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HOUSE JOINT RESOLUTION 18

52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015

INTRODUCED BY

Carl Trujillo and Richard C. Martinez

A JOINT RESOLUTION

PROPOSING TO AMEND ARTICLE 11 OF THE CONSTITUTION OF NEW MEXICO
BY REPEALING SECTION 1 AND ADDING A NEW SECTION 1 TO PROVIDE
FOR A SEVEN-MEMBER FULL-TIME HYBRID APPOINTED-ELECTED PUBLIC
REGULATION COMMISSION WHOSE MEMBERS SERVE FOR STAGGERED FOUR-
YEAR TERMS AND WHO MEET QUALIFICATIONS AND OTHER REQUIREMENTS
AS PROVIDED BY LAW.

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

SECTION 1. It is proposed to amend Article 11 of the
constitution of New Mexico by repealing Section 1 and adding a
new Section 1 to read:

"A. The "public regulation commission" is created
as a full-time commission of seven members, four of whom are
appointed by the governor with the advice and consent of the
senate and three of whom are elected, one from each

.200515.1

underscored material = new
~~[bracketed material]~~ = delete

1 congressional district, and who shall serve staggered four-year
2 terms as provided by law. Commissioners shall, during their
3 terms of office, reside and keep the public records, books,
4 papers and seals of office at the seat of government as
5 provided for other officers of the executive department in this
6 constitution. Candidates for appointment or election shall
7 meet the qualifications for office, and commissioners shall
8 meet other requirements as provided by law. Elected members
9 shall be elected at the general election, and their terms begin
10 January 1 following the general election. Terms of appointed
11 members also begin January 1. An appointed or elected member
12 may serve for two four-year terms and may not serve again until
13 at least one full term has intervened. Appointed members shall
14 be removed only for malfeasance, misfeasance or neglect of
15 duty.

16 B. The commissioners holding office at the time of
17 the adoption of this amendment shall continue in office until
18 the expiration of their terms, but the legislature shall
19 provide by law for the phasing in of elected members and
20 appointed members. No more than three of the appointed members
21 shall be from the same political party. A person appointed to
22 fill a vacancy of a commissioner holding office at the time of
23 the adoption of this amendment shall be appointed without
24 regard to districts and shall serve for the remainder of the
25 unexpired term.

.200515.1

1 C. No commissioner or candidate for the commission
2 shall accept anything of value from a person whose charges for
3 services to the public are regulated by the commission."

4 SECTION 2. The amendment proposed by this resolution
5 shall be submitted to the people for their approval or
6 rejection at the next general election or at any special
7 election prior to that date that may be called for that
8 purpose.