

HOUSE JOINT RESOLUTION 8

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

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A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE 11, SECTION 1 OF THE
CONSTITUTION OF NEW MEXICO TO PROVIDE FOR THE APPOINTMENT OF
TWO MEMBERS OF THE PUBLIC REGULATION COMMISSION BY THE GOVERNOR
AND FOR THREE MEMBERS TO BE ELECTED FROM DISTRICTS.

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

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

"The "public regulation commission" is created [The
~~commission shall consist of five members elected from districts~~
~~provided by law for staggered four-year terms beginning on~~
~~January 1 of the year following their election; provided that~~
~~those chosen at the first general election after the adoption~~
~~of this section shall immediately classify themselves by lot,~~
~~so that two of them shall hold office for two years and three~~

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underscored material = new
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1 ~~of them for four years; and further provided that, after~~
2 ~~serving two terms, members shall be ineligible to hold office~~
3 ~~as a commission member until one full term has intervened]~~ and
4 shall consist of five members. Three members shall be elected
5 from the three districts corresponding to the federal
6 congressional districts for the house of representatives or, if
7 there are more or fewer than three congressional districts,
8 from districts as provided by law. Two members shall be
9 appointed by the governor by and with the consent of the
10 senate. Commissioners appointed by the governor shall not be
11 removed except for incompetence, neglect of duty or malfeasance
12 in office. No two appointees shall be members of the same
13 political party. Members shall serve staggered four-year
14 terms, and, if a member has served two consecutive terms, the
15 member shall not be eligible for election or appointment to the
16 commission until one full term has intervened. One
17 commissioner shall be elected by the commissioners to serve as
18 chairperson for a term of two years. No commissioner or
19 candidate for the commission shall accept anything of value
20 from a person or entity whose charges for services to the
21 public are regulated by the commission. The provisions of this
22 section shall take effect upon adoption of this amendment by
23 the people; provided that commissioners elected in 2006 or
24 before shall serve the remainder of their terms, appointed
25 members shall begin their terms on January 1, 2009 and elected

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1 members shall begin their terms on January 1 following their
2 election in the general election of 2010."

3 Section 2. 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.

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