

A MEMORIAL

REQUESTING THAT A COOPERATIVE EFFORT BE MADE BY THE DEPARTMENT OF TRANSPORTATION, LOCAL GOVERNMENTS, PRIVATE AND PUBLIC UTILITY COMPANIES AND OTHER AFFECTED JURISDICTIONS TO COMPLETE A STUDY TO DEVELOP OPTIONS AND RECOMMENDATIONS TO FACILITATE TIMELY RELOCATION OF UTILITIES WITHIN PUBLIC RIGHTS OF WAY THAT WOULD BE OF MUTUAL BENEFIT TO PUBLIC AGENCIES AND ALL UTILITIES IN MINIMIZING COSTS AND DISRUPTION OF SERVICES DUE TO HIGHWAY CONSTRUCTION PROJECTS.

WHEREAS, it is important that utility companies, the department of transportation, the New Mexico association of counties, the New Mexico municipal league, local governments, tribal governments and other public jurisdictions cooperate and coordinate in the planning and construction of road projects to minimize or eliminate the need for utility relocation to the greatest extent possible, thereby reducing the impact on the timely delivery and completion of construction projects and the impact on existing utility facilities; and

WHEREAS, utility companies that provide gas, electricity, water and telephone services are critical components of New Mexico's present and future economy; and

WHEREAS, the maintenance and construction of interstates, other highways and local roads are a critical

component of the mobility of goods and services at the state and national levels and also a primary driver of New Mexico's present and future economy; and

WHEREAS, utility companies are typically obligated to relocate their facilities located in public rights of way in a timely manner and with advanced notice to make way for construction of roads and other improvements; and

WHEREAS, a utility company often is obligated to bear all of the costs of the relocation of its facilities within public rights of way as required by permit for the benefit of use of public rights of way; and

WHEREAS, the department of transportation, local governments and tribal governments are often faced with increased construction costs and project delays due to untimely relocation of utility facilities located in public rights of way;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NEW MEXICO that utility companies, the department of transportation, the New Mexico association of counties, the New Mexico municipal league, tribal governments, local governments and other public jurisdictions be requested to complete a study to develop options and recommendations to facilitate timely relocation of utility facilities located within public rights of way that would be of mutual benefit to public agencies and utilities in

minimizing costs, disruption of services and project delays in highway construction activities; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the New Mexico association of counties; the New Mexico municipal league; the governor of each of the nineteen pueblos in New Mexico; the presidents of the Navajo Nation, the Jicarilla Apache Nation, the Mescalero Apache Tribe and the Ute Mountain Ute Tribe; the secretary of transportation; and the governor of New Mexico.