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## FISCAL IMPACT REPORT

SPONSOR Kernan DATE TYPED 01/25/05 HB \_\_\_\_\_

SHORT TITLE NM Law Enforcement Training Academy Duties SB 137

ANALYST Ford

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
	See narrative		See narrative		

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Energy, Minerals, and Natural Resources Department (EMNRD)

Department of Public Safety (DPS)

### SUMMARY

#### Synopsis of Bill

Senate Bill 137 requires the New Mexico law enforcement academy board to approve certified regional law enforcement training facilities and permit any law enforcement agency in the state to send its students to those facilities.

#### Significant Issues

The New Mexico law enforcement training academy was established to provide a planned program of basic law enforcement training and in-service law enforcement training for police officers, and to provide ongoing instruction and seminars to law enforcement within the state. It serves students from a variety of local, state and federal law enforcement agencies.

According to the academy, law enforcement officers from state agencies (with the exception of the state police) must attend the academy, which is located in Santa Fe. By contrast, local law enforcement agencies may choose to send their officers to the academy or to regional training facilities. This bill would allow all state agencies to choose between sending their officers to the academy or to regional facilities.

The state police operates its own training facility; its officers do not attend the academy. However, other state agencies employ law enforcement personnel, such as the Department of Game and Fish and the State Parks Division within EMNRD. These personnel must be trained at the academy.

The academy is required to generate revenue, which it does by charging fees for its various training courses.

The Basic Training Program is a 20 week program located in Santa Fe. Students must attend 5 days per week. The costs of the academy vary depending on the agency and on the specific training that is necessary. The academy offers other training programs as well. State agencies pay the fees to send their students to the academy. They may also have to pay travel costs related to the training.

### **FISCAL IMPLICATIONS**

DPS indicates this bill would result in a loss of revenue to the New Mexico law enforcement academy because of the loss of students. DPS estimates this loss at \$79 thousand annually, the amount of fee revenue generated by students from state agencies. However, this assumes that all state agencies would elect to send all of their officers to one of the regional facilities instead of the academy. DPS raises concerns that this loss of revenue would force the academy to reduce the services it offers, which are currently available to all law enforcement agencies as well as civilians. In addition, if more regional training facilities develop as a result of this bill, more local agencies may be inclined to send their officers to regional facilities instead of the academy. Because of these various unknowns, total revenue loss to the academy is difficult to predict.

While the bill may result in revenue losses to the academy, it may also result in cost savings to agencies that employ law enforcement personnel. For example, EMNRD indicates that the required training represents a major human resources and financial investment by the State Parks Division, which has 90 staff positions with a law enforcement requirement (or approximately one-third of its full-time staff). EMNRD also notes that the extensive travel required by some of its personnel to attend the 20 week program is a significant personal burden.

The availability of additional training facilities in various locations may help certain state agencies avoid some training and travel costs. Local law enforcement agencies may also realize these cost benefits.

Because it is unclear how many new training facilities would be established and available to state agencies, the total fiscal impact to the state is indeterminate.

### **ADMINISTRATIVE IMPLICATIONS**

The New Mexico law enforcement academy board would have to develop a process for certifying regional training facilities.

### **OTHER SUBSTANTIVE ISSUES**

DPS notes that the board already has the authority to waive its requirements and allow state agencies to send officers to regional facilities.

**ALTERNATIVES**

DPS suggests the alternative that the academy be directly funded for its full operating costs rather than being required to raise its revenue from its students. DPS argues this would lead to improved service to all law enforcement services.

**POSSIBLE QUESTIONS**

Would the loss of state students require the New Mexico law enforcement academy to reduce its services to other agencies? Could smaller law enforcement agencies be adversely affected by this loss in services?

Would the ability to send students to regional academies result in cost savings to those state agencies?

**EF/lg:yr**