SENATE JOINT RESOLUTION 16

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

INTRODUCED BY

Stuart Ingle

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF NEW MEXICO TO ALLOW THE LEGISLATURE TO ENACT LAWS THAT PROHIBIT REGULATORY RULES OF THE EXECUTIVE BRANCH FROM TAKING EFFECT IF NULLIFIED BY A MAJORITY VOTE OF THE LEGISLATURE.

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

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

"Regulations or rules adopted by an executive agency pursuant to legislative delegation have the force and effect of law, but such regulations or rules are not equal in status to statutory law. The legislature may nullify an adopted administrative regulation or rule of an executive agency by the passage of a resolution by a majority of all the members of the senate and house of representatives."

.177853.1

new	delete
II	II
material	material]
inderscored	bracketed .

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

- 2 -