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Proposed legislation would require three days of notice before public meetings

Julie Ann Grimm | The New Mexican

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Public bodies would have to publish agendas three days before their meetings under a proposal due to be considered by the state Legislature this year.

New Mexico's Open Meetings Act currently requires city councils, county commissions, school boards and other public bodies to provide at least 24 hours of notice about a meeting. But a bill introduced among pre-filed legislation from Rep. Jim Smith, R-Sandia Park, and Sen. Daniel Ivey-Soto, D-Albuquerque, would triple the requirement to 72 hours.

Making the time frame longer is a way to encourage public participation, said Gwyneth Doland, executive director of the New Mexico Foundation for Open Government, a nonprofit that supports the bill.

"Twenty-four hours is not enough time to get a baby sitter," she said. "This is still a problem for people. We love that there are public bodies such as the cities of Albuquerque and Santa Fe that are proactive and give more than the required notice, but the status quo is that most public bodies are just getting it in under the wire."

Smith proposed the same law change in 2011 and last year, when it passed the House floor but didn't make it to a Senate vote before the end of the session.

"The third time is the charm. I'm very optimistic that this is the year," Smith said in a telephone interview Friday. "I have a lot of constituents who want to attend meetings across the state. If they are in Las Cruces and they want to come up to Santa Fe to a public meeting, they want a little more notice than 24 hours. They want to be able to plan their lives and get time off from work or whatever they need to be able to travel."

Just one day's notice for a meeting also isn't enough time to gather meaningful context or prepare to address an issue before the government, said William Henry Mee, the president of the Agua Fria Village Association. The board for that traditional historic community on the western edge of Santa Fe wants to stay in the loop when city and county officials hold joint meetings to discuss issues such as annexation, for example. But Mee missed the last two joint meetings because he didn't see the notice posted until the day before.

"The public noticing issue is sort of perplexing," he wrote in a recent letter to the city and county managers. "I read the paper every day and the legal notices in *The New Mexican*, I read the Sunday calendar of city and county upcoming meetings, I read the county and city website at least weekly. AFVA as a registered neighborhood under both city and county policy should receive a notice. Such noticing is only common human decency."

Santa Fe County spokeswoman Kristine Mihelcic said the county attorney reviewed public notices for the meeting and said the county met all its requirements. The county ran a notice about the meeting in *The Albuquerque Journal* and posted information on its website more than two weeks ahead, she said.

"We definitely try to exceed our legal noticing requirements," said Mihelcic, noting that the county also advertises its meetings on televisions at the county offices and uses social media.

The current state act doesn't apply to legislative committees and also gives permission for public bodies to hold meetings faster in the case of emergencies. That wouldn't change under the proposal from Smith and Ivey-Soto. In addition, state law requires public bodies to adopt their own locally relevant policies about providing adequate notice of the dates of meetings.

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William Henry Mee

In this information age, or the glut of too much information, I think it takes people a week to read all of their emails and to respond to anything like a neighborhood association request. On many occasions, on a neighborhood issue people will email me back or call some six months later. Like if the issues of bureaucracy stand still. One time an absentee owner in California came back two years later and said "why did the Association cave in on that issue, can we still fight it?"-----so here is someone with property interests deeply interested in an issue, and they only have time literally years down the road. Ten days like the old law that stood 50 years should be the standard.

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samherrington

This piece of legislation sounds viable and workable. Here in Santa Fe, the only problem with the public meetings act and notification time limits is that many of these city councilors and county commissioners really hate to see these well-known and respected community activists attending any hot and heated debate in their chambers that renders their names useless and degradable. In other words, if they sell-out for the sake of appeasing the special interests groups only (i.e. developers, etc.) and ignore the wishes of the common good in their community, their names are mud and dirt. So, I don't blame the community leaders who are not elected officials for wanting to extend the public notice of meetings for a longer period of time and notification time. If this piece of legislation is approved and signed by the Governor, the community response and leadership will have enough time to muster up their community members to attend these public meetings and reem the hell out of these political appointees with more pressure to act on their behalf and best interest.

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