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HOUSE BILL 810

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Max Coll

AN ACT

RELATING TO THE STATE HIGHWAY COMMISSION; PROVIDING THAT TWO STATE HIGHWAY COMMISSIONERS BE APPOINTED FROM EACH CONGRESSIONAL DISTRICT; PROVIDING THAT STATE HIGHWAY COMMISSIONERS SERVE AT THE PLEASURE OF THE GOVERNOR AND CAN BE REMOVED BY EXTRAORDINARY VOTE OF THE LEGISLATURE.

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

Section 1. Section 67-3-2 NMSA 1978 (being Laws 1967, Chapter 266, Section 1, as amended) is amended to read:

"67-3-2. STATE HIGHWAY COMMISSIONERS--NUMBER-- APPOINTMENT-- POWERS-- TERM OF OFFICE-- BOND.--

A. The state highway commission shall consist of six members to be appointed by the governor with the advice and consent of the senate. Two members shall reside in and represent each of the three congressional districts.

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1 ~~[B. The highway commissioners holding office on the~~
2 ~~effective date of this act shall serve out the remainder of~~
3 ~~their unexpired terms and, thereafter, commissioners shall be~~
4 ~~appointed for staggered terms of six years each commencing on~~
5 ~~January 1 so that the terms of not more than two commissioners~~
6 ~~expire on December 31 of each even-numbered year. Any vacancy~~
7 ~~shall be filled by appointment of the governor with the~~
8 ~~approval of the senate for the remainder of the unexpired term.~~

9 C. Each of the members, in order to qualify as
10 such, shall take the usual oath and execute in favor of the
11 state a surety company bond in a form approved by the attorney
12 general in the amount of twenty-five thousand dollars (\$25,000)
13 conditioned upon the faithful performance of his duties. No
14 more than four of the appointed commissioners shall belong to
15 the same political party.]

16 B. State highway commissioners shall serve at the
17 pleasure of the governor, provided that a commissioner may be
18 removed pursuant to a joint resolution of the legislature,
19 passed by a two thirds' vote in each house.

20 ~~[D.]~~ C. The state highway commission shall have the
21 power to determine all matters of policy for the department. "

22 Section 2. TEMPORARY PROVISION. --The terms of the state
23 highway commissioners holding office on June 30, 2003 shall
24 expire on July 1, 2003.

25 Section 3. REPEAL. --Sections 67-3-3 through 67-3-5 NMSA

1 1978 (being Laws 1967, Chapter 266, Sections 2 through 4, as
2 amended) are repealed.

3 Section 4. EFFECTIVE DATE. --The effective date of the
4 provisions of Sections 1 and 3 of this act is July 1, 2003.

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