



CITY OF RIO RANCHO

RESOLUTION NO. 11

ENACTMENT NO. 17-11

SPONSOR: MAYOR GREGGORY D. HULL

RESOLUTION IN OPPOSITION TO NEW MEXICO HOUSE BILL 174

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5 **WHEREAS:** Representative James E. Smith and Senator Daniel A. Ivey-Soto have
6 introduced House Bill 174 during the First Session of the 53rd Legislature of
7 the State of New Mexico, adopting the "Local Election Act" (the "Act"); and
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9 **WHEREAS:** The Act imposes certain changes to the administration of local elections
10 including combining elections for municipalities, school districts, special
11 hospital districts, community college districts, technical and vocational
12 institute districts, learning center districts, arroyo flood control districts,
13 special zoning districts, soil and water conservation districts, and water and
14 sanitation districts, which will result in long and confusing ballots;
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16 **WHEREAS:** The Act would require Rio Rancho to pay a portion of its annual operating
17 budget to Sandoval County for election administration on the City's behalf
18 with no clear or precise cost calculation; and
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20 **WHEREAS:** The Act transfers the administration of Rio Rancho's non-partisan local
21 elections from a non-partisan, appointed administrator, to an office led by a
22 partisan elected official, the Sandoval County Clerk; and
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24 **WHEREAS:** The Act requires the consolidation of ballot items (candidates, questions, and
25 other measures) for multiple entities while purporting that such consolidation
26 would increase voter turnout without any evidence, data, or research to
27 support this conjecture; and
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29 **WHEREAS:** Consolidation of ballot items for multiple entities may in fact congest and
30 convolute the voting process thereby discouraging citizens from voting while
31 at once forcing local entities to compete for ballot space and pay additional
32 costs associated with adding more pages to the ballot; and
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34 **WHEREAS:** The Act requires mailing ballots to every registered voter for special
35 elections, which increases Rio Rancho's cost and also eliminates polling
36 locations thereby restricting Rio Rancho's citizens' to only one voting option
37 for special elections; and
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39 **WHEREAS:** The Act changes election day for local governments from March of even
40 numbered years to November of odd numbered years, which would impact
41 the term durations of current and future Rio Rancho Governing Body
42 members; and

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WHEREAS: The Act materially conflicts with portions of Rio Rancho's Charter and negates certain provisions previously approved under Rio Rancho's Home-Rule authority including photo identification requirements for voters at its elections; and

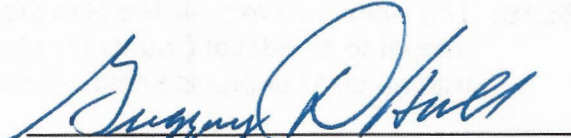
WHEREAS: Art. X section 6(E) of the New Mexico Constitution provides that the purpose of Home Rule "is to provide for maximum local self-government"; and

WHEREAS: Article IV, Section 24 of the New Mexico Constitution expressly prohibits the legislature from passing special laws "changing or amending the charter of any city, town or village."

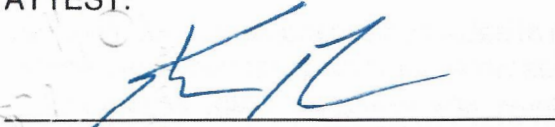
NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO:

While the Governing Body supports any effort to increase voter turnout, the Governing Body does not believe that House Bill 174 will accomplish its purported objectives and instead will significantly harm and infringe upon the administration of local elections. The Governing Body therefore formally opposes the adoption of House Bill 174 and authorizes the Mayor and appropriate staff members to testify in opposition to this legislation or similar legislation.

ADOPTED THIS 27TH DAY OF FEBRUARY, 2017.


Greggory D. Hull, Mayor

ATTEST:


Stephen J. Ruger, City Clerk
(SEAL)

Dear Mayors,

I want to take a moment of your time to personally thank you for your support in helping voice our concerns to the legislature over HB174 (Local Elections Act).

I am happy to report that our combined efforts and concerns yielded an amendment to the bill from Senator Ivey-Soto that allows municipalities to "Opt-Out" which preserves "maximum local governance". Although our goal was to stop the bill, being allowed to "Opt-Out" was a best compromise for us all.

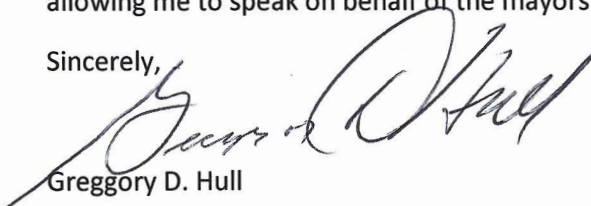
As you are all aware, the bill in its un-amended form sought to consolidate elections and force municipalities to surrender control of local elections to the county. The premise for the nearly 300 page bill is that it will reduce cost and improve voter turnout, ideals I greatly support but that could not be substantiated with data or financial reports that clearly delineated the actual charge or cost the individual municipalities.

The cities, towns and villages have managed their own elections with few issues and have employed non-partisan clerks that have been trained and are skilled in the process of running local elections. We must also commend our city clerks for standing with the mayors and councils of New Mexico in supporting the amendment to HB174.

Municipalities must be allowed to maintain "maximum local governance" and charter communities must have the confidence that their governing voter adopted rules must be allowed to stand.

Thank you again for helping me achieve this great victory for our communities and thank you for allowing me to speak on behalf of the mayors of New Mexico, I am humbled by your trust in me.

Sincerely,

A handwritten signature in black ink, appearing to read "Gregory D. Hull", written in a cursive style. The signature is positioned above the printed name.

Greggory D. Hull

Chairman – New Mexico Mayors Caucus