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FISCAL IMPACT REPORT

SPONSOR:	Stockard	DATE TYPED:	01/26/00	HB	
SHORT TITLE:	Reimburse Law Enforcement Training Facilities			SB	108
				ANALYST:	Trujillo

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY00	FY01	FY00	FY01		
		See Fiscal Implications Narrative		Recurring	GF

(Parenthesis () Indicate Expenditure Decreases)

Relates to SB1

SOURCES OF INFORMATION

LFC Files

Department of Public Safety (DPS)

SUMMARY

Synopsis of Bill

Senate Bill 108 requires the Department of Public Safety (DPS) Training and Recruiting Division to reimburse regional law enforcement training facilities for 50% of the costs of their operations.

Significant Issues

DPS reports that without additional funding to accomplish this function, DPS Training would expend their entire budget to do this with nothing left for their own operations.

DPS questions the meaning of the term "certified regional law enforcement training facilities." DPS reports satellite law enforcement academies already draw state funding from other sources.

FISCAL IMPLICATIONS

According to DPS, the Training and Recruiting Division has a staff of 20, and a yearly budget of \$1.6 million; 50% of their costs would exceed the Training and Recruiting Division's yearly budget and allow no money to remain for its own operations.

ADMINISTRATIVE IMPLICATIONS

According to DPS, it would require 2 additional FTE to monitor, audit and process payments for this program.

In FY99, DPS trained about 242 law enforcement officers and dispatchers in basic training classes, and about 3000 in advanced training classes. DPS estimates the 10 satellite academies together have approximately 42 employees, and trained 313 law enforcement officers and dispatchers in basic training classes. DPS does not know how many advanced students went through classes sponsored by the satellite academies, but estimates it was less than 500, based on the classes accredited.

CONFLICT/DUPLICATION/COMPANIONSHIP/RELATIONSHIP

DPS reports SB 1 would separate DPS Training into a separate agency. Without additional funding, there would not be funds to operate the newly independent agency if this bill were passed. LFC staff dispute this claim since SB1 includes the transfer of personnel, functions, appropriations, money and other property to each of the new agencies.

TECHNICAL ISSUES

According to DPS, there are no certified regional law enforcement training facilities in the state. The New Mexico Law Enforcement Academy Board has recognized 10 accredited satellite law enforcement academies. This language difference could be significant. For example, without further amendments, the Federal Law Enforcement Training Center, which operates a regional center in Artesia could justifiably require that 50% of its costs were reimbursed, as could the Department of Energy for their Central Training Academy at Kirtland AFB.

OTHER SUBSTANTIVE ISSUES

DPS is not aware of the budget levels for the satellite academies or the fiscal controls of their governing bodies. DPS reports of the 10 satellite academies:

- 4 are affiliated with colleges or universities, and draw tuition from the students, plus FTE formula allotments from the state.

- 4 are affiliated with local law enforcement agencies, and receive state Law Enforcement Protection Fund (LEPF) monies, which are statutorily restricted to funding training and equipment.
- 1 is a tribal law enforcement agency, which receives its funding from the federal government and the LEPF.
- The remaining satellite academy is the State Police, which is another division within DPS and is funded for training through the legislative budget process.

In each case, the academies are already taking advantage of state funding. The rhetorical question to ask would be if they would be returning that commensurate portion of the other money to the state if they received this funding.

DPS Training is the only agency in state government with the statutory mandate to train law enforcement officers and dispatchers. Of the 270+ law enforcement agencies in the state, about 15-20 participate in the satellite academies, and these are some of the state's largest law enforcement agencies. Two of the university-based satellite academies cater primarily to pre-service civilians. The other 250 small agencies depend on the DPS academy for their basic training.

Every satellite academy in the state operates because of a choice to do so, not a requirement. This choice has to do with a number of factors, and the ones that are mentioned most often are meeting local needs in expanded curriculum, tradition, control, and travel time. The operation of the satellite academies do provide some measure of relief on DPS Training because the division is not funded to the level required to train all personnel in the state.

DPS recognizes the satellite academies serve a function, but their budget needs should be considered on their individual merits, not in competition with or at the expense of the DPS academy.

The Association of Counties reports SB108 could result in lower costs for counties to send prospective sheriff deputies to the regional training facilities depending on how the agency administers the budget and the schedule.

LAT/gm