

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

HOUSE BILL 529

**49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

INTRODUCED BY

W. Ken Martinez

AN ACT

RELATING TO THE JUDICIAL STANDARDS COMMISSION; ADDING A  
MUNICIPAL JUDGE AND ANOTHER PUBLIC MEMBER TO THE JUDICIAL  
STANDARDS COMMISSION.

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,  
municipal judge or magistrate of any court and who is not  
licensed to practice law in this state. The governor shall

.176078.1

underscoring material = new  
[bracketed material] = delete

underscored material = new  
[bracketed material] = delete

1 fill each of these positions by appointment of qualified  
2 persons. Following initial terms specified in this subsection,  
3 these positions shall be filled in the same manner by qualified  
4 persons who serve for five years or less, in such manner that  
5 at least one term expires on June 30 each year, and so that not  
6 more than four of the [~~six~~] seven positions are occupied by  
7 persons from the same political party. The initial terms for  
8 positions 1 through 5 begin on July 1, 1968. The initial term  
9 for position 10 begins on July 1, 1999 and the initial term for  
10 position 12 begins on July 1, 2011. The terms expire as  
11 follows:

- 12 (1) position 1 on June 30, 1969;
- 13 (2) position 2 on June 30, 1970;
- 14 (3) position 3 on June 30, 1971;
- 15 (4) position 4 on June 30, 1972;
- 16 (5) position 5 on June 30, 1973; [~~and~~]
- 17 (6) position 10 on June 30, 2004; and
- 18 (7) position 12 on June 30, 2016;

19 B. positions 6 and 7, each of which shall be filled  
20 by a person who is licensed to practice law in this state.

21 These positions shall be filled by appointment of qualified  
22 persons by majority vote of all members of the board of  
23 commissioners of the state bar of New Mexico, but no member of  
24 the board of commissioners shall be appointed. Following  
25 initial terms specified in this subsection, these positions

.176078.1

underscored material = new  
[bracketed material] = delete

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

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

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

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

14 Following initial terms specified in this subsection, these  
15 positions shall be filled in the same manner by qualified  
16 persons who serve for four years or less, in such manner that  
17 at least one of the terms expires on June 30 of each odd-  
18 numbered year. The initial terms for positions 8 and 9 begin  
19 on July 1, 1968. The initial term for position 11 begins on  
20 July 1, 1999. The initial term for position 13 begins July 1,  
21 2011. The terms expire as follows:

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

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

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

25 (4) position 13 on June 30, 2013."

.176078.1

1           Section 2. EFFECTIVE DATE.--The provisions of this act  
2           shall become effective upon certification by the secretary of  
3           state that the constitution of New Mexico has been amended as  
4           proposed by a joint resolution of the first session of the  
5           forty-ninth legislature entitled "A JOINT RESOLUTION PROPOSING  
6           AN AMENDMENT TO ARTICLE 6, SECTION 32 OF THE CONSTITUTION OF  
7           NEW MEXICO TO PROVIDE FOR A MUNICIPAL JUDGE TO SIT ON THE  
8           JUDICIAL STANDARDS COMMISSION AND TO PROVIDE FOR AN ADDITIONAL  
9           PUBLIC MEMBER".

10                                 - 4 -

underscored material = new  
[bracketed material] = delete