

HOUSE JOINT RESOLUTION 12

**48TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2008**

INTRODUCED BY

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A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF NEW MEXICO TO  
ALLOW THE LEGISLATURE TO ENACT LAWS THAT PROHIBIT REGULATORY  
RULES OF THE EXECUTIVE BRANCH FROM TAKING EFFECT UNTIL REVIEWED  
AND APPROVED BY THE APPROPRIATE INTERIM OR STANDING COMMITTEES  
OF THE LEGISLATURE AND TO ALLOW THE LEGISLATURE TO ENACT LAWS  
THAT EMPOWER THE APPROPRIATE INTERIM OR STANDING COMMITTEES OF  
THE LEGISLATURE, AFTER REVIEWING AN ADOPTED REGULATORY RULE, TO  
ANNUL THE RULE IF THE COMMITTEE FINDS THAT THE EXECUTIVE BRANCH  
WAS NOT AUTHORIZED TO ADOPT THE RULE.

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 adding a new section to read:

"A. The legislature may, by law, prohibit  
regulatory rules proposed by an agency or officer of the

.172522.1

underscored material = new  
[bracketed material] = delete

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

1 executive branch from taking effect until the proposed rules  
2 have been reviewed and approved by the appropriate interim or  
3 standing committees of the legislature.

4 B. The legislature may, by law, empower the  
5 appropriate interim or standing committees of the legislature  
6 to review a regulatory rule that has been adopted by an agency  
7 or officer of the executive branch and to annul the rule if the  
8 committee finds that the agency or officer of the executive  
9 branch was not authorized to adopt the rule.

10 C. A law enacted pursuant to Subsection A or B of  
11 this section shall establish procedures for selecting those  
12 rules subject to the review of legislative committees,  
13 procedures for designating the appropriate committees to  
14 conduct the review and procedures to ensure that rules  
15 necessary to address emergency situations are not impeded by  
16 the review process."

17 Section 2. The amendment proposed by this resolution  
18 shall be submitted to the people for their approval or  
19 rejection at the next general election or at any special  
20 election prior to that date that may be called for that  
21 purpose.