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SENATE JOINT RESOLUTION 13

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

INTRODUCED BY

William E. Sharer

A JOINT RESOLUTION

PROPOSING TO AMEND ARTICLE 11, SECTION 1 OF THE CONSTITUTION OF
NEW MEXICO TO PROVIDE FOR A THREE-MEMBER PUBLIC REGULATION
COMMISSION APPOINTED BY THE GOVERNOR WITH THE ADVICE AND
CONSENT OF THE SENATE IN LIEU OF THE CURRENT FIVE-MEMBER
ELECTED COMMISSION.

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

SECTION 1. It is proposed to amend Article 11, Section 1
of the constitution of New Mexico to read:

"The "public regulation commission" is created. The
commission shall consist of [~~five~~] three members [~~elected from~~
~~districts provided by law for staggered four-year terms~~
~~beginning on January 1 of the year following their election;~~
~~provided that those chosen at the first general election after~~
~~the adoption of this section shall immediately classify~~

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

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1 ~~themselves by lot, so that two of them shall hold office for~~
2 ~~two years and three of them for four years; and further~~
3 ~~provided that, after serving two terms, members shall be~~
4 ~~ineligible to hold office as a commission member until one full~~
5 ~~term has intervened]~~ appointed by the governor with the advice
6 and consent of the senate, from districts as provided by law;
7 provided that the initial districts from which the appointments
8 are made following the adoption of this amendment shall be the
9 same as the state's congressional districts to serve a
10 four-year term. No more than two commissioners shall be
11 members of the same political party at the time of their
12 appointment. Commissioners shall be appointed for staggered
13 four-year terms; provided that two of the first three
14 commissioners appointed shall be appointed to a two-year term
15 and the third shall be appointed to a four-year term.
16 Commissioners are state officers. The legislature shall
17 provide, by law, [~~increased~~] qualifications [~~for commissioners~~]
18 and continuing education requirements for commissioners. [~~The~~
19 ~~increased qualifications provided by this 2012 amendment shall~~
20 ~~apply to public regulation commissioners elected at the general~~
21 ~~election in 2014 and subsequent elections and to commissioners~~
22 ~~appointed to fill a vacancy at any time after July 1, 2013.]~~
23 No commissioner [~~or candidate for the commission~~] shall accept
24 anything of value from a person or entity whose charges for
25 services to the public are regulated by the commission."

.198414.3

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