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SENATE JOINT RESOLUTION 2

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

JOHN ARTHUR SMITH

A JOINT RESOLUTION

PROPOSING TO AMEND ARTICLE 6, SECTIONS 12 AND 33 OF THE  
CONSTITUTION OF NEW MEXICO TO PROVIDE THAT DISTRICT JUDGES SHALL  
BE ELECTED BY THE QUALIFIED ELECTORS OF THEIR DISTRICT.

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

Section 1. It is proposed to amend Article 6, Section 12  
of the constitution of New Mexico to read:

"The state shall be divided into judicial districts as may  
be provided by law. One or more judges shall be chosen for each  
district ~~[as provided in this constitution]~~ by the qualified  
electors thereof at the general election. The terms of office  
of the district judges shall be six years."

Section 2. It is proposed to amend Article 6, Section 33  
of the constitution of New Mexico to read:

"A. Each justice of the supreme court, judge of the

Underscored material = new  
[bracketed material] = delete

1 court of appeals [~~district judge~~] or metropolitan court judge  
2 shall have been elected to that position in a partisan election  
3 prior to being eligible for a nonpartisan retention election.  
4 Thereafter, each such justice or judge shall be subject to  
5 retention or rejection on a nonpartisan ballot. Retention of  
6 the judicial office shall require at least fifty-seven percent  
7 of the vote cast on the question of retention or rejection.

8 B. Each justice of the supreme court or judge of the  
9 court of appeals shall be subject to retention or rejection in  
10 like manner at the general election every eighth year.

11 [~~C. Each district judge shall be subject to~~  
12 ~~retention or rejection in like manner at the general election~~  
13 ~~every sixth year.~~

14 ~~D.]~~ C. Each metropolitan court judge shall be  
15 subject to retention or rejection in like manner at the general  
16 election every fourth year.

17 [~~E.]~~ D. Every justice of the supreme court, judge of  
18 the court of appeals [~~district judge~~] or metropolitan court  
19 judge holding office on January 1 next following the date of the  
20 election at which this amendment is adopted shall be deemed to  
21 have fulfilled the requirements of Subsection A of this section  
22 and the justice or judge shall be eligible for retention or  
23 rejection by the electorate at the general election next  
24 preceding the end of the term of which the justice or judge was  
25 last elected prior to the adoption of this amendment."

Underscored material = new  
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Section 3. 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.