

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current FIRs (in HTML & Adobe PDF formats) are available on the NM Legislative Website (legis.state.nm.us). Adobe PDF versions include all attachments, whereas HTML versions may not. Previously issued FIRs and attachments may be obtained from the LFC in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

ORIGINAL DATE 1/24/06
 LAST UPDATED 2/7/06 HB _____

SPONSOR Rawson

SHORT TITLE NM Mounted Patrol Annual In-service Training SB 69/aSPAC

ANALYST Peery

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY06	FY07		
	\$50.0	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Response Received From
 Department of Public Safety (DPS)

No Responses Received From
 Governor's Office/Homeland Security (GHS)
 Municipal League (ML)
 Association of Counties (AC)

SUMMARY

Synopsis of SPAC Amendment

The Senate Public Affairs Committee amendment to Senate Bill 69 removes the word “annual” from page one, line 11 and page 2, line 12. The amendment removes “to develop and implement a planned” to be replaced by “for a” on page two, line 12. The amendment inserts on page two, line 13, after the word members the following: “to be developed and implemented by the board of directors of the New Mexico mounted patrol”. The amendment strikes page one, line 16 through page two, line eight, deleting section one in its entirety and replacing it with “IN-SERVICE LAW ENFORCEMENT TRAINING OF THE NEW MEXICO MOUNTED PATROL.—The board of directors of the New Mexico mounted patrol shall develop and implement an in-service law enforcement training program for members of the New Mexico mounted patrol”.

Synopsis of Bill

Senate Bill 69 appropriates \$50.0 from the general fund to the Department of Public Safety for the purpose of developing and implementing a planned program of annual in-service law enforcement training for New Mexico mounted patrol members. The proposed legislation amends Section 29-6-4.1 NMSA 1978 to give authority to the Law Enforcement Academy board to develop, implement and approve basic law enforcement training and annual in-service law enforcement training for the New Mexico mounted patrol members. It further amends the section to give the Law Enforcement Academy board authorization to promulgate the necessary rules setting program standards and recordkeeping requirements.

FISCAL IMPLICATIONS

The appropriation of \$50.0 contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2007 shall revert to the general fund.

In regards to the Senate Public Affairs Committee amendment, DPS states the appropriation in the proposed legislation may cover most of the logistical costs associated with the program. DPS reports these costs may include housing and feeding mounted patrol members during the in-service program while at the academy. DPS states the appropriation will not cover an additional FTE that may be needed to manage and coordinate the program.

SIGNIFICANT ISSUES

In regards to the Senate Public Affairs Committee amendment, DPS states although the mounted patrol will be the ones mandated to develop and implement an in-service training program for its members, the funding for the program is awarded to the Department of Public Safety and it is unclear what role the department will play in this initiative. DPS states it appears the Law Enforcement Academy may be tasked with administering the program, accrediting the curriculum, and record keeping functions.

The Law Enforcement Academy currently does not certify the NM mounted patrol members as commissioned police officers. Currently, the Law Enforcement Academy reviews and advises the NM mounted patrol members on their curriculum. The NM mounted patrol members are commissioned by the chief of the State Police upon meeting application requirements based on Section 29-6-4.2 NMSA 1978. In order for NM mounted patrol members to become commissioned police officers they would have to complete the Law Enforcement Academy. DPS reports the Law Enforcement Training Act Section 29-7-1 NMSA 1978 may have to be amended to accommodate the mandates of the proposed legislation.

ADMINISTRATIVE IMPLICATIONS

DPS states enacting the proposed legislation will substantially increase the workload for existing staff at the Law Enforcement Academy. DPS reports an additional FTE would be required to manage and coordinate the new proposed program. DPS states training an additional 150 plus mounted patrol members a year, assuming the program is administered by the Law Enforcement Academy, will increase the number of rooms at the academy. DPS reports it will become increasingly difficult to schedule an additional 150 plus people in between an already busy sched-

ule. DPS states the program will also add additional duties to the academy staff such as data entry and record keeping to track the training for the mounted patrol members.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

The proposed legislation has a relationship to Senate Bill 68 regarding an annual in-service training day for the Civil Air Patrol members.

TECHNICAL ISSUES

DPS reports the proposed legislation does not make it clear what role the Department of Public Safety will play in this program.

The Senate Public Affairs Committee amendment to Senate Bill 69 has the following technical issues:

- The amendment calls to the deleting of Section One in its entirety noting the striking of page one, line 16 through page two, line eight; however, to delete Section One in its entirety would require striking page one, line 16 through page two, line 10.
- The amendment calls for striking “to develop and implement a planned” and insert “for a” and strike “annual” on page two, line 12; however, the actual reference should be page two, line 14.
- The amendment calls for after “members” inserting “to be developed and implemented by the board of directors of the New Mexico mounted patrol” on page two, line 13; however, the actual reference should be page two, line 16.

OTHER SUBSTANTIVE ISSUES

DPS states the proposed legislation does not mandate the accreditation of the in-service program by the Law Enforcement Academy. Accreditation is beneficial for a number of reasons, but primarily the training curricula, once accredited, will be archived at the academy for future reference. DPS states the accredited curricula may be used for advanced training certifications.

ALTERNATIVES

DPS states a viable alternative to this proposal would be to mandate that all mounted patrol members meet existing biennium training requirements for law enforcement officers. DPS states the mounted patrol members function as regular police officers when called into duty so it makes sense to have them meet all existing standards for police officer training. DPS states the current requirements mandate that all police officers in New Mexico receive a minimum of 40 hours of maintenance and advanced training in certain areas as mandated by the Law Enforcement Academy board.

RLP/mt:yr