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## FISCAL IMPACT REPORT

**SPONSOR** Rue and Rehm **ORIGINAL DATE** 02/24/11 **LAST UPDATED** 03/21/11 **HB** \_\_\_\_\_  
**SHORT TITLE** NM Law Enforcement Academy Board Membership **SB** 391/aHJC  
**ANALYST** Hanika-Ortiz/Soderquist

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY11	FY12		
	NFI		

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

### SUMMARY

#### Synopsis of HJC Amendment

The House Judiciary Committee amendment to Senate Bill 391 deletes reference to the office of the Attorney General and its role in providing legal advice to the Academy and the Board.

#### Synopsis of Original Bill

Senate Bill 391 amends Section 29-7-3 to expand the membership of the New Mexico Law Enforcement Academy Board to create a wider geographic distribution of membership.

### FISCAL IMPLICATIONS

Members of the board may receive per diem and mileage for their service as provided for in the Per Diem and Mileage Act.

### SIGNIFICANT ISSUES

The bill expands the Board to ten from eight. The appointed members of the board will include: three county sheriffs, appointed by the New Mexico Association of Counties; three municipal police chiefs, appointed by the New Mexico Municipal League; one district attorney, appointed by the Governor; one police chief from a New Mexico Indian nation, tribe or pueblo, appointed by the Governor; and one citizen-at-large member, appointed by the Governor.

The bill specifically provides for more diverse representation on the Board than what may be currently provided for by law.

The bill expands the role of the Attorney General to be one that provides legal advice to the Academy and the Board.

### **PERFORMANCE IMPLICATIONS**

The Attorney General will be allowed to appoint a designee to serve in his/her capacity.

### **ADMINISTRATIVE IMPLICATIONS**

Board vacancies will be filled by the original appointing authority for any unexpired term.

### **TECHNICAL ISSUES**

The bill removes the requirement that a member of the Board be a certified police officer with the rank of sergeant or below.

The Board may benefit from the addition of a public defender, behavioral healthcare provider and telecommunicator. The bill does not address gender or persons of color when describing Board membership.

### **OTHER SUBSTANTIVE ISSUES**

The New Mexico Law Enforcement Academy Board was created in 1969 to promulgate qualifications for hiring and standards for training New Mexico law enforcement officers and telecommunication officers. The Board is the Police Officer Standards and Training (POST) agency for New Mexico, awarding law enforcement officer and telecommunication officer certification. Oversight of the Law Enforcement Academy operations, revocation or suspension of certifications for officer misconduct, and direction for in-service training of officers are but a few of the many responsibilities of the Board.

The Board consists of the Attorney General, who serves as Chairman, a certified Tribal or Pueblo Police Chief, a Municipal Police Chief, a County Sheriff, a State Police Officer, a District Attorney, a line level officer of the rank of Sergeant or below, and two citizen representatives. The Board meets a minimum of four times a year to conduct business.

### **POSSIBLE QUESTIONS**

The Statute shall provide for eight members appointed by the Governor as opposed to three as proposed in the bill.

AHO/bym:svb