

underscored material = new
[bracketed material] = delete

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

SENATE BILL 187

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

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

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;

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; and

20 H. members considered for appointment to the
21 commission shall not have changed party affiliation for at
22 least one year prior to being appointed to the commission.

23 **SECTION 2. OFFICERS--VACANCIES.--**The constitutional
24 revision commission shall elect a chair and other necessary
25 officers from among its members. Vacancies on the commission

.191362.1

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

1 shall be filled by appointment by the respective appointing
2 authority that made the original appointment, and those
3 appointments shall be subject to the same criteria applicable
4 to the initial appointments.

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

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

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

25 **SECTION 6. SUBCOMMITTEES.**--In the performance of its

.191362.1

underscoring material = new
[bracketed material] = delete

1 duties, the constitutional revision commission may divide into
2 subcommittees, but the findings and recommendations of the
3 commission shall be adopted and reported only upon a majority
4 vote of the commission.

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

9 SECTION 8. APPROPRIATION.--One hundred thousand dollars
10 (\$100,000) is appropriated from New Mexico legislative council
11 cash balances to the legislative council service for
12 expenditure in fiscal years 2013 and 2014 in order to carry out
13 the provisions of this act. Any unexpended or unencumbered
14 balance remaining at the end of fiscal year 2014 shall revert
15 to the general fund.

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

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