

SOCORRO COUNTY
BOARD OF COUNTY COMMISSIONERS
RESOLUTION № 2009-56

REQUIRING THAT ORGANIZATIONS RECEIVE PRIOR APPROVAL FROM THE BOARD OF
COUNTY COMMISSIONERS BEFORE THE COUNTY WILL ACT AS THE FISCAL AGENT
FOR LEGISLATIVE APPROPRIATIONS

WHEREAS, Socorro County frequently receives appropriations from the New Mexico Legislature that are intended to support the needs of local organizations, and the County is expected to survive as the fiscal agent for such appropriations, disburse and monitor expenditures from the appropriations under a grant agreement; and

WHEREAS, as a result of Article IX, Section 10 of the New Mexico Constitution, which prohibits donations to corporations or other non-governmental organizations, structuring transactions so as to avoid constitutional issues with these organizations can often be difficult; and

WHEREAS, it is conceivable that some appropriations would not be sought at all if the difficulty of complying with Article IX Section 10 were known before the appropriation was sought; and

WHEREAS, a simple change in the appropriation procedure might bring together the County and organizations seeking funds from the Legislature in advance of a session to determine whether an appropriate transaction is feasible given the need; and

WHEREAS, it is the desire of the Board that such an application procedure be developed and that funds appropriated to organizations who fail to follow the procedure are not accepted by the County.

NOW, THEREFORE, BE IT RESOLVED, Socorro County shall only act as a fiscal agent for legislative appropriations to organizations when that organization has received prior approval from the County to request a Legislative appropriation; and

The requirements for prior approval shall be established by the Board of County Commissioners and at a minimum shall include completion of an application, tentative completion of the appropriate agreement or agreements needed to complete the transaction, identification of a possible sponsor, and, if appropriate, inclusion of the proposed project in the County's Infrastructure Capital Improvement Plan; and

Prior Approval shall be granted no later than four (4) weeks prior to the legislative session.

APPROVED, ADOPTED, AND PASSED on this 28th day of July, 2009.

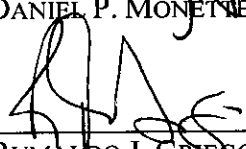
BOARD OF COUNTY COMMISSIONERS

ROSALIND F. TRIPP, CHAIR

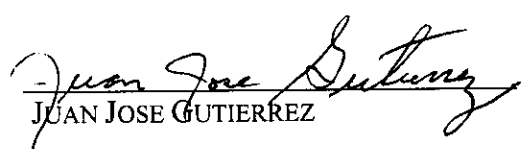


DANIEL P. MONETTE, VICE-CHAIR

PHILLIP ANAYA



RUMALDO J. GRIEGO



JUAN JOSE GUTIERREZ

ATTEST BY:



REBECCA (BECKY) VEGA, COUNTY CLERK

