

BERNALILLO COUNTY

BOARD OF COUNTY COMMISSIONERS

ADMINISTRATIVE RESOLUTION NO. 2018-84

A RESOLUTION INTRODUCING THE LEGISLATIVE POLICY PRIORITIES FOR THE COUNTY OF BERNALILLO FOR THE FIFTY-FOURTH LEGISLATURE, FIRST SESSION, OF THE STATE OF NEW MEXICO.

1. General County

- A. Oppose any legislation that 1) proposes any revenue reductions, 2) adversely affects funding sources or 3) diminishes the County's regulatory authority, provided however, that some revenue and regulatory related proposals that promote economic development, create jobs, or enhance public services will be evaluated on a case by case basis.
- B. Support increased funding to the Second District Judicial Court, District Attorney, Public Defenders, and Metropolitan Court that enables them to become more financially self-sufficient.
- C. Support a funding partnership with the State of New Mexico for pretrial services and court initiatives.
- D. Support Public Employees Retirement Association (PERA) reform to achieve and maintain solvency.
- E. Support a public option buy-in for health care coverage for the working poor who are not eligible for Medicaid.
- F. Support a memorial to study and provide recommendations to reconcile nonprofit agencies, their capital outlay requests via local governments, and the anti-donation clause.
- G. Support legislation for background checks on all gun sales.

2. County Manager Division

- A. Support additional economic development funding statewide through more Local Economic Development Act (LEDA) and Job Training Partnership Act (JTPA) funds and other local economic development tools.
- B. Support amendments to Property Assessed Clean Energy (PACE) legislation that resolves jurisdictional constraints between cities and counties and the order of lienholders. Such amendments would allow counties to regulate for PACE within both the incorporated and unincorporated areas of the counties, and would expressly grant statutory lien authority for liens of eligible lenders under PACE to hold the same priority as property tax liens.

3. Bernalillo County Sheriff's Office

- A. Amend State Statute 4-41-16 to increase the legal processing service fee from \$40 per case to \$60 per case. This increase is required to cover BCSO's full and variable costs for processing each case. Case processing involves either a court writ, order, subpoena, or summons each of which has different notification and documentation requirements that rely on BCSO human and material resources to varying degrees.

4. Health and Public Safety Division

- A. Support legislation and/or funding that:
 - 1) Increases funding for school-based health centers, case management, mental health, and substance abuse counseling in public schools;
 - 2) Supports funding for early childhood intervention programs.

- 1 B. Support a Health Professional Recruitment Bill to require all health professional-related
2 boards and commissions overseen by the Regulation and Licensing Department (RLD),
3 the Board of Nursing and the Medical Board to submit reports that identify any and all
4 board/commission requirements that are not required nationally that could be eliminated
5 or changed to facilitate others with those licenses from other states to practice in NM.
- 6 C. Support an appropriation for Law Enforcement Assisted Diversion (LEAD) in HB 2 for
7 general support for law-enforcement-assisted diversion in and the establishment and
8 operation of law-enforcement-assisted diversion in Bernalillo County.
- 9 D. Support funding for Loan Repayment/Debt Forgiveness/Health Service Corps Programs
10 to be earmarked for behavioral health professionals wishing to serve in rural New Mexico
11 and underserved areas of Bernalillo County to expand the number of mental health
12 providers who can participate in such programs and serve underserved areas.
- 13 E. Amend the Real ID Act and other law as needed to allow “Book out Sheets” or
14 “Discharge Sheets” issued to inmates upon release to be accepted as a form of legal
15 identification for the purposes of obtaining a Driver’s License or NM Identification Card.
- 16 F. Support legislation that reduces recidivism and criminal activity, through funding for
17 programs and resources for those on pre-trial supervision, probation, or qualified inmates
18 transitioning from incarceration to the community.
- 19 G. Remove Narcan possession as a probation violation.
- 20 H. Support a recurring appropriation for data integration initiatives statewide to promote
21 criminal justice and behavioral health data sharing and remove barriers while still
22 complying with data protections.
- 23 I. Amend the Mental Health Code (NM Stat § 43-1-19, NM Statutes Chapter 43:
24 Commitment Procedures; Article 1: Mental Health and Disabilities; Section 19
25 Disclosure of information) to allow protected information related to persons with mental
26 health issues, substance use disorders or developmental disabilities to be shared with
27 covered/qualified entities for research purposes once a covered/qualified entity has
28 received certification as a covered/qualified entity. HIPAA rules (45 CFR 164.501,
29 164.508, 164.512(i) (See also 45 CFR 164.514(e), 164.528, 164.532) establishes the
30 conditions under which protected health information may be used or disclosed by covered
31 entities for research purposes.
- 32 J. Adequately fund the Bernalillo County Criminal Justice Coordinating Council that
33 coordinates discussions between stakeholders within the criminal justice system,
34 evaluates and pursues consensus criminal justice initiatives and reforms, and implements
35 recommendations from the Legislative Finance Committee’s July 2018 report entitled
36 “*Program Evaluation: Review of the Criminal Justice System in Bernalillo County.*”
- 37 K. Urge the State of New Mexico Human Services Department to expedite Medicaid
38 funding and provider reimbursement for services associated with behavioral health crisis
39 funding and response regulations.
- 40 L. Support legislation to allow Medicaid reimbursement for behavioral health crisis
41 response treatments and services in hospital and residential settings.
- 42 M. Urge the State of New Mexico Human Services Division to seek Medicaid reimbursable
43 funding to leverage the federal 4:1 match, for crisis response services such as a triage
44 center, for all services associated with behavioral health crisis funding and response
45 regulations, and for an increase to the behavioral health reimbursement rate schedule.

- 1 N. Expand Medicaid’s transportation services for behavioral health clients to provide
2 transportation for the high volume of behavioral health utilizers, instead of simply based
3 on medical need, to allow utilizers to stay out of crisis for longer periods of time.
- 4 O. Oppose legislation that would diminish funding for LDWI funds to HSD or to any other
5 programs, offices, or departments. Provided however, that if provisions in contract, rule
6 or statute assures an equivalent or greater amount of prevention or treatment resources for
7 existing alcohol or substance abuse services for Bernalillo County, including social
8 model detox, then a diversion of funds for the purpose of matching federal Medicaid
9 funds may be considered for support.
- 10 P. Propose and/or support legislation to reclassify certain low-level petty misdemeanors
11 from criminal penalties to civil penalties, reduces the penalties associated with other
12 select offenses, such as Driving on a Suspended License, and limits the bench warrant
13 authority of Magistrate, Municipal, and Metropolitan Courts to offenses that carry actual
14 jail time.
- 15 Q. Propose and/or support legislation requiring the Human Services Division to increase the
16 compensation paid for forensic competency evaluations ordered in criminal proceedings
17 in order to ensure a sufficient number of qualified evaluators to mitigate the current
18 undue delay and unnecessary incarceration while waiting for competency evaluations.
- 19 R. Propose and/or support legislation to clarify by statute that small bonds (\$5-100) are not
20 required to ensure that the defendant gets credit for time served when the defendant is
21 also held in another case.
- 22 S. Amend the Children’s Code by following the recommendation of the Domestic Minor
23 Sex Trafficking Task Force that the code no longer treat children participating institution
24 as criminals, but instead treat them as victims in order to enable better service delivery
25 and prosecute sex traffickers.
- 26 T. Support legislation to enact a ban on traps, snares, and poisons on public lands to protect
27 public safety and native wildlife.
- 28 U. Support legislation that addresses the complex needs of New Mexico’s vulnerable
29 families by enabling the sharing and analysis of data across agencies and promoting
30 cross-sector research and collaboration to identify evidence-based programs.
- 31 V. Monitor, evaluate, and if appropriate support efforts to revise, update or reform the
32 criminal code in a manner that protects public safety through sensible reforms that
33 streamline the criminal code and promote efficacy and fairness within the criminal justice
34 system, including the competency statute, certain violent felony offenses, certain
35 nonviolent offenses, and certain sentencing provisions.
- 36 W. Monitor, evaluate, and given Bernalillo County’s role in the criminal justice system,
37 support, when appropriate, initiatives that seek to implement reforms that improve access
38 to treatment and diversionary programs as well as other beneficial services, increase
39 equitable funding for relevant stakeholders, streamline processes, and promote efficiency
40 within the criminal justice system as a whole. Oppose efforts that could promote or cause
41 inefficiencies and inequities in the criminal justice system and reduce access to beneficial
42 programs that will reduce recidivism, improve access to services and promote efficiency
43 in the system.

44 **5. Community Services Division**

- 45 A. Support legislation that would provide for limited liability in agritourism activities.

- 1 B. Support increased legislative funding for the Community Schools Act that provides
- 2 extended learning opportunities, increases family engagement and support services, and
- 3 supports school-based or linked health care.
- 4 C. Support recurring operational funding in HB 2 or other appropriation bill for a Bernalillo
- 5 County Tiny Home Village for the homeless.
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7 **6. Finance Division**

- 8 A. Support GRT Reform legislation that does not negatively affect counties, and provides
- 9 flexibility and authority to counties in developing and implementing local tax policy.
- 10 B. Support legislation that allows local county and city governments to review state data
- 11 relative to tax distributions to local jurisdictions.
- 12 C. Yield Control Issues:
- 13 1) Support an amendment to Section 7-38-34 NMSA 1978 that removes the
- 14 requirement for the County Commission to issue its own order and increases the
- 15 five-day rule.
- 16 2) Amend Section 7-37-7 NMSA 1978 Property Tax Language. Request that the
- 17 legislature appoint a committee of state and local economic and finance
- 18 professionals tasked to develop a mechanism allowing taxing authorities the
- 19 ability to decrease or maintain prior year tax rates while still maintaining the
- 20 intent of the property tax law.
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22 **7. Public Works Division**

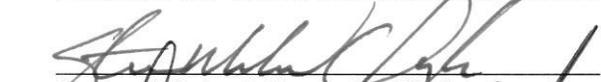
- 23 A. Urge the State of New Mexico to pursue primacy for the National Pollution Discharge
- 24 Elimination System (NPDES) program by the New Mexico Environment Department
- 25 instead of the Environmental Protection Agency's Region VI office in Dallas, Tx.
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1 **NOW THEREFORE BE IT RESOLVED**, by the Board of County Commissioners, the
2 governing body of the County of Bernalillo that the legislative program described herein for the
3 Fifty-fourth Legislature, First Session, of the State of New Mexico is hereby approved and
4 adopted.

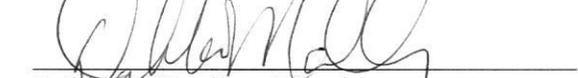
5 **BE IT FURTHER RESOLVED**, that this Administrative Resolution shall terminate on
6 December 31, 2019, or upon adoption of an Administrative Resolution establishing the 2019
7 legislative priorities, whichever occurs first.

8 **DONE** this 11th day of December, 2018.
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BOARD OF COUNTY COMMISSIONERS


Steven Michael Quezada, Chair


Lonnie C. Talbert, Vice Chair


Debbie O'Malley, Member


Maggie Hart Stebbins, Member


James E. Smith, Member



APPROVED AS TO FORM:


W. Ken Martinez, County Attorney

ATTEST:


Linda Stover
County Clerk

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