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SENATE MEMORIAL 19

49TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2010

INTRODUCED BY

David Ulibarri

A MEMORIAL

REQUESTING THE NEW MEXICO LEGISLATIVE COUNCIL TO DIRECT THE APPROPRIATE COMMITTEE RESPONSIBLE FOR ECONOMIC AND RURAL DEVELOPMENT ISSUES TO HEAR TESTIMONY AND CONSIDER THE FEASIBILITY AND DESIRABILITY OF PROVIDING ALTERNATIVE VENUES FOR PUBLICATION OF LEGAL NOTICES.

WHEREAS, the provision of legal notices to the public is essential to an informed public and a functioning democracy; and

WHEREAS, legal notices traditionally have been disseminated through print media, as is currently required by Chapter 14, Article 11 NMSA 1978; and

WHEREAS, the reach of traditional print media sources has diminished in the past decade as circulation has fallen; and

WHEREAS, many traditional print media sources have

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1 decreased their geographic coverage and the frequency with
2 which they are published; and

3 WHEREAS, the dissemination of legal notices in sparsely
4 populated areas and rural communities may be hampered by the
5 diminished circulation and frequency of traditional print media
6 sources; and

7 WHEREAS, alternative media formats such as radio and
8 television broadcasting have steadily increased their reach
9 advantage into communities across New Mexico; and

10 WHEREAS, it is desirable to study the feasibility of
11 disseminating legal notices to the public through newer media
12 formats; and

13 WHEREAS, the use and mix of media has changed
14 dramatically, and constituent usage patterns are continually
15 evolving and have forever changed since the enactment of
16 Chapter 14, Article 11 NMSA 1978;

17 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE
18 OF NEW MEXICO that the New Mexico legislative council be
19 requested to direct the appropriate interim committee concerned
20 with economic and rural development issues to receive testimony
21 and study the feasibility and desirability of permitting the
22 dissemination of legal notices to the public through radio and
23 television broadcasts by:

24 A. inviting input from broadcasters and surveying
25 alternative approaches to the publication of legal notices

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1 undertaken in other states; and

2 B. encouraging radio and television broadcasters to
3 develop and test, in cooperation with local governmental
4 entities, the dissemination of legal notices through broadcast
5 media in order to provide data to assist the committee in
6 determining the desirability and feasibility of providing legal
7 notices via over-the-air broadcasts; and

8 BE IT FURTHER RESOLVED that the interim committee report
9 its findings and recommendations by December 2010; and

10 BE IT FURTHER RESOLVED that copies of this memorial be
11 transmitted to the co-chairs of the New Mexico legislative
12 council.