

LFC Requester:

**AGENCY BILL ANALYSIS
2020 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 **Amendment**
Correction **Substitute**

Date January 29, 2020
Bill No: SJR 7-264

Sponsor: Ivey-Soto, Gonzales, Lundstrom
Short Title: Ethics Commission to establish Salaries for state officials

Agency Name and Code Number: Administrative Office of the District Attorneys 264
Person Writing: Donald Gallegos
Phone: 575-770-3120 **Email:** dgallegos@questalaw.

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY20	FY21		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY20	FY21	FY22		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY20	FY21	FY22	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

BILL SUMMARY

Synopsis:

SJR 7 will amend Article V, §17 of the New Mexico Constitution by giving the State Ethics Commission the authority to review and set the salary of, among other state elected officials, district attorneys. Salaries will be set every odd-numbered year beginning in January 2023.

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.

More duties for the commission will mean more resources.

SIGNIFICANT ISSUES

Removes the job of setting salaries for district attorneys (and other state elected officials) and places it in the State Ethics Commission.

It is not clear from SJR 7 what the benefit, if any, to the State or the elected officials (district attorneys) may be. If passed by the electorate and made law, the legislature will no longer have to spend time in interim budget hearings and legislative committee hearings dealing with the salaries.

A concern will be as to the make-up of the commission and whether it may benefit one or more officials or agencies over others. There may need to be safeguards to make sure salaries are sufficient and equitable.

Another concern is removing the funding of salaries process from the elected representatives to a politically appointed commission. Presently, district attorneys can work with their senators and representatives and those elected officials can be helpful in supporting district attorney salaries.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

District Attorney salaries will continue to be funded as part of the legislative appropriations process.

AMENDMENTS