

HOUSE JOINT RESOLUTION 23

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

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A JOINT RESOLUTION

PROPOSING AMENDMENTS TO ARTICLES 5 AND 11 OF THE CONSTITUTION OF NEW MEXICO TO PROVIDE THAT THE SUPERINTENDENT OF INSURANCE IS AN ELECTED STATE OFFICE WITH RESPONSIBILITY FOR REGULATING INSURANCE COMPANIES.

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

SECTION 1. It is proposed to amend Article 5, Section 1 of the constitution of New Mexico to read:

"The executive department shall consist of a governor, lieutenant governor, secretary of state, state auditor, state treasurer, attorney general, ~~and~~ commissioner of public lands and superintendent of insurance, who shall, unless otherwise provided in the constitution of New Mexico, be elected for terms of four years beginning on the first day of January next after their election. The governor and lieutenant governor

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1 shall be elected jointly by the casting by each voter of a  
2 single vote applicable to both offices.

3 Such officers shall, after having served two terms in a  
4 state office, be ineligible to hold that state office until one  
5 full term has intervened.

6 The officers of the executive department, except the  
7 lieutenant governor, shall during their terms of office, reside  
8 and keep the public records, books, papers and seals of office  
9 at the seat of government.

10 Upon the adoption of this amendment by the people, the  
11 terms provided for in this section shall apply to those  
12 officers elected at the general election in [~~1990~~] 2014 and all  
13 state executive officers elected thereafter."

14 **SECTION 2.** It is proposed to amend Article 11, Section 2  
15 of the constitution of New Mexico to read:

16 "The public regulation commission shall have  
17 responsibility for chartering and regulating business  
18 corporations in such manner as the legislature shall provide.  
19 The commission shall have responsibility for regulating public  
20 utilities, including electric, natural gas and water companies;  
21 transportation companies, including common and contract  
22 carriers; transmission and pipeline companies, including  
23 telephone, telegraph and information transmission companies;  
24 [~~insurance companies and others engaged in risk assumption~~] and  
25 other public service companies in such manner as the

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1 legislature shall provide."

2 SECTION 3. It is proposed to amend Article 11 of the  
3 constitution of New Mexico by adding a new section to read:

4 "The superintendent of insurance shall have the  
5 responsibility for regulating insurance companies and others  
6 engaged in risk assumption as provided by law."

7 SECTION 4. The amendments proposed by this resolution  
8 shall be submitted to the people for their approval or  
9 rejection at the next general election or at any special  
10 election prior to that date that may be called for that  
11 purpose.