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HOUSE BILL 350

**48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007**

INTRODUCED BY

Al Park

FOR THE COURTS, CORRECTIONS AND JUSTICE COMMITTEE

AN ACT

RELATING TO COURTS; CREATING THE COURT OF APPEALS BUILDING  
COMMISSION.

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

Section 1. COURT OF APPEALS BUILDING COMMISSION--  
CREATION--MEMBERSHIP.--

A. The "court of appeals building commission" is  
created within the judicial branch. The court of appeals  
building commission shall be composed of the chief judge of the  
court of appeals; the chief clerk of the court of appeals; one  
member of the supreme court appointed by the chief justice of  
the supreme court; and two public members with architectural or  
engineering expertise appointed by the chief judge of the court  
of appeals.

B. Each member of the court of appeals building

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1 commission shall qualify by taking the oath prescribed by the  
2 constitution of New Mexico for state officers. An appointed  
3 member shall hold office until there is a change in the  
4 appointing authority and the member's successor is appointed.  
5 Vacancies shall be filled in the same manner as the original  
6 appointment. Members shall receive reimbursement as provided  
7 in the Per Diem and Mileage Act and shall receive no other  
8 compensation, perquisite or allowance. No member shall be  
9 interested, directly or indirectly, in any contract relating to  
10 the construction, equipment or maintenance of the court of  
11 appeals building, and any contract made in violation of this  
12 sentence is void.

13 Section 2. COURT OF APPEALS BUILDING COMMISSION--  
14 ORGANIZATION.--The court of appeals building commission shall  
15 elect from its membership a chair, a vice chair and a  
16 secretary. The chair shall preside at all meetings of the  
17 commission and shall sign on behalf of the commission all  
18 contracts and necessary papers authorized by the commission.  
19 In the absence of the chair, the vice chair shall exercise the  
20 chair's duties. The secretary shall keep complete records of  
21 all commission business and shall approve all vouchers  
22 submitted to the department of finance and administration for  
23 the expenditure of funds available to the commission. Three  
24 members of the commission constitute a quorum for the  
25 transaction of business, and all actions of the commission

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1 shall be by a majority vote of members present.

2 Section 3. COURT OF APPEALS BUILDING COMMISSION--  
3 DUTIES.--

4 A. The court of appeals building commission has  
5 care, custody and control of the court of appeals building and  
6 its grounds, along with all court of appeals equipment,  
7 furniture and fixtures housed in the building. The court of  
8 appeals shall report and record all these assets as required by  
9 state audit rules.

10 B. With respect to the property under the care,  
11 custody and control of the court of appeals pursuant to  
12 Subsection A of this section, the court of appeals building  
13 commission shall:

14 (1) provide for the design, construction,  
15 maintenance, repair, cleaning, heating, cooling and lighting of  
16 that property; and

17 (2) subject to legislative appropriation, hire  
18 employees as necessary and fix their compensation and terms of  
19 employment; provided that no compensation shall be paid to a  
20 person who is compensated by another agency of the state.