

FORTY-SEVENTH LEGISLATURE  
SECOND SESSION, 2006

HB 180/a

February 12, 2006

Madam President:

Your **RULES COMMITTEE**, to whom has been referred

**HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR  
HOUSE BILL 180, as amended**

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 2, between lines 22 and 23, insert the following new section:

"Section 2. Section 10-16-3 NMSA 1978 (being Laws 1993, Chapter 46, Section 28) is amended to read:

"10-16-3. ETHICAL PRINCIPLES OF PUBLIC SERVICE--CERTAIN OFFICIAL ACTS PROHIBITED--PENALTY.--

A. A legislator, justice, judge of any court, magistrate, public officer or employee shall treat his government position as a public trust. He shall use the powers and resources of public office only to advance the public interest and not to obtain personal benefits or pursue private interests incompatible with the public interest.

B. A legislator, justice, judge of any court, magistrate, public officer or employee shall conduct himself in a manner that justifies the confidence placed in him by the people, at all times maintaining the integrity and discharging ethically the high responsibilities of public service.

C. Full disclosure of real or potential conflicts of interest shall be a guiding principle for determining appropriate conduct. At all times, reasonable efforts shall be made to avoid undue influence and abuse of office in public service.

**FORTY-SEVENTH LEGISLATURE  
SECOND SESSION, 2006**

SRC/HB 180

Page 2

D. No legislator, justice, judge of any court, magistrate, public officer or employee may request or receive, and no person may offer a legislator, justice, judge of any court, magistrate, public officer or employee, any money, thing of value or promise thereof that is conditioned upon or given in exchange for promised performance of an official act. Any person who knowingly and willfully violates the provisions of this subsection is guilty of a fourth degree felony and shall be sentenced pursuant to the provisions of Section 31-18-15 NMSA 1978."".

2. Renumber the succeeding sections accordingly.

3. On page 8, line 3, strike the quotation mark and between lines 3 and 4, insert the following new subsection:

"C. A public officer or employee shall not sell, offer to sell, coerce the sale of or be a party to a transaction to sell goods, services, construction or items of tangible personal property, directly or indirectly through the public officer's or employee's family or a business in which the public officer or employee has a substantial interest, to a person over whom the public officer or employee has regulatory authority.

D. A public officer or employee shall not receive a commission or shall not profit from the sale or a transaction to sell goods, services, construction or items of tangible personal property to a person over whom the public officer or employee has regulatory authority.

E. A public officer or employee shall not accept from a person over whom the public officer or employee has regulatory authority an offer of employment or an offer of a contract in which the public officer or employee provides goods, services, construction, items of tangible personal property or other things of value to the person over whom the public officer or employee has regulatory authority."".,

FORTY-SEVENTH LEGISLATURE  
SECOND SESSION, 2006

SRC/HB 180

Page 3

and thence referred to the **JUDICIARY COMMITTEE.**

Respectfully submitted,

\_\_\_\_\_  
Linda M. Lopez, Chairman

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 8 For 0 Against

Yes: 8

No: 0

Excused: Altamirano

Absent: None

HB0180RU1

.162279.1

.162425.1