

# THE MUNICIPAL REPORTER

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## Special Session Passes Capital Outlay Bill, Tax Breaks

The New Mexico Legislature met June 8, 2015 in a special session and passed a \$295 million capital outlay bill. The body also passed a bundle of tax breaks that the Governor had wanted from the regular session at the first of the year, but died in the last minutes of the regular session.

Included in the capital outlay bill is money for statewide infrastructure projects, highway projects funded by a combination of severance tax bonds and general fund appropriations, university and higher education buildings, senior center renovations and water projects.

The tax package includes expansions and extensions of existing breaks, including a tax deduction for out-of-pocket medical expenses used mostly by lower-income individuals.

The legislators also passed a spending bill that would give the State Health Department \$4 million and \$300,000 to the Administrative Office of the Courts for its Magistrate Division.

The special session came in response to concerted pressure from local governments and business groups for economic development reasons. For a chart of projects by county contained in the Capital Outlay Bill (SS Senate 1), visit

[http://www.nmlegis.gov/lcs/billfinder/capital\\_outlay.aspx](http://www.nmlegis.gov/lcs/billfinder/capital_outlay.aspx).

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## NMML Nominating Procedure Dateline

The following NMML Officer positions are open for nomination and election:

- **PRESIDENT-ELECT**
- **VICE-PRESIDENT**
- **TREASURER**

The following Board of Director positions are up for election this year:

- **THREE DIRECTORS-AT-LARGE**

The following is the timeline for actions and dates pertaining to the nominating procedure for NMML officers and directors:

<b>JULY 1<sup>ST</sup></b>	Letter of nomination or letter declaring candidacy for office or at-large directorship must be received at the NMML Office.
<b>JULY 2<sup>ND</sup></b>	In absence of any declaration of candidacy for a particular office or at-large directorship, the League President shall appoint a Nominating Committee and written notice shall be given to all member municipalities.
<b>JULY 6<sup>TH</sup></b>	A Report of Declared Candidates shall be sent by NMML to all members.
<b>JULY 24<sup>TH</sup></b>	When necessary, the Nominating Committee meets to recommend a candidate for any undeclared office or at-large directorship.
<b>JULY 29<sup>TH</sup></b>	Nominating Committee Report mailed to member municipalities – if Nominating Committee meets.
<b>SEPTEMBER 3<sup>RD</sup></b>	Election of officers and at-large directors. Nominations from the floor at the Annual Business Meeting at the NMML Annual Conference may be made by any certified voting delegate in attendance for any office or directorship to be filled.

*(Continued on page 2)*

# Nominating Procedure . . . continued from page 1

**NOTE:** For specific details of the Nominating Procedure, please refer to the NMML By-Laws available on the NMML’s website at [www.nmml.org](http://www.nmml.org).

Any official of a member municipality in good standing may nominate any elected official, or any elected official may declare his or her candidacy, for any office or directorship to be filled. **All declared candidates will be placed on the ballot for election at the Annual Business Meeting.**

Sections of the Municipal League By-Laws relating to Officers and Board Members are:

### **ARTICLE III. OFFICERS – SECTION 1 A-D.**

- A. Each officer shall be an elected official of a member municipality in good standing with the exception of the office of Executive Secretary.
- B. There shall be only one (1) officer from any one member municipality.
- C. The officers shall be elected each year at the regular annual conference, except, however, that the office of Executive Secretary shall be assumed by the Executive Director of the League.
- D. The officers shall assume office October 1<sup>st</sup> and serve until September 30<sup>th</sup> or until their respective successors are elected and take office.

### **ARTICLE III. OFFICERS – SECTION 10.**

The President-Elect shall automatically assume the office of President on October 1 for the ensuing year.

### **ARTICLE IV. BOARD OF DIRECTORS – SECTION 1 B. AND C.2.**

- B. **Limitation:** There shall be only one (1) Director from any one (1) member municipality. For the purpose of this limitation the term Director does not include Officers of the League, Chair of the New Mexico Self-Insurer’s Fund, Past Presidents of the League, or the Presidents of the New Mexico City Management Association, the New Mexico Municipal Clerks' and Finance Officers' Association, the New Mexico Municipal Police Chiefs' Association or the New Mexico Municipal Judges' Association. No other subsections shall be directly represented on the League Board of Directors. No person can hold more than one position on the Board.
- C.2 Directors-at-Large shall be elected for two-year (2) terms with three (3) Directors-at-Large to be elected at each annual conference, and hold their office from October 1 – September 30, or until their respective successors have been elected and take office.

Please address your written nominations or declarations of candidacy directly to the League office, in care of President Linda Calhoun. **Nominations must be received at the League office no later than Wednesday, July 1<sup>ST</sup>.** Letters may be mailed, faxed, emailed or hand-delivered.

For any questions about the process, contact Regina Romero at the League Office at 800-432-2036.

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#### PRESIDENT

Linda Calhoun, Mayor - Red River

#### PRESIDENT-ELECT

David Venable, Mayor – Cloudcroft

#### VICE PRESIDENT

Richard Cordova, Mayor – Eagle Nest

#### TREASURER

Sally Burbridge, Mayor – Aztec

#### IMMEDIATE PAST PRESIDENT

Gloria Chavez, Mayor – Tijeras

#### PAST PRESIDENTS

Mary Homan, Trustee – Los Ranchos de Albuquerque  
Matt White, Mayor – Eunice  
Barb Wiard, Mayor Pro Tem – Taos Ski Valley

#### BOARD OF DIRECTORS

Nora Barraza, Mayor - Mesilla  
 Cynthia Ann Bettison, Mayor Pro Tem – Silver City  
 Phillip Burch, Mayor – Artesia  
 Marilyn Burns, Mayor - Tatum  
 Joseph Eby, Councilor – Ruidoso  
 Fernando Garcia, Mayor - Springer  
 Diane Gibson, Councilor – Albuquerque  
 Jack Griffin, Judge – Red River  
*President, New Mexico Municipal Judges Association*  
 Steve Henderson, Councilor – Roswell  
 Chuck Howe, Mayor Pro Tem – Angel Fire  
 David Izraelevitz, Councilor – Los Alamos  
 Shawn Jeffrey, Clerk/Treasurer – Springer  
*President, New Mexico Clerks & Finance Officers Association*  
 Sharon King, Mayor – Portales  
 Joseph Maestas, Councilor – Santa Fe  
 Jackie McKinney, Mayor – Gallup  
 Martin Moore, Manager – Eunice  
*President, New Mexico City Management Association*  
 Fred Radosevich, Police Chief – Edgewood  
*President, New Mexico Association of Chiefs of Police*  
 Robert Sandoval, Commissioner – Clovis  
 Jack Torres, Mayor – Bernalillo

Editor ..... William Fulginiti  
Managing Editor..... Roger Makin

## Getting to Know You

This feature focuses on learning more about the League Executive Committee, Board of Directors and other elected officials. This month is League Past President (twice) Barb Wiard, Mayor Pro Tem of Taos Ski Valley.



### **What was your primary motivation to run for political office in your community?**

The Village of Taos Ski Valley incorporated in 1996. I was directed by my employer at the time to attend all Village meetings including committees, P & Z Commission, Council, and the new Chamber of Commerce. It was educational and intriguing to watch the “birth” of our Village. With the realization that I had a better comprehension of the pieces than some of the Council (and did not agree with an important Council decision), it was time to be more involved and I was elected in 2000.

### **How do you view your role in serving as an elected official in your community?**

My job as an elected official includes being well informed to make educated and impartial decisions to create solid policies for the Village’s best interests, present and future. This includes gathering facts and taking the citizens’ comments into consideration. Another aspect includes networking and involvement at local, regional, legislative, and statewide levels. The information is then shared with the community and the Council.

### **What do you think is the primary role of municipal government?**

The primary role is to provide services and infrastructure for the wellbeing of our residents, businesses, and visitors. It is also our responsibility to be fiscally responsible and plan for the future. The Village and the corporation have been working together to create a TIDD (Tax Infrastructure Development District). This will provide updated, upgraded, and new infrastructure with projected revenues for future maintenance.

### **What do you think is the primary role of the New Mexico Municipal League in municipal government?**

Three primary services stand out from the myriad of services provided as the NMML staff supports every aspect of our municipalities. Our municipalities are organized and networked for communication and strength. We are proactive and “protected” through the legislative process. And my favorite... MOLI (and other programs) offer the opportunity to be educated so we can be the best elected officials possible.

### **What is your favorite “after work” pastime?**

My “after work free-time” is usually spent with my NMML family and participating in regional activities. I enjoy reading, 2-step dancing, and traveling.

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## Our Communities – Village of Capitan

This feature is a monthly look at New Mexico’s cities, towns and villages.

By *Randy Van Vleck, League General Counsel*

Capitan, population 1,489 according to the 2010 Census, is probably most famous as the home of the “real” Smokey Bear. In 1950 in the midst of a ferocious forest fire, several firefighters discovered a bear cub that was badly burned clinging to a singed pine tree. The bear flown to Santa Fe and his wounds were treated. Some years later, “Smokey” had a new home at the National Zoo. When he died in 1976, he was returned to Capitan and buried at Smokey Bear Historical Park.

Capitan is located at the crossroads of busy US 380, (the main link from Interstate 25 and Roswell) and State Route 48, which leads to the mountain Village of Ruidoso.

Seaborn T. Gray homesteaded the area in 1884, and the town was known as Gray until 1900 when it was renamed Capitan. The El Paso and Northeastern Railroad built a coal line from Carrizozo to the Phelps-Dodge coal mines, one mile west of Capitan. By 1905 the coal mines had played out and were abandoned. Ranching, fishing and hunting are the economic bases now.

Capitan is home to an eclectic mixture of restaurants, galleries, museums and second-hand shops that will make an antique hunter’s day.

The municipal government consists of an elected mayor and four trustees. Capitan also has its own municipal court and police department. Ten full-time employees cater to the needs of this sleepy community nestled between the Sacramento and Capitan mountain ranges. Its mild weather and slow pace of life make this a desirable community in which to visit or perhaps even retire.



*Smokey Bear Museum.*



*Village Hall.*

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**Commission of Public Records  
Schedules Rule Hearing June 25**

The New Mexico Commission of Public Records has scheduled a rule hearing for Thursday, June 25, 2015, at 9:00 A.M. The hearing will be conducted by an appointed hearing officer at the New Mexico State Records Center and Archives, which is an accessible facility, at 1205 Camino Carlos Rey, Santa Fe, NM. The purpose of this hearing is to consider repealing, amending and adopting new rules as listed below.

In addition to functional schedules, the Commission will consider repealing and replacing the Historical Records Grant Program Guidelines to make application for funding less cumbersome and to update federal and state requirements.

Public comment will also be taken related to a potential new rule for the use of electronic and digital signatures.

Interested individuals may provide comments regarding the proposed rulemaking actions at the rule hearing and/or submit written comments via email at [rmd.cpr@state.nm.us](mailto:rmd.cpr@state.nm.us). Written comments must be received no later than 5:00 p.m. on June 23, 2015. The submission of written comments as soon as possible is encouraged. Persons offering written comments at the meeting must have 2 copies for the hearing officer. A copy of the agenda and proposed rules are available on the Commission webpage at [www.nmcpr.state.nm.us](http://www.nmcpr.state.nm.us).

**Repeal and Replace:**

- 1.13.5 NMAC New Mexico Historical Records Grant Program Guidelines
- 1.12.7 NMAC Digital/Electronic Signature

**Repeal:[Summary]**

- All parts of chapter 1.15 NMAC, General Records Retention and Disposition Schedules (GRRDS)
- All parts of chapter 1.16 NMAC, Legislative Records Retention and Disposition Schedules (LRRDS)
- All parts of chapter 1.17 NMAC, Judicial Records Retention and Disposition Schedules (JRRDS)
- All parts of chapter 1.18 NMAC, Executive Records Retention and Disposition Schedules (ERRDS)
- All parts of chapter 1.19 NMAC, Local Government Records Retention and Disposition Schedules (LGRRDS)
- All parts of chapter 1.20 NMAC, Education Records Retention and Disposition Schedules (EDRRDS)

**New:**

- 1.21.2 NMAC FRRDS, Public Records

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