

1 SENATE JOINT MEMORIAL 37

2 **49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

3 INTRODUCED BY

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10 A JOINT MEMORIAL

11 REQUESTING THE PUBLIC REGULATION COMMISSION TO DEVELOP AND  
12 ADOPT ADMINISTRATIVE OPERATING PROCEDURES TO ENSURE  
13 ACCOUNTABILITY, CONSISTENCY AND THE EFFICIENT AND EFFECTIVE USE  
14 OF PUBLIC RESOURCES.

15  
16 WHEREAS, the constitution of New Mexico creates the public  
17 regulation commission and establishes its responsibility to  
18 charter and regulate business corporations as provided by the  
19 legislature; and

20 WHEREAS, the responsibility of the elected commissioners  
21 is to carry out the charge of the commission as specified in  
22 the constitution and the statutes of New Mexico; and

23 WHEREAS, the general powers and duties of the public  
24 regulation commission as elaborated in statute specify that the  
25 commission may organize into organizational units as necessary

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1 to enable it to function most efficiently and to appoint and  
2 employ such professional, technical and clerical assistance as  
3 it deems necessary to assist it in performing its powers and  
4 duties; and

5 WHEREAS, the public regulation commission is currently  
6 organized into administrative services, consumer relations,  
7 fire marshal, insurance, legal, transportation and utility  
8 divisions; offices of the general counsel, hearing examiners  
9 and public information; and a corporations bureau; and

10 WHEREAS, the individual and collective responsibility of  
11 the commissioners is rooted in the obligation to protect the  
12 best interests of the public, whom they ultimately serve; and

13 WHEREAS, this very serious responsibility necessarily  
14 demands the careful attention and consideration of the  
15 commissioners and precludes the ability to oversee the day-to-  
16 day activities of the staff; and

17 WHEREAS, in organizations as complex and important as the  
18 public regulation commission, written operating procedures  
19 commonly guide the day-to-day activities of the commission and  
20 the staff and serve to promote accountability, efficiency,  
21 effectiveness and consistency of operations;

22 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE  
23 STATE OF NEW MEXICO that the public regulation commission be  
24 requested to develop and adopt administrative operating  
25 procedures to ensure accountability, consistency and the

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1 efficient and effective use of public resources; and

2 BE IT FURTHER RESOLVED that the commissioners consider the  
3 structure and accountability measures undertaken by the public  
4 education commission as a model for these procedures; and

5 BE IT FURTHER RESOLVED that these operating procedures  
6 clearly specify the responsibility for hiring, firing and  
7 supervising staff; the coordination of activities between  
8 divisions, offices and bureaus; and the conduct of meetings;  
9 and

10 BE IT FURTHER RESOLVED that copies of this memorial be  
11 transmitted to the members of the public regulation commission.