

10-7E-8. Public employee labor relations board; created; terms; qualifications.

A. The "public employee labor relations board" is created. The board consists of three members appointed by the governor. The governor shall appoint one member recommended by organized labor representatives actively involved in representing public employees, one member recommended by public employers actively involved in collective bargaining and one member jointly recommended by the other two appointees.

B. Except for appointments made in 2003, board members shall serve for a period of three years with terms commencing on July 1. Vacancies shall be filled by appointment by the governor in the same manner as the original appointment, and such appointments shall only be made for the remainder of the unexpired term. A board member may serve an unlimited number of terms.

C. During the term for which he is appointed, a board member shall not hold or seek any other political office or public employment or be an employee of a labor organization or an organization representing public employees or public employers.

D. Each board member shall be paid per diem and mileage in accordance with the provisions of the Per Diem and Mileage Act [[10-8-1](#) to [10-8-8](#) NMSA 1978].

E. For the purpose of making initial appointments to the board in 2003, the governor shall designate one member to serve a one-year term, one member to serve a two-year term and one member to serve a three-year term. Thereafter, all members shall be appointed for three-year terms.

History: [Laws 2003, ch. 4, § 8](#) and by [Laws 2003, ch. 5, § 8](#).

ANNOTATIONS

Compiler's notes. — [Laws 2003, ch. 4, § 8](#) and [Laws 2003, ch. 5, § 8](#) enacted identical new sections of law, effective July 1, 2003. Both were compiled as [10-7E-8](#) NMSA 1978.

Removal of board members. — The governor does not have authority under [Article V, Section 5 of the New Mexico Constitution](#) to remove members of the public employee labor relations board created by Section [10-7E-8](#) NMSA 1978. *AFSCME v. Martinez*, [2011-NMSC-018](#), [150 N.M. 132](#), [257 P.3d 952](#).