

A JOINT MEMORIAL

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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