

HOUSE JOINT MEMORIAL 16

47TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2006

INTRODUCED BY

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A JOINT MEMORIAL

REQUESTING THAT A TASK FORCE BE CREATED TO STUDY THE NEED FOR ENHANCED ADMINISTRATION AND ENFORCEMENT OF ETHICS LAWS IN NEW MEXICO.

WHEREAS, New Mexicans properly demand that elected officials and public servants carry out their duties ethically and with integrity; and

WHEREAS, this public demand is manifested in the Governmental Conduct Act and other laws, including the Financial Disclosure Act, the Lobbyist Regulation Act and the Campaign Reporting Act; and

WHEREAS, those laws do not uniformly apply to all elected officials and public servants; and

WHEREAS, the secretary of state has primary responsibility for enforcing those acts, but shares responsibility with the

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1 attorney general and district attorneys; and

2 WHEREAS, enforcement options include a mix of education
3 with the goal of seeking voluntary compliance and civil and
4 criminal penalties; and

5 WHEREAS, many states have created ethics commissions or
6 agencies with broad jurisdiction and authority to enforce
7 campaign finance, conflict of interest, lobbying and other
8 ethics laws; and

9 WHEREAS, the periodic review of the practices of and
10 experiences in other states helps inform the legislature and
11 other policymakers;

12 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
13 STATE OF NEW MEXICO that the New Mexico legislative council,
14 the secretary of state and the attorney general be requested to
15 cooperate in the creation and staffing of a task force to
16 examine the practices of and experiences in other states that
17 have created ethics commissions; and

18 BE IT FURTHER RESOLVED that the New Mexico legislative
19 council, the secretary of state and the attorney general be
20 requested to cooperate in appointing legislators, employees of
21 those executive branch offices and members of the public to the
22 task force; and

23 BE IT FURTHER RESOLVED that the task force report its
24 recommendations, if any, to the New Mexico legislative council,
25 the secretary of state and the attorney general prior to the

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1 first session of the forty-eighth legislature; and

2 BE IT FURTHER RESOLVED that copies of this memorial be
3 transmitted to the co-chairs of the New Mexico legislative
4 council, the secretary of state and the attorney general.

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