

1 HOUSE JOINT RESOLUTION 6

2 **49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

3 INTRODUCED BY

4 Andy Nuñez

5
6 FOR THE ECONOMIC AND RURAL DEVELOPMENT COMMITTEE
7 AND THE RADIOACTIVE AND HAZARDOUS MATERIALS COMMITTEE
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10 A JOINT RESOLUTION

11 PROPOSING AN AMENDMENT TO THE CONSTITUTION OF NEW MEXICO TO
12 ALLOW THE LEGISLATURE TO ENACT LAWS THAT PROHIBIT REGULATORY
13 RULES OF THE EXECUTIVE BRANCH FROM TAKING EFFECT UNTIL REVIEWED
14 AND APPROVED BY THE APPROPRIATE INTERIM OR STANDING COMMITTEES
15 OF THE LEGISLATURE AND TO ALLOW THE LEGISLATURE TO ENACT LAWS
16 THAT EMPOWER THE APPROPRIATE INTERIM OR STANDING COMMITTEES OF
17 THE LEGISLATURE, AFTER REVIEWING AN ADOPTED REGULATORY RULE, TO
18 ANNUL THE RULE IF THE COMMITTEE FINDS THAT THE EXECUTIVE BRANCH
19 WAS NOT AUTHORIZED TO ADOPT THE RULE.
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21 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

22 Section 1. It is proposed to amend Article 4 of the
23 constitution of New Mexico by adding a new section to read:

24 "A. The legislature may, by law, prohibit
25 regulatory rules proposed by an agency or officer of the

.174605.1

underscored material = new
[bracketed material] = delete

underscoring material = new
~~[bracketed material] = delete~~

1 executive branch from taking effect until the proposed rules
2 have been reviewed and approved by the appropriate interim or
3 standing committees of the legislature.

4 B. The legislature may, by law, empower the
5 appropriate interim or standing committees of the legislature
6 to review a regulatory rule that has been adopted by an agency
7 or officer of the executive branch and to annul the rule if the
8 committee finds that the agency or officer of the executive
9 branch was not authorized to adopt the rule.

10 C. A law enacted pursuant to Subsection A or B of
11 this section shall establish procedures for selecting those
12 rules subject to the review of legislative committees,
13 procedures for designating the appropriate committees to
14 conduct the review and procedures to ensure that rules
15 necessary to address emergency situations are not impeded by
16 the review process."

17 Section 2. The amendment proposed by this resolution
18 shall be submitted to the people for their approval or
19 rejection at the next general election or at any special
20 election prior to that date that may be called for that
21 purpose.

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