



The Legislature
of the
State of New Mexico

50th Legislature, 2nd Session

LAWS 2012

CHAPTER _____

HOUSE JOINT MEMORIAL 22

Introduced by
REPRESENTATIVE GAIL CHASEY



1 A JOINT MEMORIAL

2 REQUESTING THE LOCAL GOVERNMENT DIVISION OF THE DEPARTMENT OF
3 FINANCE AND ADMINISTRATION TO FORM A COUNTY GOVERNANCE TASK
4 FORCE TO REVIEW EXISTING STATE LAWS AND RULES REGARDING COUNTY
5 GOVERNMENT AND THE POTENTIAL OF A COUNTY HOME RULE PROVISION.
6

7 WHEREAS, there are four class A counties in New Mexico
8 with populations over one hundred thousand persons; and

9 WHEREAS, all of these class A counties and their
10 governing bodies have unique and different needs that vary
11 from the needs of county governments in counties with smaller
12 populations; and

13 WHEREAS, to function as efficiently and effectively as
14 possible, those class A counties require greater flexibility
15 and self-governance; and

16 WHEREAS, there is a statutory provision allowing
17 municipalities to engage in greater self-governance through
18 home rule charters; and

19 WHEREAS, no such statutory provision exists that allows
20 counties to engage in the same self-governance as
21 municipalities through home rule charters that would grant the
22 governing bodies of counties the flexibility to functionally
23 authorize greater self-governance within those counties; and

24 WHEREAS, there are perennial proposals to the
25 legislature that would provide for the enactment of special

1 laws to give specified class A counties select authority or
2 exemptions from statutes governing regulations, zoning,
3 procurement and several other issues that limit the
4 flexibility of those governing bodies and affect their ability
5 to engage in effective self-governance; and

6 WHEREAS, county governance has become more
7 professionalized and the governing bodies of counties have
8 become more accountable, organized and responsive to the needs
9 of county residents; and

10 WHEREAS, with increased professionalization,
11 accountability, organization and responsiveness in county
12 governance, the governing bodies of counties deserve the
13 flexibility and autonomy to functionally authorize greater
14 self-governance through home rule charters similar to those
15 available to municipal governments in New Mexico; and

16 WHEREAS, subjecting the governing bodies of counties to
17 all state laws and controls may not promote further
18 professionalism, accountability, organization and
19 responsiveness in county government, and county government may
20 become less efficient and functional as a result;

21 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
22 STATE OF NEW MEXICO that the local government division of the
23 department of finance and administration be requested to form
24 a county governance task force to review existing state laws
25 and rules relating to county government and develop

1 recommendations regarding the potential of a county home rule
2 provision; and

3 BE IT FURTHER RESOLVED that the task force include
4 representatives from the New Mexico association of counties,
5 the local government division of the department of finance and
6 administration, the general services department and the
7 taxation and revenue department; and

8 BE IT FURTHER RESOLVED that the task force report to the
9 New Mexico association of counties on or before October 1,
10 2012; and

11 BE IT FURTHER RESOLVED that the task force report to the
12 appropriate interim legislative committees on or before
13 November 1, 2012; and

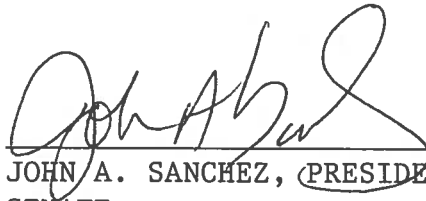
14 BE IT FURTHER RESOLVED that copies of this memorial be
15 transmitted to the New Mexico association of counties, the
16 local government division of the department of finance and
17 administration, the general services department and the
18 taxation and revenue department.



BEN LUJAN, SPEAKER
HOUSE OF REPRESENTATIVES



STEPHEN R. ARIAS, CHIEF CLERK
HOUSE OF REPRESENTATIVES



JOHN A. SANCHEZ, PRESIDENT
SENATE



LENORE M. NARANJO, CHIEF CLERK
SENATE