1	SENATE JOINT RESOLUTION 13							
2	44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 199							
3	INTRODUCED BY							
4	Joseph A. Fidel							
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10	A JOINT RESOLUTION							
11	PROPOSING AN AMENDMENT TO THE CONSTITUTION OF NEW MEXICO TO							
12	PROVIDE FOR THE REGULATION OF INSURANCE BY A COMMISSION							
13	COMPOSED OF FIVE MEMBERS APPOINTED FOR STAGGERED TERMS BY THE							
14	GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE; PROVIDING							
15	THAT THE MEMBERS CAN ONLY BE REMOVED FOR INCOMPETENCE, NEGLECT							
16	OF DUTY OR MALFEASANCE IN OFFICE AND ONLY AFTER A HEARING							
17	BEFORE THE SUPREME COURT OF NEW MEXICO.							
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19	BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:							
20	Section 1. It is proposed to amend Article 11, Section 2							
21	of the constitution of New Mexico to read:							
22	"The public regulation commission shall have							
23	responsibility for chartering and regulating business							
24	corporations in such manner as the legislature shall provide.							
25	The commission shall have responsibility for regulating public							
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utilities, including electric, natural gas and water companies; transportation companies, including common and contract carriers; transmission and pipeline companies, including telephone, telegraph and information transmission companies; [insurance companies and others engaged in risk assumption] and other public service companies in such manner as the legislature shall provide."

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

"The "insurance commission" is created. The insurance commission shall be composed of five members, appointed from districts as provided by law, who shall be qualified electors of the state, no more than three of whom at the time of their appointment shall be members of the same political party. The governor shall nominate and by and with the consent of the senate shall appoint the members of the insurance commission. The terms of the insurance commission members shall be for six years; provided that of the five first appointed, the terms of two shall be for two years, the terms of two shall be for four years and the term of one shall be for six years.

Members of the insurance commission shall not be removed except for incompetence, neglect of duty or malfeasance in office; provided that no removal shall be made without notice of hearing and an opportunity to be heard having first been given to the member. The supreme court of New Mexico is given . 126681.1

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exclusive original jurisdiction over proceedings to remove
members of the commission under such rules as it may
promulgate, and its decision in connection with such matters
shall be final.

The insurance commission shall regulate the activities of the insurance industry in such manner as the legislature shall provide."

Section 3. The provisions of Section 1 of this amendment shall take effect January 1, 2003.

Section 4. The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at the next general election or at any special election prior to that date which may be called for that purpose.

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		1	FORTY-FOURTH LEGISLATURE					
		2	FIRST SESSION, 1999					
		3						
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		5	February 18, 1999					
		6	rebruary 10, 1999					
		7	Mr. President:					
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		9	Your RULES COMMITTEE, to whom has been referred					
		10	Tour Rolles Committee, to whom has been referred					
		11						
		12	SENATE JOINT RESOLUTION 13					
		13						
		14	has had it under consideration and reports same with					
		15	recommendation that it DO PASS, and thence referred to the					
	e)	16	CORPORATIONS & TRANSPORTATION COMMITTEE.					
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