

1 SENATE JOINT RESOLUTION 4

2 **54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

3 INTRODUCED BY

4 Steven P. Neville

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10 A JOINT RESOLUTION

11 PROPOSING TO AMEND ARTICLE 11 OF THE CONSTITUTION OF NEW MEXICO
12 BY REPEALING SECTION 1 AND ADDING A NEW SECTION 1 TO PROVIDE
13 FOR THE TRANSITION TO A FIVE-MEMBER FULL-TIME PUBLIC REGULATION
14 COMMISSION THAT IS APPOINTED FROM THE STATE AT LARGE.

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

17 SECTION 1. It is proposed to amend Article 11 of the
18 constitution of New Mexico by repealing Section 1 and adding a
19 new Section 1 to read:

20 "A. The "public regulation commission" is created
21 as a full-time commission of five members appointed by the
22 governor with the advice and consent of the senate. Commission
23 members shall be appointed at large from the state to serve for
24 staggered four-year terms. A four-year term for a commission
25 position shall begin on January 1 of the year following the

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1 expiration of a prior term for that position; provided that the
2 first five members appointed to a full four-year term on or
3 after January 1, 2021 shall be appointed as the terms of
4 members in office prior to January 1, 2021 or elected to office
5 at the 2020 general election expire.

6 B. Commission members shall be residents of New
7 Mexico. Of the five commission members appointed pursuant to
8 and after this 2020 amendment, one shall be an attorney
9 licensed to practice law in New Mexico, one shall be an
10 engineer registered in New Mexico, one shall be a certified
11 public accountant certified in New Mexico, one shall be a
12 person with at least five years of experience working in an
13 industry regulated by the commission in New Mexico but not
14 working in a regulated industry at the time of assuming office
15 and one shall be a member of the public. The legislature may
16 provide by law for additional qualifications of members.

17 C. A commission member shall be removed for
18 malfeasance, misfeasance or neglect of duty after a hearing
19 before the supreme court pursuant to court rules. The
20 supreme court's jurisdiction over the hearing is exclusive, and
21 its decision on the removal is final.

22 D. A commission member who serves two consecutive
23 terms is ineligible to hold office as a member until one full
24 term has intervened. No more than three members shall be
25 members of the same political party at the time of their

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1 appointment. A person appointed to fill a vacancy on the
2 commission shall serve for the remainder of the unexpired term.

3 E. The legislature shall provide for continuing
4 education requirements for commission members.

5 F. A commission member shall not accept anything of
6 value from a person whose charges for services to the public
7 are regulated by the commission."

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