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HOUSE BILL 307

**56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024**

INTRODUCED BY  
Raymundo Lara

AN ACT

RELATING TO STATE AGENCIES; CHANGING THE COMPOSITION OF THE  
BORDER AUTHORITY AND THE EXECUTIVE COMMITTEE OF THE AUTHORITY;  
PROVIDING THAT THE BORDER AUTHORITY IS AN ADJUNCT AGENCY  
SEPARATE FROM THE ECONOMIC DEVELOPMENT DEPARTMENT; TRANSFERRING  
PERSONNEL AND DUTIES OF THE BORDER AUTHORITY FROM THE ECONOMIC  
DEVELOPMENT DEPARTMENT TO THE BORDER AUTHORITY; AMENDING AND  
REPEALING SECTIONS OF THE BORDER DEVELOPMENT ACT; MAKING AN  
APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 58-27-4 NMSA 1978 (being Laws 1991,  
Chapter 131, Section 4, as amended) is amended to read:

"58-27-4. BORDER AUTHORITY CREATED--MEMBERSHIP.--

A. The "border authority" is created. The  
authority is ~~[a state]~~ an adjunct agency ~~[and is~~

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1 ~~administratively attached to the economic development~~  
2 ~~department]~~ pursuant to Section 9-1-6 NMSA 1978.

3 B. The authority consists of [~~seven~~] six voting  
4 members, [~~six of whom shall be appointed by the governor. No~~  
5 ~~more than three of those appointed shall belong to the same~~  
6 ~~political party. The seventh member shall be the secretary of~~  
7 ~~economic development or the secretary's designee. The voting~~  
8 ~~members appointed by the governor shall be confirmed by the~~  
9 ~~senate. The lieutenant governor shall serve as a nonvoting ex-~~  
10 ~~officio member. The chair may appoint a nonvoting advisory~~  
11 ~~committee to provide advice and recommendations on authority~~  
12 ~~matters]~~ who shall be appointed in the following manner:

13 (1) one member shall be appointed by the  
14 speaker of the house of representatives;

15 (2) one member shall be appointed by the  
16 president pro tempore of the senate;

17 (3) one member shall be appointed by the  
18 minority floor leader of the senate;

19 (4) one member shall be appointed by the  
20 minority floor leader of the house of representatives; and

21 (5) two members shall be appointed by the  
22 governor.

23 C. The authority shall select a chair and vice  
24 chair from among its members and such other officers as it  
25 deems necessary. The [~~six voting~~] members of the authority

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1 [appointed by the governor] shall be citizens of the state and  
2 shall serve for terms of four years except for the initial  
3 appointees who shall be appointed so that the terms are  
4 staggered after initial appointment. Initial appointees shall  
5 serve terms as follows: two members for two years, two members  
6 for three years and two members for four years. A vacancy on  
7 the authority shall be filled by appointment in the same manner  
8 as the original appointment."

9 SECTION 2. Section 58-27-5 NMSA 1978 (being Laws 1991,  
10 Chapter 131, Section 5, as amended) is amended to read:

11 "58-27-5. AUTHORITY--MEMBERS' COMPENSATION.--[Appointed  
12 voting] Members of the authority shall be reimbursed for  
13 expenses in accordance with those provisions of the Per Diem  
14 and Mileage Act that apply to nonsalaried public officers  
15 unless a different provision of that act applies to a specific  
16 member, in which case that member shall be paid under the  
17 applicable provision. Members [and advisors] shall receive no  
18 other compensation, perquisite or allowance for serving as a  
19 member of or advisor to the authority."

20 SECTION 3. Section 58-27-7 NMSA 1978 (being Laws 1991,  
21 Chapter 131, Section 7) is amended to read:

22 "58-27-7. EXECUTIVE COMMITTEE OF THE AUTHORITY.--The  
23 [chairman] chair and [four] three other authority [voting]  
24 members appointed by [him] the chair shall constitute the  
25 border authority executive committee. The committee shall have

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1 such powers and duties as delegated to it by the authority.

2 [~~The executive director of the authority shall be a nonvoting~~  
3 ~~member of the executive committee.~~]"

4 SECTION 4. TEMPORARY PROVISION--TRANSFER OF  
5 APPROPRIATIONS, EQUIPMENT, SUPPLIES, RECORDS, MONEY AND  
6 CONTRACTS TO THE BORDER AUTHORITY.--On the effective date of  
7 this act:

8 A. all money, appropriations made before or after  
9 the effective date of this act, records, furniture, equipment,  
10 supplies and other property of the economic development  
11 department related to duties transferred to the border  
12 authority, as necessary, shall be transferred to the border  
13 authority;

14 B. all existing contracts and agreements in effect  
15 pertaining to the duties of the border authority under the  
16 economic development department shall be binding and effective  
17 on the border authority; and

18 C. the rules, orders and decisions of the border  
19 authority shall remain in effect until repealed or amended.

20 SECTION 5. REPEAL.--Sections 58-27-6 and 58-27-8 NMSA  
21 1978 (being Laws 1991, Chapter 131, Sections 6 and 8, as  
22 amended) are repealed.

23 SECTION 6. APPROPRIATION.--Fifty thousand dollars  
24 (\$50,000) is appropriated from the general fund to the border  
25 authority for expenditure in fiscal year 2025 and subsequent

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1 fiscal years for expenses related to establishing the border  
2 authority as an adjunct agency separate from the economic  
3 development department. Any unexpended or unencumbered balance  
4 remaining at the end of a fiscal year shall not revert to the  
5 general fund.

6 SECTION 7. EFFECTIVE DATE.--The effective date of the  
7 provisions of this act is July 1, 2024.

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