

LFC Requester:

Amanda Dick-Peddie

AGENCY BILL ANALYSIS 2023 REGULAR SESSION

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply:

Original ☒ Amendment ☐
Correction ☐ Substitute ☐

Date February 17, 2023

Bill No: HB13

<p>Sponsor: Raymundo Lara Nathan P. Small</p> <p>Short Title: Border Authority Changes</p>	<p>Agency Name and Code 305–Office of the Attorney General</p> <p>Number:</p> <p>Person Writing Mark Probasco</p> <p>Phone: 505-795-3225 Email legisfir@nmag.gov</p>
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY23	FY24		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY23	FY24	FY25		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY23	FY24	FY25	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

This analysis is neither a formal Attorney General Opinion nor an Attorney General Advisory Letter. This is a staff analysis in response to a committee or legislator's request. The analysis does not represent any official policy or legal position of the Office of the Attorney General.

BILL SUMMARY

Synopsis:

Among various stylistic changes to the enabling statute, HB13 proposes to amend the New Mexico Border Authority's membership qualifications, composition, appointment procedures, and terms of service. If enacted, HB13 would also set certain minimum qualifications for the executive director to include either a juris doctorate or a bachelor's degree in "accounting, agronomy, business, economics, engineering or finance" and further requires four years of relevant experience for this position. Finally, HB13 would require annual reporting to the legislative finance committee.

The composition of the board would be amended as follows:

<i>Current Board</i>	<i>HB13</i>
7 members	8 members (additional seat is for secretary of transportation)
No more than three from one party	No restrictions based on party affiliation
6 members appointed by the governor; appointees must be New Mexico residents	6 members appointed by the governor as follows: 3 from the private sector with relevant professional experience (defined as accounting; agriculture; business logistics or freight shipping; business management; economic or land development; economics; engineering; finance; international commerce; or law); 1 city official from a municipality within 20 miles of the border; 1 county commissioner from a border county; 1 state legislator from a border district
Four years terms but with all initial appointees staggered by one year down to a minimum two year term.	Five year terms but with four of the initial appointees staggered by one year
No formal advisory members	Formal advisory members to be added from the office of the US Senators for New Mexico; US Representative for the second congressional district; NM lieutenant governor; governor of the state of Chihuahua, Mexico; governor of the state of Sonora, Mexico; a person involved in business development in Mexico; and any other additional members deemed necessary and approved by the authority

FISCAL IMPLICATIONS

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be

reported in this section.

SIGNIFICANT ISSUES

None noted.

PERFORMANCE IMPLICATIONS

N/A

ADMINISTRATIVE IMPLICATIONS

N/A

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

N/A

TECHNICAL ISSUES

N/A

OTHER SUBSTANTIVE ISSUES

N/A

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS

N/A