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HOUSE BILL 93

53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017

INTRODUCED BY

Alonzo Baldonado

AN ACT

RELATING TO PUBLIC OFFICERS; LIMITING THE SOURCE OF
COMPENSATION FOR CABINET SECRETARIES; PROHIBITING A CABINET
SECRETARY FROM SERVING AS A MEMBER OF A FOR-PROFIT
CORPORATION'S BOARD OF DIRECTORS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 9-1-4 NMSA 1978 (being Laws 1977,
Chapter 248, Section 4) is amended to read:

"9-1-4. CABINET DEPARTMENTS--STRUCTURE--LIMITATIONS ON
SECRETARY.--

A. Except as otherwise provided by law for its
internal structure, the executive branch shall adhere to the
following standard terms:

(1) the principal unit of the executive branch
is a "department", headed by a "secretary" who shall be

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underscoring material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 appointed by the governor with the consent of the senate and
2 who shall serve at [~~his~~] the governor's pleasure;

3 (2) the principal unit of a department is a
4 "division", headed by a "director" who shall be appointed by
5 the secretary with the approval of the governor and who shall
6 serve at the secretary's pleasure;

7 (3) the principal unit of a division is a
8 "bureau", headed by a "chief" who is employed by the secretary
9 and who is covered by, and subject to, the provisions of the
10 Personnel Act; and

11 (4) the principal unit of a bureau is a
12 "section", headed by a "supervisor" who is employed by the
13 secretary and who is covered by, and subject to, the provisions
14 of the Personnel Act.

15 B. An appointed secretary shall serve and have all
16 of the duties, responsibilities and authority of that office
17 during the period of time prior to final action by the senate
18 confirming or rejecting [~~his~~] the secretary-designate's
19 appointment.

20 C. At the time an appointed secretary begins
21 service and after confirmation by the senate, if confirmed, the
22 secretary-designate or secretary shall not receive compensation
23 for service from any source other than the state and shall not
24 serve as a member of a for-profit corporation's board of
25 directors."

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