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FISCAL IMPACT REPORT

ORIGINAL DATE 2/20/07

SPONSOR Griego LAST UPDATED _____ HB _____

SHORT TITLE Mora Detention Facility Incarceration Costs SB 1144

ANALYST Propst

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY07	FY08		
	\$250.0	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Finance and Administration (DFA)

SUMMARY

Synopsis of Bill

Senate Bill 1144 appropriates \$250.0 to pay detention expenses incurred by the County of Mora.

FISCAL IMPLICATIONS

The appropriation of \$250.0 contained in this bill is a recurring expense to the General Fund. Any unexpended or unencumbered balance remaining at the end of FY08 shall revert to the General Fund.

SIGNIFICANT ISSUES

DFA reports that in September 2005 the Mora County Commission made a Declaration of Emergency because the State Fire Marshall's Office issued a cease and desist order forcing all county employees to move out of the county courthouse because it was deemed structurally unsafe for occupation. The financial situation at the time also forced the County to place employees on a 32-hour reduced workweek; two certificates of deposit had to be redeemed in order to meet payroll for two pay periods; and the County had to enter into a memorandum of understanding with the Department of Finance & Administration (DFA) in order for DFA to

oversee their finances. Due to a series of numerous events affecting the finances of the County, the MOU is still in effect.

The County of Mora does not have the tax base needed to keep up with its operating expenses and thus, has to rely on funds received from the Small Counties Assistance Fund. However, operating expenses, especially incarceration costs, are surpassing the funding resources available to the County.

As of December 31, 2007 Mora County had a Corrections Fund deficit of \$217,825 which is expected to be close to \$250,000 by the end of the current 2006-07 fiscal year.

Passage of this legislation would alleviate the current corrections deficit and allow the County to achieve a 40-hour workweek for all its employees and reestablish its budget requirements sooner so that the MOU with DFA will no longer be necessary.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

HB 316 and SB 410 – appropriate \$5,000,000, setting aside approximately 30% to non-class A counties based on NM Sentencing Commission formula.

HB 357 and SB 192 – appropriate \$5,000,000 to all counties based on NM Sentencing Commission formula.

SB 1181 – appropriates \$4,000,000 to 19 small counties, including Mora County, based on NM Sentencing Commission formula.

POSSIBLE AMENDMENTS

DFA recommends the following amendments:

- 1.) Page 1, line 18, after the word "expenditure" add "in fiscal year 2007 and".
- 2.) Page 1, line 18, strike "some of".
- 3.) Page 1, line 19, strike "the detention facility in".
- 4.) Include an emergency clause.

WEP/csd