

THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY

RESOLUTION 2013-135

A RESOLUTION ON PREEMPTION OF LOCAL TAX AUTHORITY IN SANTA FE
COUNTY

WHEREAS, New Mexico counties have a statutory responsibility for indigent health care pursuant to the County Hospital and Indigent Care Act, NMSA 1978, Sections 27-5-1 through 18 (1953 as amended through 2012), and also have a long history of caring for and commitment to the support of their local hospitals, particularly in rural areas of the state;

WHEREAS, pursuant to NMSA 1978, Section 7-20E-9(2008) New Mexico counties are authorized to impose a local option gross receipts tax increment of one-eighth of one percent without referendum, the revenues from which must be dedicated to the support of indigent patients who are residents of that county;

WHEREAS, Santa Fe County imposed the aforementioned second one-eighth gross receipts tax increment for indigent patients through passage of an Ordinance by the Board of County Commissioners in October 1987;

WHEREAS, Santa Fe County recently completed a Community Health Profile that documented extensive needs in the areas of substance abuse treatment, primary care, mental health services and prenatal care;

WHEREAS, revenues from the second one-eighth are also used by Santa Fe County to support a wide range of health care services critical to citizens who are not eligible for Medicaid, including substance abuse treatment, primary care, mental health, indigent burial and cremation services, ambulance service and hospital care;

WHEREAS, New Mexico's implementation of Medicaid expansion and the health insurance exchange that are part of health care reform will mean that many indigent care clients will qualify for the new expanded Medicaid coverage, but many will remain indigent due to exemptions to the Affordable Care Act, and may therefore, pursuant to NMSA 1978, Section 27-5-2 (1997), continue to be the responsibility of the county where they are domiciled;

WHEREAS, Santa Fe County revenue for the one-eighth increment is approximately 4.3 million dollars annually;

WHEREAS, approximately one half of the \$4.3 million is budgeted to assist community hospitals and the other half pays for indigent claims to other community primary care health providers, mental health providers, ambulance services, substance abuse treatment providers, indigent burials and cremations and county health staff;

SEE CLERK RECORDS 12/25/2013

WHEREAS, the New Mexico Human Services Department (HSD) has proposed to redirect the revenue generated by the county local option second one-eighth gross receipts tax increment from all counties, to the State of New Mexico;

WHEREAS, under this HSD proposal, all of the revenue generated by the County's local option second one-eighth tax increment would go to fund a state Medicaid hospital base rate increase for hospitals statewide;

WHEREAS, this redirection of Santa Fe County's local gross receipts tax will require Santa Fe County to cut services or increase local taxes to avoid cuts to local providers and Santa Fe County programs;

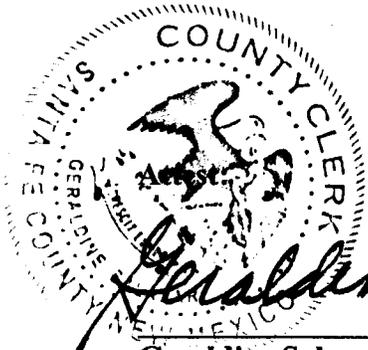
WHEREAS, Santa Fe County must continue to receive the revenue it generates from the second one-eighth increment or its equivalent in order to provide its statutorily required services to county residents;

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Santa Fe County does hereby oppose any proposal or legislation that would preempt local government authority, by taking from Santa Fe County the authority to utilize revenues generated by local taxes in the best interest of its citizens.

PASSED, APPROVED, and ADOPTED THIS 3 DAY OF DECEMBER, 2013.

BOARD OF COUNTY COMMISSIONERS

Kathy Holish
Kathy Holish, Chair



Geraldine Salazar, County Clerk

12-4-2013

Approved as to form:

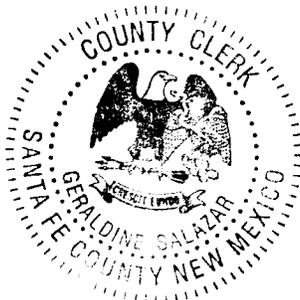
Stephen C. Ross
Stephen C. Ross, County Attorney

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

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I Hereby Certify That This Instrument Was Filed for Record On The 5TH Day Of December, 2013 at 10:38:54 AM And Was Duly Recorded as Instrument # 1724664 Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Deputy *Maureen* Geraldine Salazar
County Clerk, Santa Fe, N



REC'D CLERK RECORDED 12/05/2013