HOUSE JOINT RESOLUTION 2

42ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1996

INTRODUCED BY

RAYMOND G. SANCHEZ

FOR THE CONSTITUTIONAL REVISION COMMISSION

A JOINT RESOLUTION

REVISING THE CONSTITUTIONAL AMENDMENT PROCESS BY PROVIDING ADDITIONAL METHODS FOR VOTERS TO AMEND THE CONSTITUTION AND DIRECTING THE SECRETARY OF STATE TO INFORM VOTERS ABOUT CONSTITUTIONAL AMENDMENTS.

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

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

"[~~Any~~] An amendment or amendments to this constitution may be proposed in either house of the legislature at [~~any~~] a regular session [~~thereof~~]; and if a majority of all members elected to each of the two houses voting separately [~~shall vote~~] votes in favor thereof [~~such~~], the proposed amendment or amendments shall be entered on their respective journals with

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the yeas and nays thereon.

An amendment or amendments may also be proposed by an independent commission established by law for that purpose, and the amendment or amendments shall be submitted to the legislature for approval or disapproval, provided that the amendment or amendments may not be altered or further amended by the legislature; if approved by the legislature in accordance with the provisions of this section, the amendment or amendments proposed by the independent commission shall be submitted to the electors.

The secretary of state shall [~~cause any such amendment or amendments to be published in at least one newspaper in every county of the state, where a newspaper is published once each week, for four consecutive weeks, in English and Spanish when newspapers in both of said languages are published in such counties, the last publication to be not more than two weeks prior to the election at which time said amendment or amendments shall be submitted to the electors of the state for their approval or rejection; and the said amendment or amendments~~] provide notice of the content and purpose of legislatively approved constitutional amendments in both English and Spanish to inform electors about the amendments in the time and manner provided by law. Amendments approved by the legislature shall be voted upon at the next regular election held [~~in said state~~] after the adjournment of [~~the~~] that legislature [~~proposing such~~

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~~amendment or amendments~~] or at [~~such~~] a special election to be held not less than six months after the adjournment of [~~said~~] that legislature, at such time and in such manner as [~~said~~] the legislature may by law provide. [~~If the same be~~] An amendment that is ratified by a majority of the electors voting [~~thereon such amendment or amendments~~] on the amendment shall become part of this constitution.

If two or more amendments are [~~proposed~~] initiated by the legislature, they shall be so submitted as to enable the electors to vote on each of them separately. [~~provided, that no amendment shall apply to or affect the provisions of~~] Amendments initiated by an independent commission created by law for that purpose may be submitted by the commission separately or as a single ballot question. No amendment shall restrict the rights created by Sections One and Three of Article VII hereof, on elective franchise, and Sections Eight and Ten of Article XII hereof, on education, unless it be proposed by vote of three-fourths of the members elected to each house and be ratified by a vote of the people of this state in an election at which at least three-fourths of the electors voting [~~in the whole state and at least two-thirds of those voting in each county in the state shall vote for such~~] on the amendment vote in favor of that amendment."

Section 2. It is proposed to amend Article 19, Section 2 of the constitution of New Mexico to read:

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"Whenever [~~during the first twenty-five years after the adoption of this constitution~~] the legislature, [~~by a three-fourths vote of the members elected to each house, or, after the expiration of said period of twenty-five years~~] by a two-thirds vote of the members elected to each house, [~~shall deem~~] deems it necessary to call a convention to revise or amend this constitution, they shall submit the question of calling such convention to the electors at the next general election, and if a majority of all the electors voting on such questions at said election in the state [~~shall vote~~] votes in favor of calling a convention, the legislature shall, at the next session, provide by law for calling the same. Such convention shall consist of at least as many delegates as there are members of the house of representatives. [~~The constitution adopted by such convention shall have no validity until it has been submitted to and ratified by the people~~]

Revisions or amendments proposed by a constitutional convention shall be submitted to the voters of the state at an election held on a date set by the convention. The revisions or amendments proposed by the convention may be submitted in whole or in part, or with alternatives, as determined by the convention. If a majority vote favors a proposal or alternative, it is adopted and becomes effective thirty days after the certification of the election returns unless otherwise provided by the convention."

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Section 3. It is proposed to amend Article 19 of the constitution of New Mexico by repealing Section 5.

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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State of New Mexico
House of Representatives

FORTY-SECOND LEGISLATURE

SECOND SESSION, 1996

January 25, 1996

Mr. Speaker:

Your VOTERS AND ELECTIONS COMMITTEE, to whom has been referred

HOUSE JOINT RESOLUTION 2

has had it under consideration and reports same with recommendation that it DO PASS, amended as follows:

1. On page 2, line 4, after "legislature" strike the remainder of the line, strike all of lines 5 through 9 and insert in lieu thereof "for its review in accordance with the provisions of this section.".,

and thence referred to the JUDICIARY COMMITTEE.

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Respectfully submitted,

_____

Edward C. Sandoval, Chairman

Adopted _____ Not Adopted _____

(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 10 For 2 Against

Yes: 10

No: Bird, Nicely

Excused: None

Absent: None

.110316.1

HJR02VE1

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State of New Mexico
House of Representatives

FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996

February 10, 1996

Mr. Speaker:

Your JUDICIARY COMMITTEE, to whom has been referred

HOUSE JOINT RESOLUTION 2, as amended

has had it under consideration and reports same with recommendation that it DO PASS, amended as follows:

1. On page 2, lines 10 through 18, remove the brackets and line-through.

2. On page 2, line 19, before “provide” insert “and to further”.

3. On page 2, line 22, after the period insert the following:

"The secretary of state shall also make reasonable efforts to provide notice of the content and purpose of legislatively approved constitutional amendments in indigenous languages and to minority language groups to inform electors about the

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amendments.".

4. On page 3, line 12, strike "by the commission" and insert in lieu thereof "to the legislature".

5. On page 3, line 13, before the period insert ", and any such commission-initiated amendments that are not substantially altered by the legislature may be submitted to the electors in the separate or single ballot question form recommended by the commission".

Respectfully submitted,

_____

Cisco McSorley, Chairman

Adopted _____ Not Adopted _____

(Chief Clerk) (Chief Clerk)

Date _____

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The roll call vote was 8 For 1 Against

Yes: 8

No: King

Excused: Alwin, Gubbels, Larranaga

Absent: Luna

.110582.1

.110963.1

HJR02JC1

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FORTY-SECOND LEGISLATURE

SECOND SESSION

February 12, 1996

HOUSE FLOOR AMENDMENT number _____ to HOUSE JOINT RESOLUTION 2, as amended

Amendment sponsored by Representative Raymond G. Sanchez

1. Strike House Judiciary Committee Amendments 1 and 2.

2. On page 2, lines 10 through 18, remove the opening bracket and line through the semicolon.

3. On page 2, line 18, before "and" insert an opening bracket.

4. On page 2, line 19, before "provide" insert "and shall further".

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_____

Raymond G. Sanchez

Adopted_____ Not Adopted_____

(Chief Clerk) (Chief Clerk)

Date _____

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FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996

February 14, 1996

Mr. President:

Your RULES COMMITTEE, to whom has been referred

HOUSE JOINT RESOLUTION 2

has had it under consideration and reports same with recommendation that it DO PASS.

Respectfully submitted,

_____
Gloria Howes, Chairman

Adopted_____ Not Adopted_____
(Chief Clerk) (Chief Clerk)

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Date _____

HJR002RU1

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