

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 JOINT RESOLUTION 5

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

Roberto "Bobby" J. Gonzales and Angelica Rubio

A JOINT RESOLUTION

PROPOSING AMENDMENTS TO ARTICLE 4, SECTION 10 OF THE
CONSTITUTION OF NEW MEXICO TO ABOLISH LEGISLATIVE PER DIEM AND
MILEAGE AND THE PROHIBITION OF LEGISLATIVE COMPENSATION AND TO
CREATE A PUBLIC OFFICER SALARY COMMISSION TO SET LIMITS ON THE
SALARY OF ELECTED STATE OFFICERS AND OTHER PUBLIC OFFICERS AS
DEFINED BY LAW.

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 repealing Section 10, effective
January 1, 2023.

SECTION 2. It is proposed to amend Article 4 of the
constitution of New Mexico by adding a new section to read:

"A. The "public officer salary commission" is
established as a state agency under the direction of seven

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

underscored material = new
[bracketed material] = delete

1 commissioners, no more than four of whom may be members of the
2 same political party, whose terms and qualifications shall be
3 as provided by law.

4 B. The governor shall appoint two commissioners who
5 shall not be from the same political party. The chief justice
6 of the supreme court shall appoint two commissioners who shall
7 not be from the same political party. One commissioner each
8 shall be appointed by the president pro tempore of the senate
9 and the speaker of the house of representatives, all as
10 certified by the chief clerks of the respective chambers. One
11 commissioner shall be appointed by the six commissioners
12 appointed by the governor, the chief justice of the supreme
13 court, the president pro tempore of the senate and the speaker
14 of the house of representatives. No member of the commission
15 shall be a:

16 (1) current governor, lieutenant governor,
17 attorney general, secretary of state, treasurer, state auditor
18 or commissioner of public lands;

19 (2) current member of the judiciary;

20 (3) current legislator;

21 (4) current member of the public regulation
22 commission;

23 (5) current employee of state government;

24 (6) current or former lobbyist registered
25 pursuant to New Mexico law; or

.211711.5

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

1 (7) spouse, domestic partner, parent, child or
2 sibling, by consanguinity or affinity, of a person identified
3 in Paragraphs (1) through (6) of this subsection.

4 C. The public officer salary commission shall
5 prescribe salary limits for:

6 (1) the governor, lieutenant governor,
7 attorney general, secretary of state, state treasurer, state
8 auditor and commissioner of public lands;

9 (2) justices of the supreme court, judges of
10 the court of appeals and district court judges;

11 (3) legislators;

12 (4) members of the public regulation
13 commission; and

14 (5) other public officers as defined by law.

15 D. The public officer salary commission shall
16 prescribe salary limits by October 1 of each odd-numbered year,
17 taking into account any other compensation, perquisite,
18 allowance or reimbursement provided to persons identified in
19 Subsection C of this section by the state of New Mexico. The
20 commission may make recommendations to the legislature
21 regarding compensation, perquisite, allowance or reimbursement
22 other than salary.

23 E. The salary of senators who are serving a term of
24 office that expires on December 31, 2024 may receive a salary
25 beginning January 1, 2023, notwithstanding that the senators'

.211711.5

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

1 compensation will be increased or decreased during their terms
2 of office."

3 SECTION 3. The amendment proposed by this resolution
4 shall be submitted to the people for their approval or
5 rejection at the next general election or at any special
6 election prior to that date that may be called for that
7 purpose.

8 - 4 -
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25