

HOUSE BILL 358

**51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013**

INTRODUCED BY

Zachary J. Cook

AN ACT

RELATING TO JUDICIAL STANDARDS; ADDING A MUNICIPAL JUDGE AND A PUBLIC MEMBER TO THE JUDICIAL STANDARDS COMMISSION; DECLARING AN EMERGENCY.

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

**SECTION 1.** Section 34-10-1 NMSA 1978 (being Laws 1968, Chapter 48, Section 1, as amended) is amended to read:

"34-10-1. JUDICIAL STANDARDS COMMISSION--SELECTION--TERMS.--The judicial standards commission consists of ~~eleven~~ thirteen positions:

A. positions 1 through 5, ~~and~~ position 10 and position 12, each of which shall be filled by a person who is a qualified elector of this state, who is not a justice, judge or magistrate of any court and who is not licensed to practice law in this state. The governor shall fill each of these positions

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1 by appointment of qualified persons. Following initial terms  
2 specified in this subsection, these positions shall be filled  
3 in the same manner by qualified persons who serve for five  
4 years or less, in such manner that at least one term expires on  
5 June 30 each year, and so that not more than four of the [~~six~~]  
6 seven positions are occupied by persons from the same political  
7 party. The initial terms for positions 1 through 5 begin on  
8 July 1, 1968. The initial term for position 10 begins on July  
9 1, 1999, and the initial term for position 12 begins on July 1,  
10 2013. The terms expire as follows:

- 11 (1) position 1 on June 30, 1969;
- 12 (2) position 2 on June 30, 1970;
- 13 (3) position 3 on June 30, 1971;
- 14 (4) position 4 on June 30, 1972;
- 15 (5) position 5 on June 30, 1973; [~~and~~]
- 16 (6) position 10 on June 30, 2004; and
- 17 (7) position 12 on June 30, 2018;

18 B. positions 6 and 7, each of which shall be filled  
19 by a person who is licensed to practice law in this state.  
20 These positions shall be filled by appointment of qualified  
21 persons by majority vote of all members of the board of  
22 commissioners of the state bar of New Mexico, but no member of  
23 the board of commissioners shall be appointed. Following  
24 initial terms specified in this subsection, these positions  
25 shall be filled in the same manner by qualified persons who

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1 serve for four years or less, in such manner that one of the  
2 terms expires on June 30 of each even-numbered year. Initial  
3 terms begin on July 1, 1968 and expire as follows:

4 (1) position 6 on June 30, 1970; and

5 (2) position 7 on June 30, 1972; and

6 C. positions 8 and 9, each of which shall be filled  
7 by a person who is a justice of the supreme court or a judge of  
8 the court of appeals or district court; ~~and~~ position 11,  
9 which shall be filled by a person who is a magistrate court  
10 judge; and position 13, which shall be filled by a person who  
11 is a municipal judge. These positions shall be filled by  
12 appointment of qualified persons by the supreme court.

13 Following initial terms specified in this subsection, these  
14 positions shall be filled in the same manner by qualified  
15 persons who serve for four years or less, in such manner that  
16 at least one of the terms expires on June 30 of each odd-  
17 numbered year. The initial terms for positions 8 and 9 begin  
18 on July 1, 1968. The initial term for position 11 begins on  
19 July 1, 1999. The initial term for position 13 begins on July  
20 1, 2013. The terms expire as follows:

21 (1) position 8 on June 30, 1971;

22 (2) position 9 on June 30, 1973; ~~and~~

23 (3) position 11 on June 30, 2003; and

24 (4) position 13 on June 30, 2017."

25 SECTION 2. EMERGENCY.--It is necessary for the public

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peace, health and safety that this act take effect immediately.