

SENATE JOINT RESOLUTION 1, 53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

A JOINT RESOLUTION PROPOSING TO AMEND THE CONSTITUTION OF NEW MEXICO TO PROVIDE THAT THE PUBLIC REGULATION COMMISSION CONSIST OF THREE MEMBERS APPOINTED BY THE GOVERNOR FROM A LIST OF PROFESSIONALLY QUALIFIED NOMINEES SUBMITTED TO THE GOVERNOR BY A NOMINATING COMMITTEE AS PROVIDED BY LAW AND THAT THE COMMISSION IS REQUIRED TO REGULATE PUBLIC UTILITIES AND MAY BE REQUIRED TO REGULATE OTHER PUBLIC SERVICE COMPANIES.

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:

"A. The "public regulation commission" is created. Until January 1, 2023, 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 after serving two terms, members shall be ineligible to hold office as a commission member until one full term has intervened; and provided further that commission members elected for terms beginning January 1, 2021 shall hold office for two years.

B. Beginning January 1, 2023, the commission shall consist of three members. The governor shall nominate members from a list of qualified nominees submitted to the governor by the public regulation commission nominating committee, as provided by law, and by and with the consent of the senate shall appoint members to fill positions and vacancies on the commission; provided that no more than two commissioners shall be members of the same political party. Members so appointed shall serve six-year staggered terms; provided that, after serving two consecutive six-year terms, members shall be ineligible to hold office as commissioner until one full term has intervened. A person appointed to fill a vacancy on the commission shall serve for the remainder of the unexpired term.

C. A six-year term for a commission position shall begin on January 1 of the year following the expiration of the prior term for that position; provided that in January 2023, one member shall be appointed for an initial term of two years, one member for an initial term of four years and one member for a six-year term.

D. The legislature shall provide, by law, for professional qualifications and continuing education requirements for commissioners and for the creation of and procedures for the public regulation commission nominating committee.

E. A commission member may be removed by impeachment for accepting anything of value from a person or entity whose charges for services to the public are regulated by the commission, malfeasance, misfeasance or neglect of duty."

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

"The public regulation commission shall have responsibility for regulating public utilities as provided by law. The public regulation commission may have responsibility for regulation of other public service companies in such manner as the legislature shall provide."

SECTION 3. 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 that may be called for that purpose.

House Joint Resolution 8, 54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2020

A JOINT RESOLUTION PROPOSING TO AMEND ARTICLE 20, SECTION 3 OF THE CONSTITUTION OF NEW MEXICO TO PERMIT THE ADJUSTMENT BY LAW OF TERMS OF NONSTATEWIDE ELECTED OFFICERS AND TO STANDARDIZE THE DATE AN OFFICER BEGINS TO SERVE. BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. It is proposed to amend Article 20, Section 3 of the constitution of New Mexico to read:

"A. The term of office of every state, county or district officer, except those elected to fill vacancies, shall commence on the first day of January next after the officer's election.

B. A state, county or district officer elected to fill a vacancy in office shall take office on the first day of January next after the officer's election to serve the remainder of the unexpired term for that office.

C. The term of a state, county or district officer may be adjusted by law to align or stagger the election of officers for a particular state, county or district office throughout the state. Any such adjustment shall require a legislative finding that the adjustment is to provide for consistency in the timing of elections for that office or to balance the number of offices appearing on the ballot. The term of any officer affected by such adjustment shall not be shortened or extended by more than two years. An extended term shall be counted as one term for the purposes of any limitation on the number of terms an officer may serve. A shortened term shall not be counted as a term and shall be disregarded for the purposes of any limitation on the number of terms an officer may serve. No statewide elective office may be adjusted pursuant to this subsection."

SECTION 2. 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 that may be called for that purpose.