

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

HOUSE BILL 151

**50TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2012**

INTRODUCED BY

Joseph Cervantes

AN ACT

RELATING TO THE CONSTITUTION OF NEW MEXICO; CREATING AN  
INDEPENDENT CONSTITUTIONAL REVISION COMMISSION PURSUANT TO  
ARTICLE 19, SECTION 1 OF THE CONSTITUTION OF NEW MEXICO; MAKING  
AN APPROPRIATION; DECLARING AN EMERGENCY.

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

**SECTION 1. CONSTITUTIONAL REVISION COMMISSION--CREATION--**  
COMPOSITION.--The "constitutional revision commission" is  
created as an independent commission pursuant to Article 19,  
Section 1 of the constitution of New Mexico. The commission  
shall be composed of fifteen voting members and two advisory,  
nonvoting members. Members shall be appointed pursuant to the  
following provisions:

A. three public members shall be appointed by the  
speaker of the house of representatives, of whom no more than

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

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

1 two shall belong to the same political party;

2 B. three public members shall be appointed by the  
3 president pro tempore of the senate, of whom no more than two  
4 shall belong to the same political party;

5 C. three public members shall be appointed by the  
6 governor, of whom no more than two shall belong to the same  
7 political party;

8 D. six public members shall be appointed by the New  
9 Mexico legislative council;

10 E. the appointments shall be coordinated to ensure  
11 that the different geographical areas of the state are  
12 represented and that the members reflect the cultural,  
13 economic, professional and ethnic diversity of New Mexico;

14 F. no more than eight members shall belong to the  
15 same political party; and

16 G. the chief justice of the New Mexico supreme  
17 court or the chief justice's designee and the attorney general  
18 or the attorney general's designee shall serve in an advisory,  
19 nonvoting capacity.

20 **SECTION 2. OFFICERS--VACANCIES.--**The constitutional  
21 revision commission shall elect a chair and other necessary  
22 officers from among its members. Vacancies on the commission  
23 shall be filled by appointment by the respective appointing  
24 authority that made the original appointment, and those  
25 appointments shall be subject to the same criteria applicable

.188620.1

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

1 to the initial appointments.

2           **SECTION 3. POWERS AND DUTIES.**--The constitutional  
3 revision commission shall examine the constitution of New  
4 Mexico and the constitutions of other states to recommend  
5 changes in the constitution of New Mexico as it deems desirable  
6 and necessary. Upon majority approval of the fifteen voting  
7 members, legislation shall be drafted and submitted to the  
8 legislature for its review in accordance with the provisions of  
9 Article 19, Section 1 of the constitution of New Mexico.

10           **SECTION 4. REPORTS AND RECOMMENDATIONS.**--The  
11 constitutional revision commission shall make a full report of  
12 its findings and recommendations. The report and any  
13 recommended constitutional revisions shall be made to the  
14 governor and to each member of the fifty-first legislature not  
15 later than thirty days prior to the convening of its second  
16 regular session.

17           **SECTION 5. STAFFING.**--The staff and research work shall  
18 be done under the supervision of the chair of the  
19 constitutional revision commission by employees approved by the  
20 commission, assisted, upon request, by the legislative council  
21 service.

22           **SECTION 6. SUBCOMMITTEES.**--In the performance of its  
23 duties, the constitutional revision commission may divide into  
24 subcommittees, but the findings and recommendations of the  
25 commission shall be adopted and reported only upon a majority

.188620.1

underscored material = new  
[bracketed material] = delete

1 vote of the commission.

2 SECTION 7. PER DIEM AND MILEAGE.--Members of the  
3 constitutional revision commission shall receive per diem and  
4 mileage as provided for in the Per Diem and Mileage Act and  
5 shall receive no other compensation, perquisite or allowance.

6 SECTION 8. APPROPRIATION.--One hundred thousand dollars  
7 (\$100,000) is appropriated from New Mexico legislative council  
8 cash balances to the legislative council service for  
9 expenditure in fiscal years 2012 through 2014 in order to carry  
10 out the provisions of this act. Any unexpended or unencumbered  
11 balance remaining at the end of fiscal year 2014 shall revert  
12 to the general fund.

13 SECTION 9. DELAYED REPEAL.--The provisions of this act  
14 are repealed effective April 1, 2014.

15 SECTION 10. EMERGENCY.--It is necessary for the public  
16 peace, health and safety that this act take effect immediately.