



**VALENCIA COUNTY  
BOARD COUNTY COMMISSIONERS  
RESOLUTION 2021-61  
REQUESTING A CHANGE TO THE PUBLIC  
EMPLOYEES' RETIREMENT ASSOCIATION OF  
NEW MEXICO (PERA) RETURN TO WORK PROVISIONS**

**WHEREAS**, the Board of County Commissioners of Valencia County, met upon notice of a duly published Business meeting on October 20, 2020, at 5:00 P.M. in the Valencia County Administration Building, 444 Luna Avenue, Los Lunas, New Mexico 87031; and,

**WHEREAS**, the legislature of the State of New Mexico has adopted legislation establishing the New Mexico Public Employees Retirement Association (PERA) and legislation amending and modifying the same; and,

**WHEREAS**, pursuant to the current legislation, a retiree hired on or after July 1, 2010 who returns to work for a PERA affiliate will have his/her benefits suspended. This prevents a retired member of the PERA from collecting both a salary and their retirement benefits (a pension); and,

**WHEREAS**, retired members, who choose to return to work for a PERA affiliate currently only has the following options:

1. Becoming a contributing member to PERA and resume accruing service credit, thereby the contributing member's benefit will be recalculated; or,
2. If the retired member has completed a 12-month break in service from his/her retirement date, the member can begin employment with the PERA affiliate and choose not to make member contributions. In this case, retired member will not accrue service credit.


**WHEREAS**, due to the COVID-19 pandemic, it has become increasingly difficult for local governmental agencies such as Valencia County, to recruit and retain qualified applicants, particularly within public safety positions (Detention and Sheriff); and,


**WHEREAS**, an amendment or modification to the current PERA legislation at this time imposing a five (5) year moratorium on the current statute pertaining to retired members who choose to return to work for a PERA affiliate would allow retirees to come back and train, mentor and work part-time or full-time assisting the Cities, Counties, as well as the State of New Mexico in filling numerous vacant positions to assist and allow for the governmental entities in the State of New Mexico to continue providing the quality of public service that is necessary and expected from the same.

**NOW, THEREFORE**, the Board of County Commissioners of Valencia County hereby request that the New Mexico Legislature and Governor Michelle Lujan Grisham consider the adoption of a statute, rule or regulation that addresses the above referenced PERA restrictions and/or implements a five (5) year moratorium on the enforcement of the same to allow qualified and willing retirees to assist governmental entities in providing these necessary services to citizens of New Mexico.

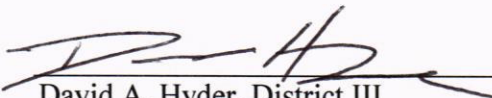
**APPROVED, ADOPTED, AND PASSED** on this 20<sup>th</sup> day of October 2021.


BOARD OF COUNTY COMMISSIONERS

  
\_\_\_\_\_  
Gerard Saiz, Chair, District I


  
\_\_\_\_\_  
Jhonathan Aragon, Vice-Chair, District V

  
\_\_\_\_\_  
Troy Richardson, District II

  
\_\_\_\_\_  
David A. Hyder, District III

  
\_\_\_\_\_  
Joseph Bizzell, District IV

Attest:

  
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Mike Milam, County Clerk

