

1 SENATE JOINT RESOLUTION 7

2 **48TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2008**

3 INTRODUCED BY

4 Stuart Ingle

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10 A JOINT RESOLUTION

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

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

22 Section 1. It is proposed to amend Article 4 of the
23 constitution of New Mexico by adding a new section to read:

24 "A. The legislature may, by law, prohibit
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.171436.1

underscored material = new
[bracketed material] = delete

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

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

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

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

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