



RESOLUTION NUMBER: 2023-42

Supporting the 2024 Legislative Priorities of New Mexico Counties

WHEREAS, in August 2023, the New Mexico Counties Board of Directors approved three legislative priorities for consideration by the New Mexico Legislature at its 2024 session; *and*

WHEREAS, NMC has requested that the Board of County Commissioners in each of the state's 33 counties discuss and approve support for NMC's legislative priorities as an important step in assuring maximum understanding of NMC's legislative priorities at the county level; *and*

WHEREAS, county support enables NMC to demonstrate strong local and statewide support to the state legislature for the following issues:

1. HB 2 Appropriations

Detention Reimbursement Fund

Fully fund County Detention Facilities Reimbursement Act Fund to reimburse counties for the actual cost of housing state inmates.

- Currently at \$5 million
- According to the New Mexico Sentencing Commission, the five-year average cost to house New Mexico Corrections Department inmates is \$7.5 million.

Detention Recruitment and Retention

Appropriate \$10 million to the newly formed Corrections Workforce Capacity Building Fund administered by DFA.

- Sufficient numbers of detention staff are essential to a safe and well-operated detention facility which is directly correlated to community safety.
- A public safety recruitment and retention fund would provide local governments with much needed resources to provide detention services to their communities.

Prisoner Transport and Extradition

Create a line item in the DFA budget with \$750,000 to reimburse counties that provide transportation for state prisoners.

- Statute 4-44-18C NMSA requires the state to make such payment.
- Counties should not be responsible to pay for state prisoner extradition.

RISE Funding

Make permanent and increase county participation in the RISE (Reach, Intervene, Support and Engage) Program.

Emergency Medical Services

Create a line item in the Department of Health Emergency Medical Services (EMS) Bureau budget with \$10 million to assist local government EMS services.

- Emergency medical services in New Mexico have been significantly underfunded for years.

- Current state appropriations, taxes collected through local GRT increments, and other sources of revenue do not provide sufficient support to local governments to meet community needs, especially in rural areas of the state.
- EMS services are vital to the health and welfare of New Mexico citizens.

Courthouse Funding

Create a recurring appropriation of \$25 million for construction and renovation of state district courthouses.

- In 2023, the legislature appropriated \$23 million to the Administrative Office of the Courts to assist with critical needs.
- \$15 million was designated to resolve litigation between the 8th Judicial District Court and Otero County and the remaining balance is being distributed based on needs statewide.
- Counties maintain that district courthouses are a state responsibility and that the rising costs of construction, security, and IT necessitate a shared revenue stream.

State Health Benefits Plan

Create a State Health Benefit Fund solvency plan.

- The current State Health Care Benefit Plan is facing an estimated \$149 million deficit.
- The State of New Mexico has not increased premiums in the past three years.
- The General Services Division invoiced local government public bodies (LPB) for approximately \$18 million for previous and projected shortfalls.
- NMC has filed a lawsuit on behalf of 24 counties questioning the legality of these “special assessments.”
- NMC seeks a solution to ensure fund solvency and guarantee proper notice and planning to enable LPBs to adequately budget for increased cost moving forward.

2. Elected Official Salary Increase

Increase the salary cap for newly elected county officials by 15% with a provision for future adjustments to track the Consumer Price Index (CPI).

- Last amended in 2018 (HB69) for increases beginning in 2019.
- Historically adjusted approximately every 4 years.
- Must be in place when newly elected officials take office in 2024.
- CPI provision would eliminate the need for repeated legislative action.

3. Firefighter Recruitment & Retention

Appropriate a \$50 million reoccurring fund to the NM Department of Homeland Security to be administered by the State Fire Marshal’s Office for fire departments to staff, recruit, and retain career and volunteer firefighters.

- Call volume has increased by as much as 50% in the last year.
- Response systems are overburdened.
- Average age of New Mexican volunteer is 65.

NOW, THEREFORE, BE IT RESOLVED that the Roosevelt County Board of Commissioners does hereby support NMC’s legislative priorities as set forth above and urges that legislation incorporating these priorities be enacted by the state legislature during its 2024 session.



PASSED, APPROVED, and ADOPTED on this 17th day of October, 2023 by the Board of Roosevelt County Commissioners in an open meeting in Portales, New Mexico.

**BODY OF COUNTY COMMISSIONERS
ROOSEVELT COUNTY, NEW MEXICO**

ATTEST:

Mandi M Park
Mandi Park, Roosevelt County Clerk



Paul Grider
Paul Grider, *Chair* – District V
Voted: Yes No Abstained

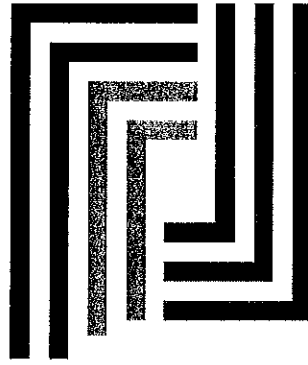
Rodney Savage
Rodney Savage, *Vice Chair* – District II
Voted: Yes No Abstained

Dennis Lopez
Dennis Lopez – District I
Voted: Yes No Abstained

absent
Roy Lee Criswell – District III
Voted: Yes No Abstained

Tina Dixon
Tina Dixon – District IV
Voted: Yes No Abstained





NEW MEXICO COUNTIES

33 STRONG

2024 Legislative Priorities

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Mandi M. Park, Roosevelt Co. Clk., Roosevelt, NM



NMC Legislative Team

Joy Esparsen
Executive Director
jesparsen@nmcounties.org
(505) 660-9629

Grace Philips
General Counsel
gphilips@nmcounties.org
(505) 690-6319

Katherine Crociata
Government Relations
kcrociata@outlook.com
(505) 350-9357

Memorandum

Date: October 4, 2024

To: NMC Board of Directors, Commissioners, and County Managers

From: Joy Esparsen, NMC Executive Director

Re: Protocol for Board of County Commission NMC 2024 Legislative Priority Endorsement

The New Mexico Counties (NMC) Board of Directors approved three legislative priorities for consideration by the New Mexico Legislature during the 2024 session.

1) HB2 Appropriations

- Detention Reimbursement Fund
- Detention Recruitment and Retention
- Prisoner Transport and Extradition
- RISE Funding
- Emergency Medical Services
- Courthouse Funding
- State Health Benefits Plan

2) Elected Official Salary Increase

3) Firefighter Recruitment and Retention

In preparation for the session and in an effort to promote communication among NMC and the 33 counties, we request that board members:

Present the NMC 2024 legislative priorities to their respective Board of County Commission (BCC) for support.


Send a signed copy of your BCC support for the NMC 2024 legislative priorities to Aelysea Webb (awebb@nmccounties.org) by December 31, 2023.

Sincerely,



Joy Esparsen
Executive Director

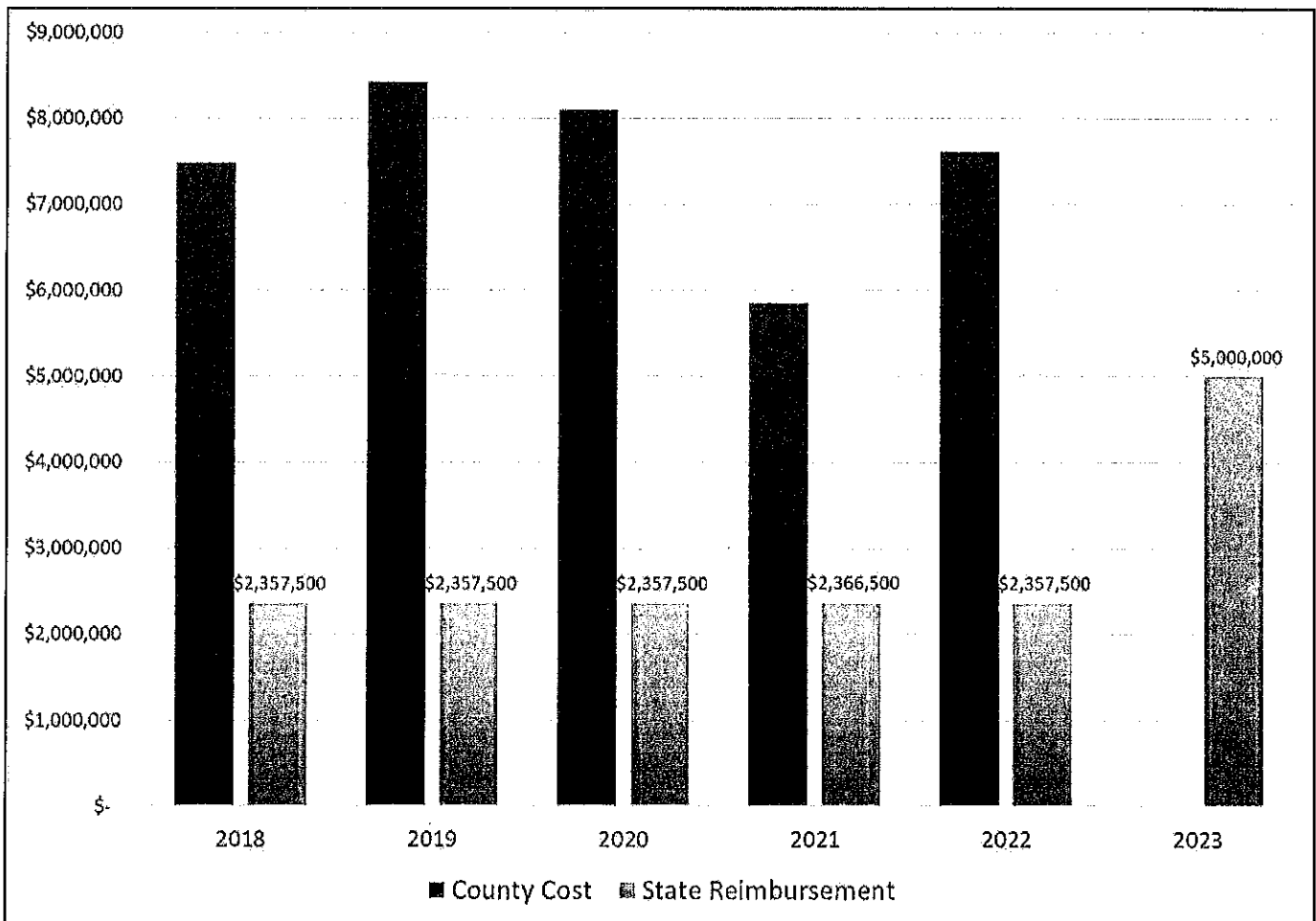
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Mandi M. Park, Roosevelt Co. Clk., Roosevelt, NM



Detention Reimbursement Fund

New Mexico Counties requests an appropriation of \$7.5 million for the County Detention Facility Reimbursement Fund, (NMSA 1978 §33-3B-4), to reimburse counties a percentage of the cost for housing felony offenders who have been sentenced to confinement in state correctional facilities, in county facilities.

The County Detention Reimbursement Fund was created in 2007 with a \$5 million appropriation following litigation between the counties and state. It diminished to less than \$2.5 million over the next decade. The Legislature restored it to the 2007 amount of \$5 million in 2022 but the five-year average cost to house New Mexico Corrections Department inmates has been calculated by the New Mexico Sentencing Commission to be \$7.5 million.



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 Mandi M. Park, Roosevelt Co. Clk., Roosevelt, NM



Detention Recruitment & Retention

New Mexico Counties requests an appropriation of \$10 million for the Detention and Corrections Workforce Capacity Building Fund established by the legislature in 2023 (NMSA 1978 §9-6-19). The Fund was created to assist counties with critical detention officer vacancy levels in county facilities notwithstanding significant pay increases, to attract and retain employees.

Detention Pay Increases

COUNTIES	OFFICERS	OFFICERS	OFFICERS
	2021	2022	2023
Bernalillo	\$17.75	\$19.22	\$20.34*
Chaves	\$13.29	\$15.35	\$15.35
Colfax	\$14.10	\$16.98	\$16.98
Doña Ana	\$13.70	\$17.50	\$18.00
Eddy	\$19.51	\$22.61	\$23.75
Lea	\$15.00	\$26.00	\$26.00
Lincoln	\$13.80	\$18.63	\$20.00
Otero	\$12.00	\$19.53	\$19.53
Rio Arriba	\$14.15	\$18.00	\$21.75
San Juan	\$16.98	\$18.48	\$18.66
San Miguel	\$10.05	\$13.40	\$16.46
Sandoval	\$14.40	\$17.50	\$17.73
Santa Fe	\$16.05	\$21.34	\$26.00
Socorro	\$13.10	\$13.44	\$16.11
Taos	\$14.23	\$16.43	\$21.65
Valencia	\$13.60	\$17.00	\$17.85

*\$21.34 after academy completion

County Detention Vacancies

As of 9/26/2023

County Facility	# of Staff	# Staff Vacancy	% Staff Vacancy
Colfax	30	6	20.00%
De Baca	10	2	20.00%
Sandoval	55	11	20.00%
Doña Ana	219	47	21.46%
McKinley	50	12	24.00%
Curry	64	18	28.13%
Valencia	45	13	28.89%
Santa Fe	64	20	31.25%
Taos	27	9	33.33%
San Juan	95	33	34.74%
Eddy	115	44	38.26%
Otero	62	26	41.94%
Rio Arriba	31	13	41.94%
Quay	22	10	45.45%
Chaves	64	30	46.88%
Bernalillo	400	107	47.98%
Bernalillo (Juvvalto)	95	65	68.75%

Prisoner Transport & Extradition

New Mexico Counties requests an appropriation of \$750,000 to DFA to fund prisoner transport and extradition, as provided by NMSA 1978 § 4-44-18C, for individuals committed by a court to a state institution. Currently, counties provide this service, but the Legislature has not appropriated the funding to provide reimbursement as required by state law.



RISE Funding

New Mexico Counties requests that the Legislature continue and increase funding for the Reach, Intervene, Support and Engage (RISE) Program in the Human Services Department Behavioral Health Services Division budget. RISE is a partnership between the state and selected counties to provide behavioral health, MAT, housing, vocational and other services to people in detention.

RISE is being implemented in Bernalillo (through UNM), Colfax (through Krossroads Integrative Health and Recovery Solutions), Doña Ana, Eddy (through Lifehouse Inc.), Grant, Lincoln, Luna, Roosevelt, San Juan, Sierra, Socorro, and Valencia counties. San Miguel and Curry counties were awarded planning grants for RISE programming. An increase in funding would provide sustainability and enable expansion of this very successful program.

Emergency Medical Services

New Mexico Counties requests an appropriation of \$10 million to the Department of Health Emergency Medical Services (EMS) Bureau to assist local governments with EMS services. Emergency medical services in New Mexico have been significantly underfunded for years and although local governments have assume responsibility for providing these services, they are not statutorily required to do so.

The current state appropriation has dropped to \$2.8 million, less than what was allocated in the mid-1990s. Taxes collected through local GRT increments, and other sources of revenue do not provide sufficient support to local governments to meet community needs, especially in rural areas of the state where county services are often the only response available. A more sustainable shared revenue should be identified.

History of EMS Funding

1978—EMS statute created; distributed \$500,000 to 96 services
1978-1988—EMS services increased from 96 to 227
1980s—GF distribution of \$500,000 to DOH for EMS Fund
1986—State advisory committee recommended sustainable EMS Fund
1987—EMS Fund established "\$1 for Life"; generated \$1.8 Million
1988-1994—EMS services increased from 227 to 294
1992—Legislation to increase the EMS Fund appropriation failed
1994—EMS Fund reverts back to GF
1994—EMS Fund distribution is \$2.9 million for 316 services
2000s—Legislation to add 10¢ to Liquor Tax for EMS Fund failed
2008-2010—EMS Fund distribution is \$3.8 million
2011—Fire Protection Fund amended to include some EMS
2019—Memorial to study sustainable EMS funding needs failed
2020—EMS Fund distribution is \$2.8 million
2020—Legislation to increase EMS Fund to \$5 million failed

Courthouse Funding

New Mexico Counties requests a recurring appropriation of \$25 million for construction, renovation, and other needs of state district courthouses. In 2023, the Legislature appropriated \$23 million to the Administrative Office of the Courts to assist with these critical needs. \$15 million was designated to resolve litigation between the 8th Judicial District Court and Otero County and the remaining balance is being distributed based on needs statewide.

State district courts no longer reflect a single judge residing at a county facility the way the territorial statute first intended. State district courthouse construction can reach well over \$50 million and the addition of a single judge can cost a county \$2-\$3 million for renovation and increased operational support. Counties maintain that district courthouses are a state responsibility and that the rising costs of construction, security, and IT necessitate a shared revenue stream.



State Health Benefits Plan

New Mexico Counties seeks a long-term and sustainable solution for the estimated \$14.9 million deficit in the New Mexico Employee Health Benefits Fund. We ask that the Legislature make an appropriation to rectify the current deficit and develop a plan to thoughtfully address future shortfalls. Participating counties recognize and anticipate that for the fund to be solvent, premium increases may need to be appropriately budgeted for and implemented over the next several years.

Immediately following the 2023 Legislative Session, the General Services Division invoiced local government public bodies (LPB) for prior and anticipated budget shortfalls in the Employee Health Benefits Fund. The State of New Mexico had not increased premiums over the past three years and had not followed through on recommendations to audit provider payments. Participating local governments were not adequately notified of the significant shortfalls and the 24 member counties question the legality of these "special assessments." NMC seeks a solution to ensure fund solvency and guarantee proper notice and planning to enable LPBs to adequately budget for increased costs moving forward.

Elected Official Salary Increase

County elected officials' salaries are capped by New Mexico law. NMSA 1978 §4-44-4. HB410 passed unanimously during the 2023 legislative session but was vetoed. An increase is imperative this year as it would affect any incoming elected officials who take office in January 2025.

Counties have historically received an increase to the salary cap every four years. The cap was last amended in 2018 and currently 14 counties are at the cap. In several counties, the chief deputy official or undersheriff make significantly more than the elected official. The inclusion of a CPI provision would eliminate, or greatly reduce, the need for repeated legislative action. New Mexico Counties requests that the Legislature increase the salary cap for newly elected officials by 15% with a provision for future adjustments to track the Consumer Price Index.

Counties Currently at Salary Cap

Bernalillo
Chaves
Cibola
Dona Ana
Guadalupe
Lea
Luna
McKinley
Rio Arriba
San Juan
San Miguel
Sandoval
Santa Fe
Valencia

Firefighter Recruitment & Retention

New Mexico Counties requests a legislative appropriation for the Department of Homeland Security & Emergency Management's State Fire Marshal's Office (SFMO) to assist local governments with critical needs for career and volunteer firefighter and emergency services staffing, recruitment, and retention. Call volume statewide has increased by as much as 50% this past year and many response systems are overburdened. Currently, 19 fire and emergency response districts are at risk of being shut down because they do not meet the response requirements necessary to serve their communities.

New Mexico's counties rely heavily on volunteer personnel for fire, EMS, and emergency management services. In many counties, paid staff is limited to one or two individuals. SFMO data reflects a 17% decrease in volunteer personnel since the pandemic. Individuals are more reluctant to volunteer or aging out of the service and younger generations are not backfilling these losses. This dramatic change necessitates additional funding for recruitment and retention efforts for volunteers, as well as long-term solutions to help local governments add additional paid staff positions.

