has the current right to appeal an action by the CYFD contrary to a decision of the board. Under this bill, the Secretary of CYFD may review the case, but, apparently, there is no longer a mechanism for a review board to appeal an adverse decision of the Department to court.~~

~~Section 42: removes references to the juvenile public safety advisory board repealed in other portions of this bill.~~

Section 43[25]: technical changes to update citations to the Office of Child Development of CYFD and to the child development board, repealed in this bill.

Section 44[26]: the Office of Child Development of CYFD would not be required to staff and implement policies of the repealed child development board.

Section 45[27]: reassigns duties from the repealed child development board to the office of child development.

Section 46[28]: technical changes to update citations to the Corrections Industries Act.

Section 47[29]: deletes reference to the corrections industries commission which is abolished in this bill. (Note, this abolition is also referenced in sections 11 and 12 of this bill amending the procurement code exemptions.

Section 48[30]: reassigns duties of the corrections industries commission to the Corrections Department, including rulemaking to carry out provisions of the Corrections Industry Act, except the advisory duty of the commission to recommend to the Secretary of Corrections a suitable candidate or candidates as director of the corrections industries division. This and the requirement to advise the Secretary on management and control of the corrections industry are also deleted and not reassigned.

Section 49[31]: removes reference to the corrections industries commission in administration of the corrections industries revolving fund.

Section 50[32]: reassigns inmate compensation planning from the corrections industries commission to the Department of Corrections.

Section 51[33]: retains the authority of the Corrections Department to hire sales people paid on commission to sell the various products manufactured by inmates. The incentive compensation plan is reassigned from the industries commission to the Department.

Section 52[34] removes reference to the corrections industries commission and assigns the responsibility to the Department to lease real property on the grounds of any state corrections facility to private commercial industry the opportunity to establish and operate a factory. The commission has advisory responsibility for this function under current law.

[Section 35: deletes the medical advisory board under the Professional Athletic Competition Act; and reassigns the duties of the New Mexico Athletic Commission to the Regulation and Licensing Department.]

[Section 36: abolishes the New Mexico Athletic Commission and reassigns its duties to the Regulation and Licensing Department.]

Section 53:[37] the traffic safety bureau advisory committee is deleted from the definitions section of the Traffic Safety Act to conform to the abolition of the committee in Section 54.

Section 54[38]: the advisory duties of the traffic safety bureau advisory committee with regard to federal traffic safety grant programs are deleted.

Section 55[39]: [Agriculture] the rangeland advisory committee is repealed.

Section 56:[40] [Cultural Affairs Entities] ~~the New Mexico state library commission is repealed.~~ The New Mexico film museum act, including the film museum board of trustees is repealed. The Fort Stanton development commission is repealed. The intertribal ceremonial act (Section 9-15C-1 through 5) is repealed, including provision for an intertribal ceremonial office (administratively attached to the Department of Tourism), a director of the intertribal ceremonial office, and an intertribal ceremonial board. The Martin Luther King, Jr. commission is repealed and duties and functions of the commission assigned to the Office of African American Affairs. The music commission act (Sections 18-16-1 through 4) is repealed; including the music commission.[Duties and functions of the commission are not reassigned to the arts division of the Department of Cultural Affairs, but are simply deleted.]

Section 57[41]: [Education Entities] the higher education advisory board (HEAB) is repealed. The public service law advisory committee (LSLAC) is repealed. The mathematics and science advisory council (MASAC) is repealed. The family and youth advisory committee is repealed. Functions and duties of the MASAC are reassigned to the mathematics and science bureau.

Section 58[42]: [General Government Entities] the alternative dispute prevention and resolution advisory council is repealed. The governor's residence advisory commission is repealed and the duties and functions reassigned to GSD. The private equity investment advisory committee is repealed. The state procurement standards and specifications committee is repealed.

Section 59[43]: [Health and Human Services Entities] ~~the brain injury advisory council is repealed and the duties reassigned.~~ The child development board is repealed and the duties reassigned to CFYD. The children, youth and families advisory committee is repealed. The interagency coordinating group is repealed. The Children's Cabinet Act (Sections 32A1 through 4) is repealed, including the Children's Cabinet which is administratively attached to the Governor's office. The compulsive gambling council is repealed. ~~The governor's commission on disability and the advisory council on disability are repealed and the duties reassigned to the ALTS.~~ Health care providers licensing and credentialing task force is repealed. The Governor's HIV and AIDS policy commission is repealed. The individual development account council is repealed. The medical advisory committee is repealed. The next generation council is repealed and the duties reassigned to CYFD. The pain management advisory council is repealed. The New Mexico telehealth and health information technology commission act (Sections 24-1G-1 through 4) is repealed, including the 25-member telehealth and health information technology commission, whose volunteer members, appointed by the Governor are not entitled to per diem and mileage. ~~Youth Alliance Act (Sections 9-2A-19 through 22) is repealed, including the youth alliance and a position in CFYD of youth alliance coordinator.~~

Section 60 [Instrumentalities] the Exposition Center Authority Act (Sections 6-25-1 through 23]

is repealed, including the New Mexico exposition center authority. The Historic Landscape Act (Sections 18-13-1 through 7) is repealed, including the board of trustees of the New Mexico Historic Landscape Trust and an executive director of the trust. The Industrial and Agricultural Finance Authority Act (Sections 58-24-1 through 24) is repealed, including the board of directors of the industrial and agricultural finance authority. (If the authority exists in practice, members are entitled to per diem and mileage.)

Section 61: [Military Affairs] the veteran's services advisory board is repealed.

Section 62: [Public Safety and Criminal Justice] the alcohol service education advisory committee is repealed. The corrections industries commission is repealed and the duties assigned to the corrections industries division of the correction department. The domestic violence leadership commission is repealed. The juvenile public safety advisory board act is repealed. The Organized Crime Act (Sections 29-9-1 through 11 and 29-9-17) is repealed, including the governor's organized crime prevention commission. Statute provides for hearings and paid staff of the commission, however, there is no evidence that this commission is active.

Section 63: [Sports Entities] the bicycle racing act is repealed, including the bicycle racing commission. The sports advisory committee is repealed.

Section 64: [Transportation Entities] the traffic safety bureau advisory committee is repealed and the grant research and other duties of the committee reassigned to the traffic safety bureau.

Section 65: [Transition provisions – Governor's Commission on Disability] Functions, appropriations, money furniture, equipment and other property of the governor's commission on disability are transferred to ALTS. All contractual obligations of the governor's commission become obligations of ALTS. References in law to the governor's commission are deemed references to ALTS. Rules of the governor's commissions are deemed references to rules of ALTS.

Section 66: [Transition provisions – Brain Injury Advisory Council (BIAC)] Functions, appropriations, money furniture, equipment and other property of BIAC are transferred to the developmental disabilities planning council (DDPC). All contractual obligations of BIAC become obligations of DDPC. References in law to the BIAC are deemed references to DDPC.

Section 67: [Transition provisions – Martin Luther King, Jr. Commission (MLKC)] Functions, appropriations, money furniture, equipment and other property of MLKC are transferred to the Office of African American Affairs (OAAA). All contractual obligations of MLKC become obligations of OAAA. References in law to the MLKC are deemed references to OAAA.

Section 68: the effective date of the act is July 1, 2011.

LG/mew:bym