SANTA FE COUNTY

Resolution No. 2004 – 146

A Resolution Urging the New Mexico State Legislature to Amend the Public Records Act to Include Counties and Municipalities in the Provisions of NMSA 1978, § 14-3-15.1 (1995).

WHEREAS, the Public Records Act, NMSA 1978, §§ 14-3-1 et seq.(1995), distinguishes information systems databases from more conventional public records (i.e., files, reports, maps, etc.); and

WHEREAS, information contained in information systems databases may be public records and subject to disclosure in a printed or typed format; and

WHEREAS, electronic copies of such databases maintained by state agencies are afforded special consideration under the provisions of NMSA 1978, § 14-3-15.1 (1995); and

WHEREAS, County governments are statutorily responsible for creating and maintaining electronic databases of all fee simple and real property in the State, as well as emergency service (E-911) addressing and other electronic databases essential to local government operations; and

WHEREAS, significant public resources have been invested in creating and maintaining local government electronic databases, and

WHEREAS, private parties are increasingly exploiting these databases for private gain at the taxpayers' expense, and

WHEREAS, NMSA 1978, § 14-3-15.1 (1995) authorizes state agencies to charge reasonable fees for electronic copies of databases and to restrict use of these databases; and

WHEREAS, seven separate affiliates of the New Mexico Association of Counties and the Board of Directors of the New Mexico Association of Counties have endorsed amending the Public Records Act to give Counties and Municipalities the same rights as State Agencies to charge for and restrict use of their electronic databases.

SFC CLERK RECORDED 12/02/2004

NOW, THEREFORE, BE IT RESOLVED THAT:
The Board of County Commissioners of the County of Santa Fe strongly supports state legislation amending the Public Records Act to extend the provisions of NMSA 1978, § 14-3-15.1 (1995) to Counties and Municipalities.

PASSED, APPROVED and ADOPTED this 30th day of November 2004.

BOARD OF COUNTY COMMISSIONERS

Paul Campos, Chairman

ATTEST:

Rebecca Bustamante, Santa Fe County Clerk

APPROVED AS TO FORM:

Stephen C. Ross, Santa Fe County Attorney

SFC CLERK RECORDED 12/03/2004

COUNTY CLERK
REBECCA BUSTAMANTE
SANTA FE COUNTY NEW MEXICO

COUNTY OF SANTA FE) ECC RESOLUTION
STATE OF NEW MEXICO) ss PAGES: 2
I Hereby Certify That This Instrument Was Filed For Record On The 2ND Day Of December, A.D., 2004 at 09:20
And Was Duly Recorded as Instrument # 1357053
Of The Records Of Santa Fe County
Witness My Hand And Seal Of Office
Rebecca Bustamante
County Clerk, Santa Fe, NM
Deputy