

AN ACT

RELATING TO THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE;
RELATING TO THE STATE JUDICIAL SYSTEM; CREATING THE STATE
JUDICIAL SYSTEM STUDY COMMITTEE; PROVIDING DUTIES AND POWERS;
DECLARING AN EMERGENCY.

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

Section 1. STATE JUDICIAL SYSTEM STUDY COMMITTEE
CREATED.--The joint interim legislative "state judicial
system study committee" is created. The committee shall
function from the date of its appointment until December 1
prior to the first session of the forty-sixth legislature.

Section 2. MEMBERSHIP--APPOINTMENT--VACANCIES.--

A. The state judicial system study committee shall
be composed of ten members appointed by the New Mexico
legislative council. Five members shall be appointed from
the house of representatives and five members from the
senate. At the time of appointment, the legislative council
shall designate the chairman and vice chairman of the
committee.

B. Members shall be appointed from each house so
as to give the two major political parties in each house the
same proportionate representation on the committee as
prevails in each house; however, in no event shall either
party have less than one member from each house on the state

judicial system study committee. At the request of the committee chairman, members may be removed from the committee by the New Mexico legislative council for nonattendance in accordance with council policy. Vacancies on the committee may be filled by the New Mexico legislative council, or the council may reduce the size of the committee by not making replacement appointments and in that case need not readjust party representation.

C. An action shall not be taken by the committee if a majority of the total membership from either house on the committee rejects that action.

Section 3. DUTIES AND POWERS.--

A. After its appointment, the state judicial system study committee shall hold an initial meeting to develop a work plan and budget for the ensuing interim. The work plan and budget shall be submitted to the New Mexico legislative council for approval. Upon approval of the work plan and budget by the New Mexico legislative council, the committee, in cooperation with the members of the state judiciary, shall:

(1) examine the statutes, constitutional provisions, regulations and court decisions governing the judicial system in New Mexico;

(2) evaluate the effectiveness of the judiciary system; and

(3) make recommendations to the legislature relating to new legislation or changes in current law, if any, determined necessary by the committee.

B. Any member of the committee may administer oaths. The committee or a subcommittee thereof may have the power of subpoena, which may be enforced through any district court of the state. Process of the committee shall be served by any sheriff, deputy or member of the state police, and shall be served without cost to the committee.

Section 4. REPORT.--The state judicial system study committee shall make a report of its findings and recommendations for the consideration of the first session of the forty-sixth legislature. The report and suggested legislation shall be made available to the legislative council on or before December 15 preceding that session.

Section 5. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.
