

LFC Requester:	Gary Chabot
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**AGENCY BILL ANALYSIS
2015 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	<input type="checkbox"/>	Amendment	<input type="checkbox"/>	Date	<u>2/12/15</u>
Correction	<input type="checkbox"/>	Substitute	<input checked="" type="checkbox"/>	Bill No:	<u>HB 23s</u>

Sponsor:	<u>Patricia Roybal Caballero</u>	Agency Code:	<u>Attorney General's Office</u>
	NONPROFIT & PUBLIC	Person Writing	<u>Elizabeth K. Korsmo, AAG</u>
Short Title:	SECTOR	Email	
	<u>COLLABORATION GROUP</u>	Phone:	<u>505-660-7593 : ekorsmo@nmag.gov</u>

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY15	FY16		
\$250,000	Appropriation in FY 2015 to be expended in FY 2015 & 2016	Non Recurring	Legislative Cash Balances

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY15	FY16	FY17		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY15	FY16	FY17	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’s Opinion nor an Attorney General’s Advisory Letter. This is a staff analysis in response to an agency’s, committee’s, or legislator’s request.

BILL SUMMARY

Synopsis: House Bill 23 creates the ‘nonprofit and public sector collaboration group’ as an interim legislative work group to function from the date of its appointment until December 1, 2015. The group is to study how the state and local governments can work with non-profit organizations and provide a report on the study to the Health and Human Services Committee, the Economic and Rural Development Committee and any other appropriate interim legislative committees by November 1, 2015.

The group will be composed of fifteen (15) members as follows:

- Four (4) Senators and four (4) Representatives appointed by the LFC and in proportion to the political party representation of the respective legislative bodies;
- Three (3) ‘members whose professional expertise is relevant to the work group’ appointed by the LFC;
- One (1) member of the labor community appointed by the LFC;
- Two (2) members who represent interests affected by business conducted with the state through non-profit organizations appointed by the LFC;
- The Director of the Purchasing Division of GSD (or their designee);
- The Chief of the Contracts Review Division of DFA (or their designee);
- A representative of the Attorney General’s Office, appointed by the AG;
- One (1) member appointed by the Governor.

FISCAL IMPLICATIONS

The bill appropriates \$250,000 for per diem, mileage and other expenses of the work group including any contracting. Remaining funds will revert to the legislative cash balance at the end of FY 2016. The bill contains no allocation to cover the cost of the staff time expended by the members, and in the absence of such allocation, it is assumed that the expense will fall upon the agencies and organizations that appoint the members.

SIGNIFICANT ISSUES Specifically, the work group is to study the ways in which contracting

between state and nonprofit organizations can be improved to meet state programmatic needs and how to build capacity and relationships to meet those needs and benefit both state and nonprofit organizations. It is unclear what programmatic, capacity or relationship needs are at this time being unmet that require this study, nor what specific issues the working group is meant to address.

PERFORMANCE IMPLICATIONS As drafted HB 23 will require the Attorney General's Office to appoint a member and absorb the cost of any staff time spent by the member on the group's task. Any mileage or per diem expenses will be paid by the appropriation made in the bill. Staff for the work group shall be provided by the legislative council service.

ADMINISTRATIVE IMPLICATIONS HB 23 will require the Attorney General's Office to appoint a member. The time commitment required by any member of the working group is unknown.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP N/A

TECHNICAL ISSUES The bill does not describe any criteria to be used by the LFC in making its appointment of the three (3) non governmental professionals other than that their expertise be relevant to the work of the group, nor does it describe any criteria to be used by the LFC in making the appointment of two (2) 'members who represent interests affected by business conducted with the state through non-profit organizations.

OTHER SUBSTANTIVE ISSUES N/A

ALTERNATIVES N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL Status Quo

AMENDMENTS: This bill is a committee substitute by the House Business and Employment Committee. It has added three members more than the original bill and specified that appointments are to come from the purchasing division and the contracts review bureau of the financial control division of DFA.