

**County of Grant
Resolution No. 13-08**

Resolution Opposing House Bill 21 of the 2013 Legislative Session

WHEREAS, House Bill 21, as currently being considered by the New Mexico Legislature, proposed changes to the New Mexico Open Meetings Act, NMSA 1978, Section 10-15-1 that would require the Board to make available to the public a draft agenda for the regular or special meeting at least 72 hours in advance of the meeting and a final agenda at least 36 hours in advance of the meeting; and

WHEREAS, House Bill 21 as currently formulated would also require that within 5 days of taking action on an emergency matter, the Board shall report to the Attorney General's Office the action taken and the circumstances creating the emergency; and

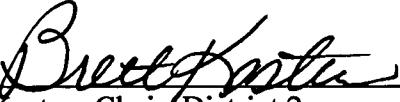
WHEREAS, the Board of County Commissioners wishes to express its opposition with House Bill 21 as currently formulated.

NOW, THEREFORE, BE IT RESOLVED that the Grant County Board of Commissioners finds that the current notice provisions of the New Mexico Open Meetings Act provides adequate notice of meeting agendas to the public, and important flexibility for public bodies in formulating agendas, and, therefore, recommends that the existing Open Meetings Act language remain unchanged.

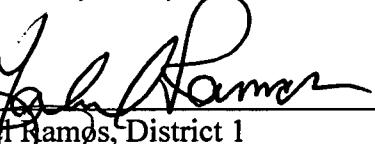
BE IT FURTHER RESOLVED that the Board finds the proposed requirements for public bodies to "self-report" within 5 days of taking action on an emergency matter to the Attorney General's Office legally troubling, in view of the fact that the Attorney General could pursue criminal sanctions against public bodies based upon such mandated "self-reporting." The Board, therefore, recommends that the legislature not approve such provision.

APPROVED, PASSED, AND ADOPTED this 4th day of February 2013, in Silver City, Grant County, New Mexico.

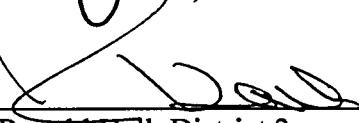
**BOARD OF COUNTY COMMISSIONER OF
GRANT COUNTY, NEW MEXICO**



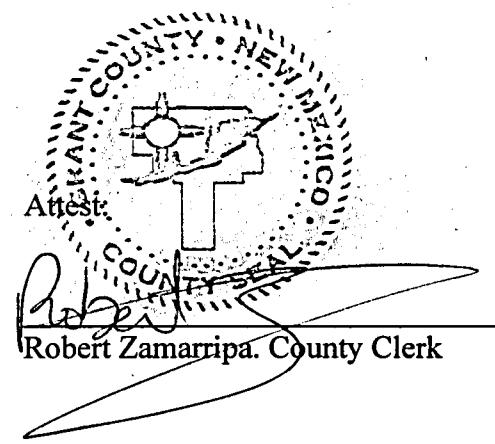
Brett Kasten, Chair, District 2



Gabriel Ramos, District 1



Ronald Hall, District 3



GRANT COUNTY

COMMISSIONERS

GABRIEL J. RAMOS

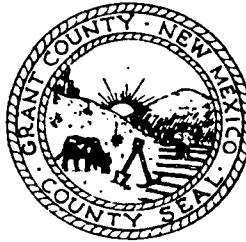
DISTRICT 1

BRETT A. KASTEN

DISTRICT 2

RON HALL

DISTRICT 3



COUNTY MANAGER

JON PAUL SAARI

Telephone: (575) 574-0008

Fax: (575) 574-0073

February 8, 2013

Honorable Rodolpho Martinez
NM State Representative – District 39
P.O. Box 164
Bayard, NM 88023

Re: Opposition to House Bill 21

Dear Representative Martinez:

At their meeting last week, the Grant County Board of Commissioners unanimously approved County Resolution R-13-08, opposing House Bill 21 regarding changes of the Open Meetings Act. I have enclosed a copy for your review. We respectfully request that you, along with our other legislators representing Grant County, express our opposition to this bill as we feel that this will negatively impact the operations of government.

House Bill 21 is proposing that meeting agendas be posted to the public at least three (3) days prior to the meeting instead of the current twenty-four (24) hours we are currently following. We feel that this change would constrict governing bodies and could possibly delay, or even cease, important projects (i.e. agreements, bids, grants, etc.) that benefit the public. Currently, we find that the current provisions are suitable and allow government entities to be flexible and better serve our constituents.

In closing, we would again like to express our opposition, and solicit yours, to House Bill 21. Should you have any questions or concerns, please feel free to contact my office at the number listed above or by email at jsaari@grantcountynm.com.

On behalf of the Grant County Board of Commissioners, I thank you for your time and consideration regarding this matter.

Respectfully,

A handwritten signature in black ink, appearing to read "JPS/jrh".

Jon Paul Saari
County Manager

JPS/rjh

Enclosure

Cc: Grant County Commission

Office Of The Grant County Commissioners

1400 Highway 180 East, Silver City, NM 88061 • P. O. Box 898, Silver City, NM 88062

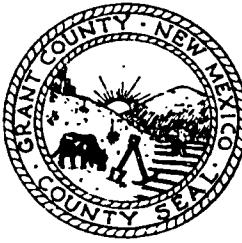
GRANT COUNTY

COMMISSIONERS

GABRIEL J. RAMOS
DISTRICT 1

BRETT A. KASTEN
DISTRICT 2

RON HALL
DISTRICT 3



COUNTY MANAGER
JON PAUL SAARI

Telephone: (575) 574-0008
Fax: (575) 574-0073

February 11, 2013

Honorable Dianne Hamilton
NM State Representative – District 38
4132 N. Gold
Silver City, NM 88062

Re: Opposition to House Bill 21

Dear Representative Hamilton:

At their meeting two weeks ago, the Grant County Board of Commissioners unanimously approved County Resolution R-13-08, opposing House Bill 21 regarding changes of the Open Meetings Act. I have enclosed a copy for your review. We respectfully request that you, along with our other legislators representing Grant County, express our opposition to this bill as we feel that this will negatively impact the operations of government.

House Bill 21 is proposing that meeting agendas be posted to the public at least three (3) days prior to the meeting instead of the current twenty-four (24) hours we are currently following. We feel that this change would constrict governing bodies and could possibly delay, or even cease, important projects (i.e. agreements, bids, grants, etc.) that benefit the public. Currently, we find that the current provisions are suitable and allow government entities to be flexible and better serve our constituents.

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On behalf of the Grant County Board of Commissioners, I thank you for your time and consideration regarding this matter.

Respectfully,

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Jon Paul Saari
County Manager

JPS/rjh

Enclosure

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