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SENATE JOINT RESOLUTION 12

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

INTRODUCED BY
DUNCAN SCOTT

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE 4, SECTION 17 OF THE
CONSTITUTION OF NEW MEXICO TO REQUIRE A THREE-FIFTHS VOTE OF THE
MEMBERS OF EACH HOUSE OF THE LEGISLATURE TO LEVY A NEW TAX, TO
INCREASE THE RATE OR BASE OF A TAX OR TO CREATE OR RAISE A FEE.

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

Section 1. It is proposed to amend Article 4, Section 17
of the constitution of New Mexico by amending the section to
read:

"No bill shall be passed except by a vote of a majority of
the members present in each house, [~~not~~] or unless on its final
passage a vote be taken by yeas and nays, and entered on the
journal; provided, however, that no bill to levy a new tax, to
increase the rate or base of an existing tax or to create or
raise a fee shall be passed except by a vote of three-fifths of

Underscored material = new
[bracketed material] = delete

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[bracketed material] = delete

1 the members present in each house. The determination of whether
2 a bill levies a new tax, increases the rate or base of an
3 existing tax or creates or raises a fee shall be made to resolve
4 reasonable doubt in favor of requiring the three-fifths vote. A
5 taxpayer has standing to bring an action to enforce the
6 provisions of this section."

7 Section 2. The amendment proposed by this resolution shall
8 be submitted to the people for their approval or rejection at
9 the next general election or at any special election prior to
10 that date which may be called for that purpose.