

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

SENATE BILL 247

**53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018**

INTRODUCED BY

Joseph Cervantes

AN ACT

RELATING TO THE CONSTITUTION OF NEW MEXICO; CREATING AN  
INDEPENDENT CONSTITUTIONAL REVISION COMMISSION PURSUANT TO  
ARTICLE 19, SECTION 1 OF THE CONSTITUTION OF NEW MEXICO; MAKING  
AN APPROPRIATION; DECLARING AN EMERGENCY.

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

**SECTION 1. [NEW MATERIAL] CONSTITUTIONAL REVISION**

COMMISSION--CREATION--COMPOSITION.--The "constitutional  
revision commission" is created as an independent commission  
pursuant to Article 19, Section 1 of the constitution of New  
Mexico. The commission shall be composed of fifteen voting  
members and two advisory, nonvoting members. Members shall be  
appointed pursuant to the following provisions:

A. three public members shall be appointed by the  
speaker of the house of representatives, of whom no more than

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

underscored material = new  
[bracketed material] = delete

1 two shall belong to the same political party;

2 B. three public members shall be appointed by the  
3 president pro tempore of the senate, of whom no more than two  
4 shall belong to the same political party;

5 C. three public members shall be appointed by the  
6 governor, of whom no more than two shall belong to the same  
7 political party;

8 D. six public members shall be appointed by the New  
9 Mexico legislative council;

10 E. the appointments shall be coordinated to ensure  
11 that the different geographical areas of the state are  
12 represented and that the members reflect the cultural,  
13 economic, professional and ethnic diversity of New Mexico;

14 F. no more than eight members shall belong to the  
15 same political party;

16 G. the chief justice of the New Mexico supreme  
17 court or the chief justice's designee and the attorney general  
18 or the attorney general's designee shall serve in an advisory,  
19 nonvoting capacity; and

20 H. members considered for appointment to the  
21 commission shall not have changed party affiliation for at  
22 least one year prior to being appointed to the commission.

23 SECTION 2. [NEW MATERIAL] OFFICERS--VACANCIES.--The  
24 constitutional revision commission shall elect a chair and  
25 other necessary officers from among its members. Vacancies on

.210092.1

underscored material = new  
[bracketed material] = delete

1 the commission shall be filled by appointment by the respective  
2 appointing authority that made the original appointment, and  
3 those appointments shall be subject to the same criteria  
4 applicable to the initial appointments.

5 SECTION 3. [NEW MATERIAL] POWERS AND DUTIES.--The  
6 constitutional revision commission shall examine the  
7 constitution of New Mexico and the constitutions of other  
8 states to recommend changes in the constitution of New Mexico  
9 as it deems desirable and necessary. Upon majority approval of  
10 the fifteen voting members, legislation shall be drafted and  
11 submitted to the legislature for its review in accordance with  
12 the provisions of Article 19, Section 1 of the constitution of  
13 New Mexico.

14 SECTION 4. [NEW MATERIAL] REPORTS AND RECOMMENDATIONS.--  
15 The constitutional revision commission shall make a full report  
16 of its findings and recommendations. The report and any  
17 recommended constitutional revisions shall be made to the  
18 governor and to each member of the fifty-fourth legislature not  
19 later than thirty days prior to the convening of its first  
20 regular session.

21 SECTION 5. [NEW MATERIAL] STAFFING.--The staff and  
22 research work shall be done under the supervision of the chair  
23 of the constitutional revision commission by employees approved  
24 by the commission, assisted, upon request, by the legislative  
25 council service.

.210092.1

underscored material = new  
[bracketed material] = delete

1           SECTION 6.   ~~[NEW MATERIAL]~~ SUBCOMMITTEES.--In the  
2 performance of its duties, the constitutional revision  
3 commission may divide into subcommittees, but the findings and  
4 recommendations of the commission shall be adopted and reported  
5 only upon a majority vote of the commission.

6           SECTION 7.   ~~[NEW MATERIAL]~~ PER DIEM AND MILEAGE.--Members  
7 of the constitutional revision commission shall receive per  
8 diem and mileage as provided for in the Per Diem and Mileage  
9 Act and shall receive no other compensation, perquisite or  
10 allowance.

11           SECTION 8.   APPROPRIATION.--One hundred thousand dollars  
12 (\$100,000) is appropriated from New Mexico legislative council  
13 cash balances to the legislative council service for  
14 expenditure in fiscal years 2018 and 2019 to carry out the  
15 provisions of this act. Any unexpended or unencumbered balance  
16 remaining at the end of fiscal year 2019 shall revert to the  
17 general fund.

18           SECTION 9.   DELAYED REPEAL.--The provisions of this act  
19 are repealed effective April 1, 2019.

20           SECTION 10.   EMERGENCY.--It is necessary for the public  
21 peace, health and safety that this act take effect immediately.