

HOUSE BILL 574

42ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1995

INTRODUCED BY

Veto

myself

R. David Pederson
Raymond P. Cook
Thomas S. Boyer
Monte S. Boyer
Cisco McSorley

AN ACT

RELATING TO JUVENILE SERVICES; REVISING THE CRITERIA FOR GRANT APPLICATIONS PURSUANT TO THE PROVISIONS OF THE REGIONAL JUVENILE SERVICES ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 33-12-1 NMSA 1978 (being Laws 1994, Chapter 16, Section 1) is amended to read:

"33-12-1. SHORT TITLE.--~~[This act]~~ Chapter 33, Article 12 NMSA 1978 may be cited as the "Regional Juvenile Services Act".

Section 2. Section 33-12-2 NMSA 1978 (being Laws 1994, Chapter 16, Section 2) is amended to read:

"33-12-2. PURPOSE.--The purpose of the Regional Juvenile Services Act is to:

A. establish ~~[a regional system]~~ eight regional

HB 574

1 systems of juvenile services, including secure detention
2 facilities for juveniles and nonsecure alternatives to
3 detention;

4 B. provide cost-effective care, through a continuum
5 of services, to juveniles referred to juvenile probation and
6 parole offices; and

7 C. encourage the state, counties, [~~and~~]
8 municipalities and tribal governments to act in a cooperative
9 fashion to provide juvenile services."

10 Section 3. Section 33-12-5 NMSA 1978 (being Laws 1994,
11 Chapter 16, Section 5) is amended to read:

12 "33-12-5. CRITERIA FOR GRANT APPLICATIONS.--Units of
13 local or tribal government or nonprofit organizations may
14 apply for grants from the regional juvenile services grant
15 fund, provided that:

16 A. for regional nonsecure alternative programs:

17 (1) the juvenile has been referred to the
18 program by the juvenile probation and parole office;

19 (2) the program's primary purpose is to
20 provide an alternative to placement in a secure juvenile
21 detention facility;

22 (3) one or more units of local or tribal
23 government agree to provide the required local matching funds;

24 (4) a region is identified and a formal
25 regional organization is established;

underscored material = new
[bracketed material] = delete

(5) no more than eight regions will be
recognized statewide;

~~[(4)]~~ (6) the children's court division of
the district court that has jurisdiction over the juvenile
placed in the nonsecure program has approved the use of the
program for such purposes; ~~[and~~

~~(5)]~~ (7) the amount of the grant application
does not exceed ~~[sixty]~~ ninety percent of the total annual
cost for the nonsecure alternative program; and

(8) a local match of project costs may
consist of money, land, equipment or in-kind services;

B. for planning, assessment and design of a
regional system of juvenile services:

(1) the grant application is for a project
that will serve multiple contiguous counties, municipalities,
Indian tribes or pueblos;

(2) no more than eight regions will be
recognized statewide; and

(3) the amount of the grant application does
not exceed ~~[seventy-five]~~ ninety percent of the total cost for
planning, assessing and designing the regional system of
juvenile services; or

C. for development of multipurpose regional
facilities:

(1) the applicant certifies that it is

HB 574

1 willing and able to operate a multipurpose regional facility
2 in conformance with standards for detention facilities set
3 forth in the Children's Code;

4 (2) only juveniles will be detained or
5 sheltered in a proposed multipurpose regional facility;

6 (3) no more than eight regions will be
7 recognized statewide;

8 [~~(3)~~] (4) the grant application includes
9 formal arrangements for provision of adequate space for
10 nonsecure services within the multipurpose regional facility,
11 including emergency shelter and emergency treatment services;

12 [~~(4)~~] (5) the region, composed of multiple
13 contiguous counties, municipalities, Indian tribes or pueblos,
14 that will use the multipurpose regional facility has been
15 identified and established pursuant to a joint powers
16 agreement entered into by units of local or tribal government
17 within the region;

18 [~~(5)~~] (6) a formal agreement is entered into
19 by all judicial districts within a region pledging the
20 districts' intent to cooperate with a plan for a regional
21 system of juvenile services; [~~and~~

22 (6)] (7) the amount of the grant application
23 does not exceed [~~fifty~~] ninety percent of total project costs
24 for the development of a multipurpose regional facility; and

25 (8) a local match of project costs may

underscored material = new
[bracketed material] = delete

consist of money, land, equipment or in-kind services."

Section 4. Section 33-12-6 NMSA 1978 (being Laws 1994, Chapter 16, Section 6) is amended to read:

"33-12-6. CRITERIA FOR APPROVAL OF APPLICATIONS.--

A. Upon receipt of an application for a grant from the regional juvenile services grant fund for a nonsecure alternative program or service, the children, youth and families department shall certify that the alternative program will serve juveniles who would otherwise have been placed in secure detention.

B. Upon receipt of an application for planning, assessment and design of a regional system of juvenile services, the children, youth and families department shall certify that the application is for a project that will serve multiple contiguous counties, municipalities, Indian tribes or pueblos.

C. Upon receipt of an application to develop a multipurpose regional facility from the regional juvenile services grant fund, the children, youth and families department shall certify that the proposed development of a multipurpose regional facility set forth in the application conforms to standards for detention facilities set forth in the Children's Code and administrative regulations promulgated by the children, youth and families department. For those applicants for a multipurpose regional facility, priority

HB 574

shall be given to an applicant whose plan includes:

(1) provisions for a regional system of juvenile services within an area composed of multiple contiguous counties, municipalities, Indian tribes or pueblos;

(2) an executed agreement between all judicial districts within the area pledging the respective districts' intent to use the proposed multipurpose regional facility for the detention of juveniles; and

(3) joint powers agreements between all units of local and tribal government within the ~~[area]~~ region."

Section 5. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 1995.

- 6 -

underscored material = new
[bracketed material] = delete

State of New Mexico

House of Representatives

FORTY-SECOND LEGISLATURE
FIRST SESSION, 1995

February 15, 1995

Mr. Speaker:

Your JUDICIARY COMMITTEE, to whom has been referred

HOUSE BILL 574

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 2, between lines 9 and 10, insert the following new section:

"Section 3. Section 33-12-3 NMSA 1978 (being Laws 1994, Chapter 16, Section 3) is amended to read:

"33-12-3. REGIONAL JUVENILE SERVICES GRANT FUND--PURPOSE.--

A. The "regional juvenile services grant fund" is created in the state treasury.

B. All money appropriated to the regional juvenile services grant fund or accruing to the fund as a result of a gift or deposit shall not be transferred, encumbered or disbursed in any manner except as provided pursuant to the provisions of the Regional Juvenile Services Act. Interest earned on the fund shall be credited to the general fund.

C. Money in the regional juvenile services grant fund shall be used for the purpose of assisting units of local or tribal government with:

(1) provision of temporary, nonsecure alternatives to detention for juveniles who have been referred to the juvenile probation and parole office;

(2) planning, assessment and design of a regional system of juvenile services, including secure detention and nonsecure alternatives, that serves multiple contiguous counties, municipalities, Indian tribes or pueblos; [~~or~~]

(3) development of multipurpose regional facilities that serve multiple contiguous counties, municipalities, Indian tribes or pueblos; or

(4) renovating, repairing, remodeling or converting existing facilities for use as multipurpose regional facilities.

FORTY-SECOND LEGISLATURE
FIRST SESSION, 1995

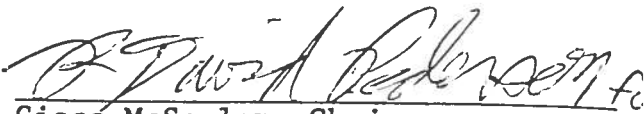
HB 574

Page 2

D. A multipurpose regional facility developed with money from the regional juvenile services grant fund shall conform to standards for detention facilities set forth in the Children's Code and administrative regulations governing detention facilities promulgated by the children, youth and families department. A multipurpose regional facility shall not be used for the detention or supervision of adults."".

2. Renumber the succeeding sections accordingly.

Respectfully submitted,


Cisco McSorley, Chairman

McC - Chairman

Adopted 
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date 2/16/95

The roll call vote was 10 For 0 Against
Yes: 10
Excused: King, Sanchez, RG
Absent: Gubbels

.105954.1
H0574JC1