

1 SENATE JOINT RESOLUTION 13

2 **54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

3 INTRODUCED BY

4 Mark Moores

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10 A JOINT RESOLUTION

11 PROPOSING AN AMENDMENT TO THE CONSTITUTION OF NEW MEXICO TO  
12 PROVIDE FOR THE FILLING OF LEGISLATIVE VACANCIES IN MULTICOUNTY  
13 DISTRICTS, TO REQUIRE THAT APPOINTED LEGISLATORS BE OF THE SAME  
14 POLITICAL PARTY AS VACATING LEGISLATORS AND TO CORRECT  
15 PROVISIONS IN ARTICLE 4, SECTION 4 OF THE CONSTITUTION OF NEW  
16 MEXICO THAT HAVE BEEN DECLARED UNCONSTITUTIONAL.

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

19 SECTION 1. It is proposed to amend Article 4, Section 4  
20 of the constitution of New Mexico to read:

21 "A. Members of the legislature shall be elected as  
22 follows: [~~those senators from Bernalillo, Chaves, Curry,~~  
23 ~~DeBaca, Grant, Lea, Lincoln, Luna, Sandoval, San Juan, San~~  
24 ~~Miguel, Socorro, Taos, Torrance, Union and Valencia counties~~  
25 ~~for a term of six years starting January 1, 1961, and after~~

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1 ~~servng such terms shall be elected~~ senators, each for a term  
2 of four years [~~thereafter; those senators from all other~~  
3 ~~counties for the terms of four years~~]; and members of the house  
4 of representatives, each for a term of two years. [~~They~~]  
5 Members of the legislature shall be elected on the day provided  
6 by law for holding the general election of state officers or  
7 representatives in congress.

8           B. If a vacancy occurs for any reason in the office  
9 of senator or member of the house of representatives [~~for any~~  
10 ~~reason~~] and if the legislative district of the senator or  
11 member consists of only one county, the board of county  
12 commissioners of the county wherein the vacancy occurs shall  
13 fill [such] the vacancy by appointment. If such a vacancy  
14 occurs and the legislative district of the senator or member  
15 consists of more than one county, the board of county  
16 commissioners of each of those counties shall nominate one  
17 person to fill the vacancy, which person shall be a resident of  
18 that county, and the governor shall fill the vacancy by  
19 appointment of one of those nominees.

20           C. The person appointed to fill a vacancy shall be  
21 of the same political party status as the senator or member  
22 vacating the office.

23           Such legislative appointments as provided in this section  
24 shall be for a term ending on December 31, subsequent to the  
25 next succeeding general election."

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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.