

1 A JOINT RESOLUTION

2 PROPOSING TO AMEND THE CONSTITUTION OF NEW MEXICO TO PROVIDE
3 THAT THE PUBLIC REGULATION COMMISSION CONSIST OF THREE
4 MEMBERS APPOINTED BY THE GOVERNOR FROM A LIST OF
5 PROFESSIONALLY QUALIFIED NOMINEES SUBMITTED TO THE GOVERNOR
6 BY A NOMINATING COMMITTEE AS PROVIDED BY LAW AND THAT THE
7 COMMISSION IS REQUIRED TO REGULATE PUBLIC UTILITIES AND MAY
8 BE REQUIRED TO REGULATE OTHER PUBLIC SERVICE COMPANIES.

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

11 SECTION 1. It is proposed to amend Article 11, Section
12 1 of the constitution of New Mexico to read:

13 "A. The "public regulation commission" is created.
14 Until January 1, 2023, the commission shall consist of five
15 members elected from districts provided by law for staggered
16 four-year terms beginning on January 1 of the year following
17 their election; provided that after serving two terms,
18 members shall be ineligible to hold office as a commission
19 member until one full term has intervened; and provided
20 further that commission members elected for terms beginning
21 January 1, 2021 shall hold office for two years.

22 B. Beginning January 1, 2023, the commission shall
23 consist of three members. The governor shall nominate
24 members from a list of qualified nominees submitted to the
25 governor by the public regulation commission nominating

1 committee, as provided by law, and by and with the consent of
2 the senate shall appoint members to fill positions and
3 vacancies on the commission; provided that no more than two
4 commissioners shall be members of the same political party.
5 Members so appointed shall serve six-year staggered terms;
6 provided that, after serving two consecutive six-year terms,
7 members shall be ineligible to hold office as commissioner
8 until one full term has intervened. A person appointed to
9 fill a vacancy on the commission shall serve for the
10 remainder of the unexpired term.

11 C. A six-year term for a commission position shall
12 begin on January 1 of the year following the expiration of
13 the prior term for that position; provided that in January
14 2023, one member shall be appointed for an initial term of
15 two years, one member for an initial term of four years and
16 one member for a six-year term.

17 D. The legislature shall provide, by law, for
18 professional qualifications and continuing education
19 requirements for commissioners and for the creation of and
20 procedures for the public regulation commission nominating
21 committee.

22 E. A commission member may be removed by
23 impeachment for accepting anything of value from a person or
24 entity whose charges for services to the public are regulated
25 by the commission, malfeasance, misfeasance or neglect of

1 duty."

2 SECTION 2. It is proposed to amend Article 11, Section
3 2 of the constitution of New Mexico to read:

4 "The public regulation commission shall have
5 responsibility for regulating public utilities as provided by
6 law. The public regulation commission may have
7 responsibility for regulation of other public service
8 companies in such manner as the legislature shall provide."

9 SECTION 3. The amendment proposed by this resolution
10 shall be submitted to the people for their approval or
11 rejection at the next general election or at any special
12 election prior to that date that may be called for that
13 purpose.

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