

1 SENATE JOINT RESOLUTION 16

2 **53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017**

3 INTRODUCED BY

4 William E. Sharer

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10 A JOINT RESOLUTION

11 PROPOSING TO AMEND ARTICLE 11, SECTION 1 OF THE CONSTITUTION OF  
12 NEW MEXICO TO PROVIDE FOR A THREE-MEMBER PUBLIC REGULATION  
13 COMMISSION APPOINTED BY THE GOVERNOR WITH THE ADVICE AND  
14 CONSENT OF THE SENATE IN LIEU OF THE CURRENT FIVE-MEMBER  
15 ELECTED COMMISSION.

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

18 SECTION 1. It is proposed to amend Article 11, Section 1  
19 of the constitution of New Mexico to read:

20 "The "public regulation commission" is created. The  
21 commission shall consist of [~~five~~] three members [~~elected from~~  
22 ~~districts provided by law for staggered four-year terms~~  
23 ~~beginning on January 1 of the year following their election;~~  
24 ~~provided that those chosen at the first general election after~~  
25 ~~the adoption of this section shall immediately classify~~

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1 ~~themselves by lot, so that two of them shall hold office for~~  
2 ~~two years and three of them for four years; and further~~  
3 ~~provided that, after serving two terms, members shall be~~  
4 ~~ineligible to hold office as a commission member until one full~~  
5 ~~term has intervened]~~ appointed by the governor with the advice  
6 and consent of the senate, from districts as provided by law;  
7 provided that the initial districts from which the appointments  
8 are made following the adoption of this amendment shall be the  
9 same as the state's congressional districts. No more than two  
10 commissioners shall be members of the same political party at  
11 the time of their appointment. Commissioners shall be  
12 appointed for staggered four-year terms; provided that two of  
13 the first three commissioners appointed shall be appointed to a  
14 two-year term and the third shall be appointed to a four-year  
15 term. Commissioners are state officers. The legislature shall  
16 provide, by law, [increased] qualifications [for commissioners]  
17 and continuing education requirements for commissioners. [The  
18 ~~increased qualifications provided by this 2012 amendment shall~~  
19 ~~apply to public regulation commissioners elected at the general~~  
20 ~~election in 2014 and subsequent elections and to commissioners~~  
21 ~~appointed to fill a vacancy at any time after July 1, 2013.]~~  
22 No commissioner [or candidate for the commission] shall accept  
23 anything of value from a person or entity whose charges for  
24 services to the public are regulated by the commission."

25 SECTION 2. The amendment proposed by this resolution

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1 shall be submitted to the people for their approval or  
2 rejection at the next general election or at any special  
3 election prior to that date that may be called for that  
4 purpose.

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