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SENATE BILL 668

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Pete Campos

AN ACT

RELATING TO MUNICIPALITIES; PROVIDING FOR APPOINTMENTS AND POSITIONS OF EMPLOYMENT FOLLOWING A MUNICIPAL ELECTION; AMENDING AND ENACTING SECTIONS OF THE MUNICIPAL CODE.

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

Section 1. Section 3-11-5 NMSA 1978 (being Laws 1965, Chapter 300, Section 14-10-5, as amended) is amended to read:

"3-11-5. MAYOR--APPOINTMENT OF OFFICERS AFTER ELECTION. --

A. ~~[At the]~~ An organizational meeting of the governing body ~~[which shall be scheduled pursuant to]~~ shall be held as provided in Section 3-8-33 NMSA 1978 ~~[of the Municipal Election Code]~~. At the organizational meeting:

(1) the mayor shall submit, for confirmation by the governing body, the names of persons who shall fill the

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1 appointive offices and positions of employment of the  
2 municipality [~~and the names of persons who shall be employed~~  
3 ~~by the municipality~~] that are not covered by a merit system  
4 ordinance adopted pursuant to Section 3-13-4 NMSA 1978. If  
5 the municipality has not adopted a merit system ordinance, the  
6 mayor shall submit the names of all the persons who shall be  
7 employed by the municipality; and

8 (2) if the governing body fails to confirm  
9 any person as an appointive official or employee of the  
10 municipality, the mayor at the next [~~regular~~] meeting of the  
11 governing body and at each subsequent meeting of the governing  
12 body shall submit the name of [another] a person [to fill the  
13 appointed office or to be employed by the municipality] whose  
14 nomination by the mayor has not previously been rejected by  
15 the governing body to fill the appointed office or position of  
16 employment.

17 B. Any person holding an appointed office at the  
18 time of the municipal election shall continue in that office  
19 until his successor has been appointed and is qualified."

20 Section 2. A new section of the Municipal Code, Section  
21 3-12-5 NMSA 1978, is enacted to read:

22 "3-12-5. [NEW MATERIAL] GOVERNING BODY--ORGANIZATIONAL  
23 MEETING.--An organizational meeting of the governing body  
24 shall be held as provided in Section 3-8-33 NMSA 1978. At the  
25 organizational meeting, the governing body may:

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- A. organize itself into committees;
- B. elect a mayor pro tem; and
- C. otherwise act within its powers to organize itself."

Section 3. EFFECTIVE DATE. -- The effective date of the provisions of this act is July 1, 2001.