

1 BILL

2 53rd LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2018

3 INTRODUCED BY

4 DISCUSSION DRAFT

5 AN ACT

6 RELATING TO THE COURTS; OPERATIONS OF THE SUPREME COURT, SUPREME
7 COURT BUILDING COMMISSION, AND SUPREME COURT LAW LIBRARY

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

10 SECTION 1. [NEW MATERIAL] Consolidated appropriation and
11 budgets for operations of supreme court, supreme court building
12 commission, and supreme court law library.

13 For purposes of the annual appropriation and budgeting
14 process, and notwithstanding any state budget statutes to the
15 contrary, the operations of the supreme court, supreme court
16 building commission, and supreme court law library shall be
17 funded and budgeted through a consolidated appropriation to the
18 supreme court."

19 SECTION 2. Section 34-3-1 NMSA 1978 (being Laws 1967,
20 Chapter 214, Section 1) is amended to read:

21 There is created within the judicial department the
22 "supreme court building commission" [~~consisting of three~~
23 ~~residents of the state appointed by the supreme court. Each~~
24 ~~member shall qualify by taking the oath prescribed by the~~

1 ~~constitution for state officers and shall hold office until his~~
2 ~~successor is appointed by the supreme court. Vacancies shall be~~
3 ~~filled in the same manner as the original appointment. Members~~
4 ~~shall receive reimbursement as provided in the Per Diem and~~
5 ~~Mileage Act [10-8-1 NMSA 1978] but shall receive no other~~
6 ~~compensation, perquisite or allowance. No member shall be~~
7 ~~interested, directly or indirectly, in any contract relating to~~
8 ~~the construction, equipment or maintenance of the supreme court~~
9 ~~building, and any contract made in violation of this sentence is~~
10 ~~void.]~~ which shall consist of the chief justice and justices of
11 the supreme court of the state of New Mexico, who shall have the
12 management, control and supervision of the supreme court
13 building.

14 SECTION 3. Section 34-3-2 NMSA 1978 (being Laws 1967,
15 Chapter 214, Section 2) is amended to read:

16 The chief justice of the supreme court shall act as chair
17 of the supreme court building commission, and the clerk of the
18 supreme court shall act as secretary for the commission. [The
19 ~~supreme court building commission shall elect from its~~
20 ~~membership a chairman, vice chairman and secretary.] The
21 chair[man] shall preside at all meetings of the commission and
22 shall sign on behalf of the commission all contracts and other
23 necessary papers authorized by the commission. In the absence
24 of the chair[man], the [vice-chairman] secretary shall exercise~~

1 ~~his~~ the chair's duties. The secretary shall keep complete
2 records of all commission business and shall approve all
3 vouchers submitted to the department of finance and
4 administration for the expenditure of funds available to the
5 commission, as appropriated to the supreme court, for the
6 operation of the supreme court building. [~~Two~~] Three members of
7 the commission constitute a quorum for the transaction of
8 business, and all actions of the commission shall be by a
9 majority vote of the full commission.

10 SECTION 4. Section 34-3-3 NMSA 1978 (being Laws 1967,
11 Chapter 214, Section 3) is amended to read:

12 The supreme court building commission has care, custody and
13 control of the supreme court building and its grounds, along
14 with all equipment, furniture and fixtures purchased or used by
15 agencies of the judicial department housed therein. With
16 respect to this property, through appropriations to the supreme
17 court, the commission shall:

18 A. provide for the preservation, care, cleaning, heating
19 and lighting; and

20 B. [~~subject to legislative appropriations,~~] hire
21 necessary employees for this purpose and fix their compensation
22 and terms of employment, but not compensation shall be paid to
23 any person who is paid compensation by any other agency of the
24 state.

1 SECTION 5. Section 18-1-4 NMSA 1978 (being Comp. 1953,
2 Chapter 4, Article 10, Section 4,) is amended to read:

3 Said board of trustees shall order and purchase all books
4 for said library for which an appropriation shall have been made
5 to the supreme court for such purposes, and have full and
6 complete management of all the financial affairs of said library
7 through a consolidated appropriation and budget for the supreme
8 court.