

A JOINT MEMORIAL

REQUESTING FUNDING FROM THE UNITED STATES CONGRESS TO ASSIST LOCAL GOVERNMENTS NATIONWIDE IN THEIR COMPLIANCE WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT OF 1990.

WHEREAS, the United States congress passed the Americans with Disabilities Act of 1990, prohibiting discrimination on the basis of disability; and

WHEREAS, many of the provisions of the Americans with Disabilities Act of 1990 require state and local governments to make their programs and services accessible to persons with disabilities; and

WHEREAS, the accessibility requirements prescribed by the Americans with Disabilities Act of 1990 extend not only to physical access at government facilities, programs and events, but also to program and service access by mandating that governmental entities implement policy changes to ensure that all persons with disabilities are afforded the opportunity to take part in and benefit from the programs and services of those governmental entities; and

WHEREAS, programs and facilities of local governments that existed prior to the passage of the Americans with Disabilities Act of 1990 are not excluded from compliance with that act pursuant to a grandfather clause or other exemption; and

WHEREAS, many local governments in New Mexico and

across the nation are home to buildings of historical significance and those local governments are required, with some limited exceptions, to alter historically significant buildings and facilities in a manner so as to make them accessible to persons with disabilities and in conformance with the Americans with Disabilities Act of 1990 standards for accessible design or uniform federal accessibility standards; and

WHEREAS, the people and the local governments of the state of New Mexico are committed to ensuring that all of the state's citizens and visitors have access to and can participate in the programs and services of the state and local governments; and

WHEREAS, New Mexico's local governments are committed to complying with the provisions of the Americans with Disabilities Act of 1990; and

WHEREAS, compliance with the provisions of the Americans with Disabilities Act of 1990 can be extremely costly; and

WHEREAS, many local governments in New Mexico and across the nation lack the fiscal resources to pay for the significant and often expensive changes mandated by the Americans with Disabilities Act of 1990;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO that the United States congress be requested to appropriate funds to assist local governments

nationwide in their compliance with the provisions of the Americans with Disabilities Act of 1990; and

BE IT FURTHER RESOLVED that the New Mexico congressional delegation be requested to join the delegations from other states to introduce and pass legislation to provide funding to local governments nationwide in their compliance with the provisions of the Americans with Disabilities Act of 1990; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the New Mexico congressional delegation. _____