

This rule was filed as Regulation 84-1.

TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT
CHAPTER 1 PUBLIC SAFETY GENERAL PROVISIONS
PART 5 SIGNING OF SUBPOENAS

10.1.5.1 ISSUING AGENCY: The Governors Organized Crime Prevention Commission.
[Recompiled 11/30/01]

10.1.5.2 SCOPE: [RESERVED]
[Recompiled 11/30/01]

10.1.5.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 11/30/01]

10.1.5.4 DURATION: [Permanent]
[Recompiled 11/30/01]

10.1.5.5 EFFECTIVE DATE: [Filed July 24, 1984]
[Recompiled 11/30/01]

10.1.5.6 OBJECTIVE: [RESERVED]
[Recompiled 11/30/01]

10.1.5.7 DEFINITIONS: [RESERVED]
[Recompiled 11/30/01]

10.1.5.8 SIGNING OF SUBPOENAS: Subpoenas issued by the commission shall be signed by five (5) or more commissioners. A commissioner may sign a subpoena at a duly convened meeting of the commission, or, in his discretion, at any other time or place;
[Recompiled 11/30/01]

10.1.5.9 SIGNATURE:

A. In the event that a subpoena needs to be issued immediately, any commissioner, in his discretion, may authorize the director or deputy director to sign his name to such subpoena, provided:

(1) The director or deputy director shall inform the commissioner of the circumstances requiring immediate issuance and the anticipated testimony and/or exhibits to be received by the subpoena, and

(2) It is impractical or unduly burdensome for the commissioner to personally sign the subpoena.

B. Subpoenas issued pursuant to this regulation are in accordance with Section 29-9-5 C (4) NMSA 1978, which provides, in pertinent part, that “ The commission may designate any of its members or members of its staff to exercise any such powers, pursuant to regulations adopted by the commission.”

Chairman
Governor’s Organized Crime Prevention Commission
[Recompiled 11/30/01]

10.1.5.10 Adopted and made effective this 14 day of June, 1984, by a vote of 6 to 0.
[Recompiled 11/30/01]

HISTORY OF 10.1.5 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center: Regulation 84-1, Signing of Subpoenas, filed 7/24/84.

History of Repealed Material: [RESERVED]