

LFC Requester:	Boerner, Christine
-----------------------	---------------------------

**AGENCY BILL ANALYSIS
2013 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:

LFC@NMLEGIS.GOV

And

DFA@STATE.NM.US

{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}

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 X **Amendment**
Correction **Substitute**

Date January 28, 2013
Bill No: H 188--305

Sponsor: Rep. Candy Spence Ezzell
Short Contractor Agreement with
Title: Labor Organizations

Reviewing Attorney General's Office
Person Writing Mona Valicenti
Phone: 827-6994 **Email** mvalicenti@nmag.gov

SECTION II: FISCAL IMPACT **FOR LFC OFFICIAL PURPOSES******
AGO STAFF SHOULD LEAVE SHAGED AREAS BLANK

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY13	FY14		

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:

Duplicates/Relates to Appropriation in the General Appropriation Act

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY13	FY14	FY15		

(Parenthesis () Indicate Expenditure Decreases)

Duplicates, Relates to, Conflicts with, Companion to

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY13	FY14	FY15	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

SECTION III: NARRATIVE

This analysis is neither a formal Attorney General’s Opinion nor an Attorney General’s Advisory Opinion Letter. This is a staff analysis in response to the agency’s committee’s or legislator’s request.

BILL SUMMARY

Summary Synopsis:

H 188 adds a new section to Chapter 13, Article 4, Public Works Contracts, that prohibits state agencies or local public bodies, when awarding a public works contract, from requiring that bidders, offerors, contractors or subcontractors enter into or adhere to agreements with a labor organization. The amendment also provides that state agencies or local public bodies cannot prevent bidders, offerors, contractors or subcontractors from entering into or adhering to agreements with a labor organization. Finally, the amendment prohibits state agencies or local public bodies from discriminating against a bidder, offeror, contractor or subcontractor for becoming or refusing to become and remain a signatory to an agreement with one or more labor organizations.

FISCAL IMPLICATIONS WITH ENACTING THIS BILL N/A

SIGNIFICANT LEGAL ISSUES N/A

PERFORMANCE IMPLICATIONS WITH ENACTING THIS BILL N/A

ADMINISTRATIVE IMPLICATIONS WITH ENACTING THIS BILL N/A

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP WITH BILLS
INTRODUCED THIS SESSION S 224**

TECHNICAL ISSUES OR DRAFTING ERROR N/A

OTHER SUBSTANTIVE LEGAL ISSUES N/A

ALTERNATIVES TO ENACTING THIS BILL N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL N/A

AMENDMENTS NEEDED TO IMPROVE THIS BILL N/A