

PIECEMEAL AMENDMENT
OF THE
CONSTITUTION OF NEW MEXICO
1911 to 2010

Eighteenth Revision (April 2011)

New Mexico Legislative Council Service
Santa Fe, New Mexico
183150

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In memory of and dedication to Richard H. Folmar, a public
servant whose vision continues to inspire.

Richard H. Folmar (1925-2006)

FOREWORD

This publication was conceived in 1963 out of the realization that there was no single source or document in which legislators, the executive, the judiciary or the concerned public could find a concise history of all the piecemeal amendments that have been proposed or adopted to the constitution of New Mexico. It has been a continuing pleasure of the legislative council service to have had the opportunity to fill that void in the constitutional history of New Mexico for 18 revisions of that original 1963 document.

Legislative Council Service
Santa Fe, New Mexico

INTRODUCTION

In a speech to the state bar of New Mexico in 1943, Supreme Court Justice Thomas J. Mabry, a delegate to the 1910 constitutional convention, reflected on the work of that convention, observing:

New Mexico's interests were varied and, in many cases, rather conflicting, and the idea of writing a constitution [that] would fairly serve the people for decades and not years merely, and which would, at the same time, pass muster in a congress then divided, politically, with a democratic house and a republican senate, and which would meet the approval of a most conservative president, was no little problem.¹

Justice, and later Governor, Mabry was correct when he prophesied that the 1910 constitution would "fairly serve the people for decades and not years merely". In fact, it has done so for a century. In 1969, a second convention was held, producing a streamlined constitution that was defeated by 3,702 votes. Given this outcome, Justice Mabry was historically correct when he observed, "All of the few essential amendments adopted have been made through the more simple and direct method."² The method to which he was referring is termed "piecemeal amendment".

Since New Mexico's statehood in 1912, piecemeal amendment of the constitution of New Mexico has produced more than a few "essential" amendments. Not including the 1911 "blue ballot" amendment, there have been 161 changes to the 1910 document.

A majority of the 1910 convention delegates did not see the need for many changes to "one of the grandest documents ever written for a people".³ If it were not for the

¹Thomas J. Mabry, "New Mexico's Constitution in the Making", 19 *New Mexico Historical Review* (April 1943) pp. 183-184.

²*Ibid*, p. 184.

³Charles A. Speiss, chairman of the 1910 convention as quoted in "Proceedings of the Constitutional Convention" (*Press of the Morning Journal*, Albuquerque, 1910) p. 288.

overriding objection of congress, the delegates would have given the voters one of the roughest amendment procedures ever written into a modern constitution. The fact that the citizens of New Mexico have viewed the immutability of a written constitution differently than the delegates supports the admonition of Thomas Jefferson, who, in 1744, maintained that no constitution can be "a perpetual law".

THE CONSTITUTION OF NEW MEXICO

The 1910 constitution ended the 59-year frustration of the people of the New Mexico territory to gain equal footing as a state among the other 46 states in the union. However, admission of the territory was not to be on an equal footing with the other states. The Enabling Act passed by congress and approved by President Taft on June 20, 1910 was really a compact specifying conditions that had to be accepted and prerequisites that had to be followed. These conditions were incorporated into the new constitution as Articles 21 and 22, and even though some of the conditions are no longer operative, the articles remain there today.

The document produced by the 1910 convention was accepted by congress and the president. It was written by men of exceptional abilities who produced for the twentieth and twenty-first centuries a workable governmental structure, a reasonably sound fiscal base, a solid public educational system and protections for the civil and religious rights of Hispanic citizens and their children.

As distinguished from the whole body of constitutional law, the written portion of the constitution of New Mexico consists of a preamble and 23 articles. Briefly, the 23 articles deal with the following broad categories:

<u>Article</u>	<u>Subject</u>
1	— name of the state and its boundaries;
2	— bill of rights;
3	— distribution of powers of government;
4	— legislative department;
5	— executive department;
6	— judicial department;
7	— elective franchise;
8	— taxation and revenue;
9	— state, county and municipal indebtedness;
10	— county and municipal government;
11	— regulation of private corporations and utilities;
12	— education;

- 13 — public lands;
- 14 — public institutions;
- 15 — department of agriculture;
- 16 — irrigation and water rights;
- 17 — state mine inspector and mining regulations;
- 18 — militia (national guard);
- 19 — amendment and revision procedures;
- 20 — miscellaneous procedures;
- 21 — compact with the United States regarding requirement for
 statehood;
- 22 — schedule for transition from territory to state;
- [23] — prohibition of intoxicating liquor [repealed]; and
- 24 — contracts for development and production of minerals on state
 lands.

Adopted in 1917, Article 23 prohibited the sale of intoxicating liquors in New Mexico. It was repealed in 1933 in concert with the repeal of the national constitutional prohibition that same year. With the exception of this repeal and the addition of Article 24, the practice in New Mexico has been to incorporate amendments by adding or deleting language in the pertinent article. This differs from the federal constitutional practice of making changes by adding new articles to the original document.

METHOD OF CONSTITUTIONAL CHANGE

The procedures for changing the constitution of New Mexico are set forth in Article 19. Most of the delegates at the 1910 constitutional convention took great pride in their work and, therefore, did not see the necessity of creating an easy system for amending it, perhaps failing to understand that amending the constitution was, and is, essential to its continuing functionality. The drafters of the constitution of the United States, however, did understand the importance of easy amendment, allowing the process to evolve with society. The procedure for constitutional amendment was a great eighteenth century contribution to modern political theory.

As adopted in 1910, Article 19 required that a legislative proposal for an amendment have a two-thirds' vote of the elected members of each house voting separately. The only exception was for amendments proposed at the first regular session convening two years after the adoption of the constitution and at each session convening every eighth year thereafter. No more than three amendments could be submitted at any one election.

Approval of the proposed amendment required an affirmative 40 percent vote of the people in at least one-half of the counties in the state. In addition, special protection was provided for Article 7, Sections 1 and 3, pertaining to election law, and Article 12, Sections 8 and 10, pertaining to education. No amendment could be submitted to these sections "unless it be proposed by a vote of three-fourths of the members elected to each house voting separately. . .". As the final clincher, no amendment could be made to these requirements except by a constitutional convention.

When the constitution of New Mexico was sent to congress and the president for approval, there was a collective shaking of heads about Article 19. The new Democratic-controlled congress deemed it too harsh, and on August 21, 1911, the Smith-Flood resolution passed. The Smith-Flood resolution contained the following condition:

Before the proclamation of the President shall issue announcing the result of said election in New Mexico and at the same time that the state election aforesaid is held [the 1911 general election for new state officers] the electors shall vote on the following proposed amendment of their state constitution as a condition precedent to the admission of said state. . . .⁴

It should be noted that the condition required only the submission of the amendment proposed by congress to the New Mexico voters. It did not require that the amendment be adopted before congress would approve the new constitution. In fact, another provision of the Smith-Flood resolution said that if the proposed change in

⁴37 Stat. 39.

Article 19 was rejected by the voters, the original amendment provision of the convention would be considered adopted.

The amendment of Article 19 proposed by congress was submitted to the voters at the 1911 general election on a separate paper ballot tinted blue. It was adopted by a vote of 34,897 to 22,831 and, with the exception of the recent 1996 changes, constitutes the present-day Article 19.

The article today authorizes only three methods for effecting change to the constitution of New Mexico. These methods may be broadly classified as legislative proposals of piecemeal amendments to the voters, amendment or revision by a constitutional convention and amendment or partial revision upon recommendation of a legislatively created independent commission to the legislature and further submitted to the voters.

Piecemeal Amendment

When the legislature proposes amendments to the voters, it is not acting pursuant to its powers under Article 4, the legislative article, but is acting under the authority granted by Article 19 concerning amendments. The vehicle used to propose an amendment to the voters is a joint resolution, which may be introduced in either house but only in a regular legislative session. Unlike bills, the joint resolution is not subject to the limitation on introductions after the thirtieth day of the odd-year session or the fifteenth day of the even-year session, nor is it subject to a gubernatorial veto.

For most proposed amendments, passage and printing on the ballot results when an amendment receives a majority of the votes of all the elected members in each house voting separately. However, proposed amendments restricting the rights created by Sections 1 and 3 of Article 7, pertaining to elections, and Sections 8 and 10 of Article 12, pertaining to education, must receive a vote of three-fourths of the members elected to each house voting separately before the amendments will be printed on the ballot.

In adopting a joint resolution, the legislature specifies that the proposed amendment will be submitted to the voters at the next general election or at a special election prior to the general election that is called for that purpose. The special election

cannot be held less than six months from the date of adjournment of the legislative session.

As mentioned, under the constitution, the governor plays no procedural role in the amendment process. Passage of a joint resolution sends the proposed amendment directly to the secretary of state, who assigns it a constitutional amendment number and requires it to be printed on either the general election ballot or the special election ballot. In addition, with respect to proposed constitutional amendments, the secretary of state has other duties. Article 19 requires that the secretary of state publish the proposed constitutional amendments in newspapers in both English and Spanish for a specified number of weeks. Also, the secretary of state is required to make "reasonable efforts to provide notice of the content" of proposed amendments in indigenous languages of minority language groups.

To date, piecemeal amendment has been the only successful procedure of the three set forth in Article 19 for constitutional change in New Mexico.

Convention Method

The second method of constitutional change authorized by Article 19 is for the legislature to call a constitutional convention. The process must be initiated by the legislature (New Mexico not having a constitutional initiative) by the enactment of a joint resolution receiving at least a two-thirds' vote of all the members of each house voting separately. The question of calling a constitutional convention is then submitted to the voters at the next general election following the legislative session during which the joint resolution passed.

If the question is approved by a majority of those voting on it, the legislature is required at the next session to enact a law calling the convention. Article 19 is silent as to the content of this law as it is also silent on the manner of selecting the delegates, other than requiring that the number of delegates must be at least equal to the number of members elected to the house of representatives. Presumably, such a law could specify that delegates be appointed by the legislature and the governor. It could provide that the legislature itself constitutes the constitutional convention, as was once suggested by some legislators during the debate on the 1969 bill to call the second constitutional convention.

The law calling for the 1969 convention provided for a nonpartisan election of 70 delegates. It also set the date for the election of delegates, set the date for convening and adjournment, fixed the procedure for organization, appropriated money for operation and for payment of delegates and designated the secretary of state to act ex officio as temporary presiding officer.

Once organized, the convention becomes independent with regard to its own proceedings and content of subject matter as necessary to carry out the purposes for which it was called. There is some doubt as to the legislature's power to limit the scope or content of the matters considered by the delegates of the convention.

Recommendations for revisions or amendments of the constitution made by the delegates of the convention must be submitted to the voters at an election date set by the delegates of the convention. The 1996 amendment of Article 19 provides that revisions or amendments proposed by the delegates of the convention may be submitted in whole or in part, or with alternatives, as decided by the delegates of the convention. If a majority vote favors a proposal or alternative, that proposal or alternative is adopted and becomes effective 30 days after the certification of the returns unless otherwise specified by the convention.

Independent Commission

Constitutional Amendment 4 adopted at the 1996 general election made other significant changes to Article 19. In addition to preserving the manner in which convention recommendations can be submitted to the voters, the article now provides a third method of constitutional change. It authorizes the legislature to create an independent commission that may propose amendments separately or grouped as a single ballot question. Any commission-proposed amendments that are not substantially altered by the legislature may be submitted to the electors in the separate or single ballot form recommended by the commission. Presumably, this provision would allow the commission to propose the revision of one or more entire articles as a single ballot issue, thereby effecting constitutional change, much as a constitutional convention might do. As of the date of this publication, the legislature has not created by law the independent commission authorized in Article 19.

Judicial Decision and Federal Preemption

The constitution of New Mexico is the supreme law of the state except where it conflicts with the federal constitution or any federal law made pursuant to the federal constitution. Change in the state constitution may also result due to such conflicts or preemption of the subject matter under the authority of the federal constitution. In the constitution of New Mexico, there are certain provisions that are nullified by judicial decisions rendered pursuant to interpretation of the federal constitution or preemption by congress under the authority of the federal constitution. Following are examples.

◆ The first paragraph of Article 4, Section 4 apportions the state senate by county and establishes staggered terms for the election of members to that body. In 1966, a state court held this provision to be invalid because it violated the provisions of the fourteenth amendment of the U.S. constitution.⁵ According to Attorney General Opinion 1988-06, staggered terms are not unconstitutional per se; however, the staggered-term provision was instituted based on the one county apportionment and thus could not be implemented.

◆ Article 7, Section 1 still sets the minimum age for voting at 21 years. The twenty-sixth amendment to the federal constitution provides that the right of United States citizens who are 18 years of age or older shall not be denied or their right to vote be abridged. Because of this federal amendment, a United States citizen is entitled to vote in New Mexico, regardless of the provisions of Article 7, Section 1, when the person reaches the age of 18, provided that all other voting requirements are met.

◆ Article 7, Section 1 requires, as a qualification for voting, residency in the state for 12 months and the county for 90 days and for 30 days in the precinct in which a person offers to vote. The federal Voting Rights Act, as amended in 1970, established a nationwide uniform residency period of 30 days in elections for president and vice president. As a matter of practice, this law has effectively changed the residency requirements set forth in Article 7, Section 1 of the constitution of New Mexico.

⁵*Beauchamp v. Campbell*, Civ. No. 5778 (D.N.M. 1966) unreported.

◆ Article 9, Sections 11 and 12 limit voting on school district and municipal bonds to owners of real estate in the school district or persons who have paid a property tax in the municipality. These conditions have been rendered inoperable by a series of federal and state court decisions that held that as long as the election in question "is not one of special interest, any classification other than residence, age and citizenship cannot stand absent a demonstration of compelling state interest."⁶

Consent of congress was deemed necessary for the 1967 addition of Article 24 relating to mineral leases on state trust lands for the development of geothermal steam and waters; for the 1964 addition of Article 13, Section 3, confirming patents issued for portions of land sold under contract when the balance due on the sale contract was not paid at the time of the issuance of the patent; and in 1994 for proposed but unsuccessful amendments pertaining to the investment of the permanent funds. A similar amendment (CA 1) pertaining to investment of the permanent funds was successful in 1996, with the effective date of the amendment made conditional on the consent of congress to Sections 2, 3 and 4 of the amendment. Congress approved the amendment on August 7, 1997, and President Clinton approved it a month later.

⁶*Hill v. Stone*, 421 U.S. 289, 44 L. Ed. 2d 172 (1975); *Prince v. Board of Education*, 88 N.M. 548, 543 P.2d 1176 (1975).

EXTRAORDINARY REQUIREMENTS

The So-Called Unamendable Sections

The civil rights of Spanish-speaking New Mexico citizens with regard to voter qualification, protection from religious and racial discrimination on holding office, the requirement that the legislature provide for hiring teachers proficient in both English and Spanish and the protection of the right of children of Spanish descent to be admitted to and attend public schools were deemed of sufficient importance to be worthy of special protection by the framers of the constitution and by the approving congress. This protection took the form of extraordinary requirements for amendments incorporated in Articles 7 and 12 and repeated in Article 19.

Under these provisions, no amendment restricting the rights created by Article 7, Sections 1 and 3 and Article 12, Sections 8 and 10 can be proposed except by a three-fourths' vote of the members elected to each house of the legislature voting separately. Further, any amendment to Article 7, Section 1 or 3, or Article 12, Section 10, and any amendment restricting the rights created by Article 12, Section 8, must be ratified by a vote of the people by at least three-fourths of those voting in the whole state. Until 1968, there was an added requirement that those amendment must also receive an approving vote of at least two-thirds of those voting in each county of the state.

The term "unamendable" became common usage with respect to these sections because of the near impossibility of obtaining the required majorities to effect amendment. For example, under the original two-thirds-in-each-county requirement, a small number of voters in a single county, such as Harding, could defeat a proposed amendment of one of these sections even though the voters in each of the other counties of the state voted overwhelmingly in support of the amendment.

To make certain that Article 19, Section 1, in which the extraordinary vote requirements also appear, could not be amended by a piecemeal change, the framers added Section 5 to that article that prohibited any amendment of Section 1 except by a constitutional convention (Section 5 was repealed in 1996). From 1912 to 1968, the "unamendable sections" remained just that, unamendable, even though from 1919 to 1964 there were 11 attempts to provide absentee voting by amending Article 7. In each

case, the proposed amendment received more than a majority of statewide approval but was defeated by the extraordinary vote requirement, in particular, the two-thirds-in-each-county provision. At the special election in 1967, absentee voting was again submitted to the voters as Constitutional Amendment 7 and failed because it did not get the required two-thirds' vote in each county. This time, however, the attorney general, acting on the initiative provided by the New Mexico municipal league, went to the state supreme court requesting an order to the state canvassing board to certify the adoption of the amendment regardless of the two-thirds' requirement. The attorney general argued to the court that the two-thirds' requirement violated the equal protection clause of the fourteenth amendment of the federal constitution. He pointed out that the amendment had received a 32,344 vote majority but was denied adoption because it failed to get a two-thirds' majority in 12 counties. The supreme court agreed with the attorney general's argument of denial of equal protection and on February 5, 1968 issued a writ of mandamus requiring the state canvassing board to certify the adoption of the amendment.⁷ With that one stroke of the judicial pen, the court cut that Gordian knot that since statehood had been an obstacle to giving the New Mexico voters the right to adopt absentee voting for themselves. The decision only nullified the two-thirds-in-each-county requirement. It did not affect the requirement for a three-fourths' statewide majority.

Amendment of Compact Provisions

On June 20, 1910, congress passed the Enabling Act setting forth the conditions and procedures for the territories of New Mexico and Arizona to hold constitutional conventions.⁸ It also set forth certain requirements with which the proposed constitutions must comply. These mandatory provisions of the Enabling Act were incorporated in the 1910 constitution as Article 21, titled "Compact with the United States".

⁷*State of New Mexico ex rel. Boston E. Witt v. State Canvassing Board*, 78 N.M. 682, 437 P.2d 143 (1968).

⁸*36 Statutes at Large* 557 (Chapter 310), June 20, 1910.

Section 2 of the Enabling Act and Article 21, Section 10 of the Constitution of New Mexico declared the compact provisions irrevocable without the consent of the United States and the people of New Mexico. Any change in those provisions, in whole or in part, by a constitutional amendment cannot be made without the consent of congress. During the ensuing years since the adoption of the constitution, many of the provisions of the compliance provisions of the compact, particularly those referring to the convention procedures, are moot and no longer operative. Other provisions of a substantive nature, such as the location of the state capitol, have been deemed by the United States supreme court to be beyond the authority of the federal congress to control, while unilateral change by the state of other substantive requirements depends on a determination of the jurisdiction of congress over the subject matter. There still remain, however, other areas of the compact where any change requires the consent of congress in addition to a constitutional amendment.

Sections 6 through 9 of the Enabling Act, which pertain to specified public lands that were granted to the state to be held in trust for the benefit of designated schools and institutions and which were consented to by Article 21, Section 9, require that any constitutional change in the use of the trust must be consented to by congress.

Article 19, Section 4 of the constitution sets forth the manner in which such change is to be effected:

When the United States shall consent thereto, the legislature, by a majority vote of the members in each house, may submit to the people the question of amending any provision of Article XXI of this constitution on compact with the United States to the extent allowed by the act of congress permitting the same, and if a majority of the qualified electors who vote upon any such amendment shall vote in favor thereof the said article shall be thereby amended accordingly.

This procedure indicates that the consent of congress should be obtained before the amendment is voted on by the people. The vehicle for obtaining the consent is usually a joint resolution. Article 21 has been amended three times with the consent of congress:

◆ Section 5 was amended in 1912 to delete provisions requiring all state officers and legislators to be sufficiently fluent in English so as to conduct their duties without an interpreter;

◆ Section 11 was added in 1932 to consent to a 1926 act of congress authorizing the governor and other state officers to execute instruments to effect the exchange of lands with the government of the United States and the method of determining the value of such lands; and

◆ Section 1 was amended in 1953 to delete prohibition of the sale, barter or gift of intoxicating liquors to Indians or the introduction of such liquors into Indian country.

More Than One Subject Prohibited

In the regular piecemeal amendment process, Article 19, Section 1 provides that if two or more amendments are initiated by the legislature, "they shall be so submitted as to enable the electors to vote on each of them separately". This is the so-called single subject doctrine.

The single subject doctrine came under the interpretation of the state supreme court with respect to the adoption of CA 6 in 1988, CA 8 in 1994 and CA 1 in 2008.

Adopted November 4, 1988, CA 6, titled "Proposing to Amend Articles 6 and 20 of the Constitution of New Mexico to provide for Judicial Reform", contained issues concerned with the selection, requirements, provisions and quantity of justices and judges as well as the number and boundaries of judicial districts. Petitioners in *Chavez v. Vigil-Giron*⁹ argued that the adoption of the amendment was unconstitutional due to the number of proposals contained within it. The petitioners felt that each proposal should have been voted on independently. The vote adopting the amendment was kept in place due to the state supreme court's hesitation to "overturn a legislative determination that a proposal actually constitutes but one amendment."¹⁰

⁹ *State ex rel. Chavez v. Vigil-Giron*, 108 N.M. 45, 766 P.2d 305 (S. Ct. 1988).

¹⁰ *City of Raton v. Sproule*, 144, 429 P.2d at 342 as cited in *State ex rel. Chavez v. Vigil-Giron*, 108 N.M. 45, 766 P.2d 305 (S. Ct. 1988) at 3.

The second interpretation was in respect to the adoption of CA 8 in the 1994 general election.¹¹ The question concerned the proposal to authorize a state-operated lottery and wagering on video games of chance. The court held that the question of authorizing a lottery and the question of authorizing wagering on video games of chance should have been submitted separately to the voters "because the rights created, the means of implementation, and the subject matter and purpose of the two prongs of Amendment 8 are not interdependent, and have no direct, necessary, or logical connection in their operation."

In support of its holding, the court noted that the title of the joint resolution proposing the amendment, which described it as permitting "a statewide lottery and certain games of chance", was technically proper but "exacerbated" the problem of logrolling that the constraint in Article 19 was designed to prevent. The court said the title did not alert the voter as to the nature or scope of the second prong of the amendment regarding the video gaming. Stated another way, CA 8 "logrolled together two independent objects by piggybacking the passage of one on the popularity of the other".

The court did provide a standard against which a proposed amendment could be tested under the single subject doctrine. It said there must be a rational linchpin joining the various elements of an amendment that would prevent "the linking of independent propositions simply by selection of a sufficient broad overarching theme".

As a result of this opinion, the court issued a writ of mandamus to the state canvassing board not to certify the 90 percent approval vote received by CA 8.

In 2008, voters approved CA 1, which would have increased the size of the Albuquerque public schools board of education and allowed for voting-by-mail for candidates for that board. The board sued to block the certification of the vote, raising a violation of the single-subject doctrine as its central argument. The state supreme court, without issuing an opinion, ordered the canvassing board not to certify the vote approving the amendment.

¹¹*State ex rel. Clark v. State Canvassing Board*, 119 N.M. 12, 888 P.2d 458 (1995).

REVISION EFFORTS AND EFFECT ON PIECEMEAL AMENDMENTS

New Mexico's first attempt at wholesale revision of the 1910 constitution was the result of the six-year effort of the 1963-68 first constitutional revision commission. That effort directly resulted in the 1969 constitutional convention. On November 5, 1968, the question of calling the convention was adopted by the voters by a 44,245 margin. (See Table 6.)

As required by Article 19, the following legislative session enacted Senate Bill 166 (Laws 1969, Chapter 134) providing the enabling legislation for the convention. The law called for the convention to meet at the capitol in Santa Fe at 12:00 noon on August 5, 1969. A nonpartisan election of 70 delegates was scheduled for June 17 of that year.

After convening, the convention sat in continuous session for 60 days with the exception of one two-week recess to allow the style committee to edit and prepare in a uniform style all the articles recommended by the several committees.

The convention adjourned on October 20, 1969 after adopting a proposed new constitution for the state. The document was submitted to the voters as a single vote at a special election on December 9 and was narrowly rejected by a vote of 63,387 to 59,685.

With respect to the piecemeal amendment process, the rejected constitution would have abolished the extraordinary vote requirement on the unamendable sections. It would have required only a majority vote of all the members of each house on all piecemeal amendments. It also would have required that a summary of what the amendment proposed to do be added to the title indicating the articles and sections to be amended. The single subject requirement was to be retained.

This revision effort, although unsuccessful at the polls, was not without some rewards. The research by the commission is of considerable value as a resource for future revision studies, as was the case with the 1994-95 second constitutional revision commission. In addition, the 1970 legislature proposed for successful adoption by the voters several items in that constitution the provisions of which:

- (1) increased terms to four years for elected state executive officers;

(2) authorized constitutional home rule for municipalities;

(3) provided residential requirements for members of municipal governing bodies;

(4) by amendment of the bill of rights article, permitted citizens to keep and bear arms for security and defense, for lawful hunting and recreational use and for other lawful purposes;

(5) authorized the legislature to provide by law for different methods to determine the value of different kinds of property for tax purposes, but with a limit of 33.33 percent on the percentage value against which tax rates are assessed; and

(6) adopted Article 20, Section 21 declaring pollution control to be within the police power of the state.

The second constitutional revision commission was created by the legislature in 1993 and functioned until December 1995. Its members were not appointed until almost one year after the passage of the law. Its report was submitted to the 1996 legislature and consisted of drafted piecemeal amendments for changes in nine articles with special recommendation for future study and consolidation of those articles and sections pertaining to taxation, revenue and indebtedness. The recommended substantive changes were categorized into highest priority, high priority, medium priority and low priority of enactment.

Included in the highest priority of adoption were:

(1) repeal of Article 19, Section 5 to allow amendment of Section 1 of that article without the necessity of a constitutional convention;

(2) amendment of Article 19, Section 1 to provide an additional mechanism for submitting constitutional amendments to the voters that involve more than a piecemeal change and less than a revision of the entire constitution;

(3) amendment of Article 19, Section 1 to eliminate the 75 percent requirement to bring about general change in voter qualifications and educational rights while preserving the important protection of minority rights; and

(4) amendment of Article 19, Section 1 to allow the secretary of state to inform the public about the content and purpose of proposed constitutional amendments by means other than the publication of legal notices in newspapers.

The 1996 legislature proposed to the voters in the general election of that year the first three of these commission amendments with some changes, and those amendments were adopted. Also adopted was the commission recommendation in support of the governor's permanent funds study committee for provisions governing investment of the permanent funds.

Also proposed and adopted in that election was an amendment pertaining to legislative per diem and mileage based on the internal revenue service regulations for Santa Fe and the repeal of Article 11 pertaining to the corporation commission and its duties and the creation instead of a unified state regulatory commission covering the functions of both the former state corporation commission and the New Mexico public utility commission.

PROPOSALS INTRODUCED IN THE LEGISLATURE

Apart from performing a page-by-page search of senate and house journals from 1912 to 1951, it is difficult to list the number of introduced joint resolutions proposing amendments to the constitution. After the creation of the legislative council service in 1951, however, there has been a successful systematic maintenance of records with respect to the introduction not only of joint resolutions but also of bills and other legislative materials.

During the 53 regular sessions in the period 1951-2010, a total of 1,689 proposals to amend the constitution were introduced by legislators. Of this number, 223, or 13.2 percent, succeeded in passing the legislature, although six were withdrawn and were not submitted to the voters. The following chart shows the breakdown of introductions and adoptions for each of the 53 regular legislative sessions.

The number of introductions has fluctuated from two in 1966 to 61 in 1973. There is little difference between the number of introductions in the senate, with 861, and in the house, with 849, for the 53 regular sessions.

JOINT RESOLUTIONS PROPOSING CONSTITUTIONAL AMENDMENTS
1951-2010

Legislature	Number Introduced		Passed by Legislature		
	Senate	House	Total	No.	Percent
1951	13	24	37	8	21.6%
1953	17	21	38	11	28.9%
1955	18	15	33	6	18.2%
1957	12	22	34	5	14.7%
1959	18	14	32	9	28.1%
1961	19	13	32	13	40.6%
1963	22	17	39	10	25.6%
1965	21	33	54	10 *	18.5%
1966	1	1	2	0	0.0%
1967	18	21	39	8	20.5%
1968	2	0	2	0	0.0%
1969	5	16	21	4 *	19.0%
1970	11	23	34	8	23.5%
1971	27	18	45	10	22.2%
1972	7	6	13	3	23.1%
1973	24	37	61	7	11.5%
1974	10	15	25	3	12.0%
1975	29	23	52	6	11.5%
1976	6	7	13	1	7.7%
1977	20	14	34	2	5.9%
1978	17	17	34	2	5.9%
1979	20	12	32	5	15.6%
1980	17	14	31	1	3.2%
1981	15	17	32	3	9.4%
1982	14	14	28	4	14.3%
1983	8	5	13	0	0.0%
1984	16	11	27	1	3.7%
1985	11	18	29	4	13.8%
1986	15	17	32	7	21.9%
1987	12	16	28	0	0.0%
1988	11	14	25	7	28.0%
1989	20	10	30	1	3.3%
1990	18	21	39	4	10.3%
1991	20	12	32	1	3.1%
1992	20	13	33	3	9.1%
1993	19	16	35	9 *	25.7%
1994	11	11	22	5	22.7%
1995	21	9	30	0	0.0%
1996	22	15	37	7	18.9%
1997	16	10	26	3	11.5%
1998	12	17	29	2	6.9%
1999	25	20	45	2	4.4%
2000	21	17	38	0	0.0%

2001	30	26	56	9	16.1%
2002	20	21	41	0	0.0%
2003	23	28	51	4	7.8%
2004	12	14	26	1	3.8%
2005	18	16	34	2	5.9%
2006	9	13	22	2	9.1%
2007	16	14	30	2	6.7%
2008	15	10	25	3	12.0%
2009	15	15	30	1	3.3%
2010	14	13	27	4	14.8%
TOTALS	842	836	1,689	223	13.2%

*Proposed amendments include withdrawal of 1965, 1969 and 1993 amendments from the ballot.

PROPOSALS SUBMITTED FOR RATIFICATION

From 1912 through 2010, the voters of this state were called on to approve or reject 295 piecemeal amendments to the constitution. This does not include amendments that were withdrawn prior to election. The forty-first legislature (1993-94) and the twenty-fifth legislature (1961), with 13 proposed constitutional amendments each, share the record for submitting the largest number of constitutional amendments to the voters. (The forty-first legislature submitted 14 amendments, but one was withdrawn prior to the election by the 1994 session.) The next largest number of amendments was submitted by the fifth legislature (1921), the twenty-first legislature (1953) and the thirty-seventh legislature (1985-1986) with 11 proposed amendments each.

Viewed in 10-year intervals, the number of proposed amendments submitted for ratification looks this way:

<u>Years</u>	<u>Number</u>
1912 through 1920	10
1921 through 1930	23
1931 through 1940	20
1941 through 1950	25
1951 through 1960	39
1961 through 1970	48
1971 through 1980	40
1981 through 1990	31
1991 through 2000	31
2001 through 2010	28

It is interesting to note that more proposals were submitted during the 1961-1970 period, the decade of the first major constitutional revision effort, than during any of the preceding or subsequent decades.

PROPOSALS ADOPTED

Of the 295 proposals submitted to and voted on by the voters from 1912 through 2010, 161, or 54.6 percent, were adopted. (See Table 2.)

NUMBER AND PERCENTAGE OF PROPOSALS ADOPTED		
1912 - 2010		
<u>Years</u>	<u>Number</u>	<u>Percent</u>
1912-1920	5 }	50.0 }
1921-1930	7 } 19	30.4 } 35.8
1931-1940	7 }	35.0 }
1941-1950	12 }	48.0 }
1951-1960	20 } 58	51.3 } 51.8
1961-1970	26 }	54.2 }
1971-1980	24 }	60.0 }
1981-1990	22 } 65	71.0 } 63.7
1991-2000	19 }	61.3 }
2001-2010	19	78.6

ARTICLES CHANGED

Table 3 shows amendments to the constitution since 1911 by article. The greatest number of changes (24) have been made in Article 8, pertaining to taxation and revenue. Article 4, legislature, has been amended 22 times, Article 12, education, has been amended 19 times.

Articles untouched by piecemeal amendment are:

Article 1 — name of the state and its boundaries;

Article 15 — department of agriculture;

Article 18 — militia (national guard of New Mexico); and

Article 22 — schedule for transition from territory to state.

REPETITION OF SUBJECT MATTER

Rejection at the polls of a particular amendment has not been an obstacle to resubmission of the amendment by succeeding legislatures or adoption by the voters. For example, the proposal for an absentee ballot was submitted by both the 1937 and 1939 legislatures. Between 1949 and 1957, it was referred by five consecutive legislatures. During the 25-year period from 1947 through 1966, the question of absentee voting failed to appear on the ballot only four times.

Another example is the question of reimbursement for legislators. The framers fixed the allowable per diem and mileage into the constitution. It was not until 1953 that legislative per diem was increased from \$10.00 to \$20.00, and it took another 18 years (1971) to increase it to \$40.00 in spite of the great leap in the cost of living during that period. It was another 11 years (1982) before the voters raised the allowance to \$75.00, where it remained for another 14 years before the voters allowed it to be fixed at the per diem rate allowable for Santa Fe in the internal revenue service rules. All in all, the question was presented 19 times to the voters before the fixed rate was changed.

The annual session proposal was first introduced in the legislature in 1953 and thereafter in the legislatures of 1955, 1957, 1959, 1961 and 1963. It was submitted to the voters in 1953, 1960 and 1961 before it was finally adopted in 1964.

There is no ready explanation of why voters, after rejecting a proposal several times, reverse themselves and adopt it, sometimes with an overwhelming majority. In many instances, there was no major organized opposition or support for the measure. It has been suggested that frequent submission might have a gradual educational value. Then again, it might just be a matter of the mood of the electorate at any particular election. Other factors might be the composition of the ballot, such as the presence of a gubernatorial or presidential race, or the length of the ballot, particularly with respect to the number of constitutional amendments and bond issue questions appearing on it.

VOTING INTEREST

It is common knowledge that New Mexico voters traditionally are less interested in constitutional amendments than they are in the selection of public officers. Maybe one explanation for that might be the difficulty of understanding some of the complicated proposals placed on the ballot with only a brief ballot title to guide voters. Fuller explanations are printed in the legal notice section of newspapers, but few voters are familiar with this portion of their newspaper or they do not read it. The secretary of state and the legislative council service publish analyses of constitutional amendments, which are distributed publicly through the internet and through organizations like the league of women voters.

One customary measurement of voter interest is the comparison of the total vote cast on a proposed amendment with the total vote cast for governor in the same election. Table 4 shows voter participation on constitutional amendments in general elections from 1911 through 2010. The extreme level of disinterest was in 1946 when 83.7 percent of those voting for governor failed to express a preference on the questions of eliminating the split-session legislature and limitations on property tax exemptions. The highest level of voter interest was in 1994, when less than seven percent of those casting a vote for governor failed to cast a vote on the question of a state lottery and other games of chance.

SPECIAL VERSUS GENERAL ELECTIONS

In earlier years, the question frequently arose as to whether a proposed amendment fared better at a special election, where there is not the distraction of a ballot of candidates, or at a general election, where there usually is a greater turnout of voters. Historically, New Mexico voters were kinder to constitutional amendments at general elections than at special elections. Excluding the "blue ballot" amendment, a total of 177 amendments were proposed at general elections compared with 118 at special elections.

Of the 177 amendments submitted at general elections, 107, or 60 percent, were adopted; of the 118 submitted at special elections, 53, or 45 percent, were adopted. Fourteen times the voters have adopted all the amendments on a general election ballot. Only once has this been true of the amendments on a special election ballot.

In 2003, the first special election for constitutional amendments in 30 years took place. Prior to the 2003 special election, the legislature had been reluctant to submit proposed amendments other than at general elections. One possible reason for the past reluctance is the high cost of statewide special elections. The legislature appropriated \$900,000 for the 2003 special election. However, there could be a new trend in special election ballots for constitutional amendments due to the success of the 2003 special election. For the first time in New Mexico history, voters adopted all the amendments on the special election ballot; however, Constitutional Amendment 2, regarding distribution of the land grant permanent fund, was approved by a very slim margin. Some feel the submission of proposed amendments at a special election allows for more promotion and concentrates more voter scrutiny and understanding of what is being proposed. It has also been suggested that a mail-in election ballot might focus more consideration on proposed amendments to the constitution.

Ranked from highest to lowest percent of proposed amendments approved by New Mexico voters, a comparison of general and special elections indicates the following:

PERCENT OF PROPOSED AMENDMENTS APPROVED

1912-2010

<u>General Election</u>		<u>Special Election</u>	
<u>Year</u>	<u>Percent</u>	<u>Year</u>	<u>Percent</u>
1912	100.0	2003	100.0
1914	100.0	1967	87.5
1928	100.0	1933	75.0
1932	100.0	1973	71.4
1938	100.0	1971	70.0
1944	100.0	1955	66.7
1946	100.0	1953	63.6
1962	100.0	1949	60.0
1966	100.0	1965	37.5
1984	100.0	1921	36.4
1996	100.0	1917	33.3
1998	100.0	1961	25.0
2004	100.0	1919	0.0
2006	100.0	1927	0.0
1986	90.9	1935	0.0
1988	85.7	1937	0.0
1964	80.0	1939	0.0
1960	66.7	1951	0.0
1972	66.7		
1974	66.7		
1980	66.7		
2002	66.7		
1958	60.0		
1982	57.1		
1940	50.0		
1948	50.0		
1978	50.0		
1992	50.0		
2000	50.0		
2008	40.0		
2010	40.0		
1994	38.5		
1924	33.3		
1976	28.6		
1970	25.0		
1990	20.0		
1926	0.0		
1930	0.0		
1942	0.0		

CONCLUSION

New Mexico was the forty-seventh state to enter the union and consequently has had a relatively short history with respect to the amendment process, one which began in 1911, almost two months before official statehood. Since statehood, the voters have considered 295 proposed piecemeal amendments and one entire revision of the 1910 constitution. They have altered that document 161 times, all by the piecemeal amendment process. The legislature has been willing to propose amendments to the people, and voters have been willing to look favorably upon them. At the same time, proposals for a new constitutional convention have been looked upon by the legislature with a general lack of enthusiasm that is matched by a demonstrable lack of concern by the voter. Conventions are costly, uncertain creatures. Perhaps the 1996 change, authorizing a constitutional commission to recommend revision of entire articles by a single amendment, offers an intermediate solution. For the foreseeable future, however, constitutional change will remain the province of piecemeal amendment.

TABLES

CONSTITUTIONAL AMENDMENTS SUBMITTED TO NEW MEXICO VOTERS
(1911-2010)

TABLE 1

LEGISLATURE	AMENDMENT NUMBER	ARTICLE AND SECTION(S)	SUBJECT	ADOPTED
1911	Blue Ballot	19 §§1-5	Amendments to constitution	Nov. 7, 1911
1912	JR 6	21 §5	Compact with U.S., suffrage, qualifications for holding office deleted	Nov. 5, 1912
1913	JR 9	10 §2	Terms of county officers, changed from four to two years	Nov. 3, 1914
	JR 10	8 §§1-7	Property tax	Nov. 3, 1914
	JR 15	5 §1	Terms of executive officers, changed from four to two years	Nov. 3, 1914
1917	JR 15	8 §1	Property tax	-
	JR 16	6 §§12 & 25	Judicial districts	-
	JR 17	23 (new)	Prohibition	Nov. 6, 1917*
1919	JR 11	9 §8	Restrictions on state indebtedness	-
	JR 12	7 §6	Absentee voting	-
	JR 13	12 §13; 14 §3	Placing state educational institutions under board of control; creation of board of control for state institutions	-
1921	CA 1	7 §2	Qualifications for holding office	Sept. 20, 1921*
	CA 2	2 §22	Alien land ownership	Sept. 20, 1921*
	CA 3	5 §1	Executive officers	-
	CA 4	8 §5	Head of family and veteran tax exemptions	Sept. 20, 1921*
	CA 5	11 §19	Legislature to establish powers of corporation commission	-
	CA 6	20 §3 4 §5	Date terms of elective officers begin Length of legislative sessions, schedule for presentation of budget, legislative action on executive budget	-
	CA 7	13 §§1 & 10	Public lands, creating state land commission	-
	CA 8	8 §2	Property tax limitations	-
	CA 9	9 §12	Restrictions on municipal indebtedness	Sept. 20, 1921*
	CA 10	10 §2	Terms of county officers, limited to two terms except for county school superintendents	-
	CA 11	9 §16	State highway bonds	Sept. 20, 1921*
1923	CA 1	10 §2	Terms of county officers, four years	-
	CA 2	5 §1	Terms of executive officers, four years	-
	CA 3	2 §14	Indictment and information, information added	Nov. 4, 1924

*Special election

**Submission conditioned upon action of constitutional convention — automatically withdrawn

***Not certified by order of state supreme court

+The numbers assigned to CA 1 and CA 2 in the session laws were opposite of how they were presented on the ballot and how they are listed here.

TABLE 1
(continued)

LEGISLATURE	AMENDMENT NUMBER	ARTICLE AND SECTION(S)	SUBJECT	ADOPTED
1925	CA 1	4 §10	Compensation of legislators, increase	-
	CA 2	24	Apportionment of money from state lands	-
1927	CA 1	4 §10	Compensation of legislators, increase	-
	CA 2	24	Executive and county officers, four-year terms for state, two-year terms for county	-
	CA 3	21 §11	Consent to exchange of state lands	-
	CA 4	24 (new)	Contracts for development and production of minerals on state lands	Nov. 6, 1928
	CA 5	4 §19	Introduction of bills, 45th day	-
1929	CA 1	21 §11	Consent to exchange of state lands	-
	CA 2	12 §6	Five-member state board of education, powers and duties	-
1931	CA 1	21 §11	Consent to exchange of state lands	Nov. 8, 1932
	CA 2	4 §19	Introduction of bills, 45th day	Nov. 8, 1932
1933	CA 1	23 §§1 & 2	Repeal prohibition	Sept. 19, 1933*
	CA 2	9 §11	Restrictions on school district indebtedness	Sept. 19, 1933*
	CA 3	6 §§1, 12, 13, 16, 17, 23, 25 & 27	Judicial department, compensation of judges, abolish probate courts, etc.	-
	CA 4	8 §2	Property tax 20-mill limitation	Sept. 19, 1933*
1935	CA 1	8 §5	Head of family and veteran tax exemptions, increase	-
	CA 2	12 §6	Five-member state board of education, powers and duties	-
	CA 3	25	Land exchange between New Mexico and U.S.	-
	CA 4	2 §15	Double jeopardy, degrees to be stricken	-
	CA 5	2 §14	Indictment and information	-
1937	CA 1	7 §1	Absentee voting	-
	CA 2	9 §17	Limitation on state institution building bonds	-
	CA 3	10 §2	Terms of county officers, remove two-term limitation	-
	CA 4	5 §1	Terms of executive officers, remove two-term limitation	-
	CA 5	6 §15	District judges pro tempore	Nov. 8, 1938
	CA 6	4 §10	Legislators' compensation	-

*Special election

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TABLE 1
(continued)

LEGISLATURE	AMENDMENT NUMBER	ARTICLE AND SECTION(S)	SUBJECT	ADOPTED
1939	CA 1	9 §17	Limitation on state institution building bonds	-
	CA 2	7 §1	Absentee voting	-
	CA 3	4 §5	Split legislative session, 30 and 30 days	Nov. 5, 1940
1941	CA 1	4 §3	Legislative apportionment	-
	CA 2	4 §§10 & 28	Compensation of legislators, annual salary, appointment to other offices	-
	CA 3	24 §1	Contracts, grazing and agricultural leases, state lands	-
	CA 4	12 §13	Stagger terms, boards of regents, educational institutions	-
	CA 5	4 §5	Split legislative session, 20 and 40 days	-
	CA 6	12 §14	N.M. educational institutions board	-
1943	CA 1	4 §10	Legislators' compensation	Nov. 7, 1944
1945	CA 1	4 §5	Eliminate split legislative session	Nov. 5, 1946
	CA 2	8 §3	Property tax exemptions	Nov. 5, 1946
1947	CA 1	4 §6	Extraordinary session call by legislature	Nov. 2, 1948
	CA 2	4 §9	Eliminate maximum compensation for legislative employees	Nov. 2, 1948
	CA 3	2 §24	Right to work	-
	CA 4	10 §2	Terms of county officers, four years	-
	CA 5	5 §1	Terms of executive officers, four years	-
	CA 6	5 §7	Succession to governorship by lieutenant governor	Nov. 2, 1948

*Special election

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TABLE 1
(continued)

LEGISLATURE	AMENDMENT NUMBER	ARTICLE AND SECTION(S)	SUBJECT	ADOPTED
1949	CA 1	7 §1	Absentee voting	-
	CA 2	6 §17	Legislature to set salary of district judges	-
	CA 3	5 §14	Create state highway commission	Sept. 20, 1949*
	CA 4	6 §23	Authorize legislature to bestow civil jurisdiction on probate courts	Sept. 20, 1949*
	CA 5	8 §5	Tax exemptions for heads of families and veterans to include community or joint property	Sept. 20, 1949*
	CA 6	10 §4	Organization of city-county governments	Sept. 20, 1949*
	CA 7	12 §13	Boards of regents, educational institutions, terms	Sept. 20, 1949*
	CA 8	new	Natural resources trust fund	-
	CA 9	4 §10	Legislators' compensation, annual salary	-
	CA 10	4 §3	Legislative apportionment	Sept. 20, 1949*
1951	CA 1	21 §1	Eliminate prohibition of sale of intoxicating liquors to Indians	-
	CA 2	12 §6 5 §1	State board of education, nine members Delete reference to superintendent of public instruction	-
	CA 3	6 §11	Allow legislature to fix salaries of supreme court justices	-
	CA 4	6 §17	Allow legislature to fix salaries of district judges	-
	CA 5	9 §12	Debt-contracting power of municipalities, election	-
	CA 6	7 §1	Absentee voting	-
	CA 7	4 §10	Legislators' compensation	-
	CA 8	25	Nonpartisan selection of judges	-

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TABLE 1
(continued)

LEGISLATURE	AMENDMENT NUMBER	ARTICLE AND SECTION(S)	SUBJECT	ADOPTED
1953	CA 1	9 §12	Debt-contracting power of municipalities, elections	-
	CA 2	21 §1	Eliminate prohibition of sale of intoxicating liquors to Indians	Sept. 15, 1953*
	CA 3	4 §22	Governor's veto, approval or rejection within 20 days after adjournment	Sept. 15, 1953*
	CA 4	4 §4	Filling vacancies in legislature	Sept. 15, 1953*
	CA 5	4 §10	Legislators' compensation	Sept. 15, 1953*
	CA 6	8 §5	Tax exemptions for heads of families and veterans	Sept. 15, 1953*
	CA 7	4 §5	Annual legislative sessions	-
	CA 8	6 §11	Allow legislature to fix salaries of supreme court justices	Sept. 15, 1953*
	CA 9	6 §17	Allow legislature to fix salaries of district judges	Sept. 15, 1953*
	CA 10	7 §4	Absentee voting	-
	CA 11	8 §8	Natural resources investment fund	-
1955	CA 1	4 §3	Legislative apportionment	Sept. 20, 1955*
	CA 2	7 §1	Absentee voting	-
	CA 3	5 §14	State highway commission	Sept. 20, 1955*
	CA 4	14 §3	Legislature to prescribe manner of control and management of state institutions	Sept. 20, 1955*
	CA 5	14 §§1 & 3	Confirming certain institutions as state institutions	Sept. 20, 1955*
	CA 6	11	State corporation commission	-
1957	CA 1	7 §1	Absentee voting	-
	CA 2	12 §6; 5 §1	Election of state board of education Delete reference to elected superintendent of public instruction	Nov. 4, 1958
	CA 3	12 §7	Investment of state permanent funds	Nov. 4, 1958
	CA 4	4 §32	Remission, debts due state	Nov. 4, 1958
	CA 5	10 §2	Terms of county officers four years	-

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TABLE 1
(continued)

LEGISLATURE	AMENDMENT NUMBER	ARTICLE AND SECTION(S)	SUBJECT	ADOPTED
1959	CA 1	4 §4	Stagger terms for state senators	Nov. 8, 1960
	CA 2	4 §5	Annual legislative session	-
	CA 3	4 §19	Time limit on bill introduction, set by legislature	Nov. 8, 1960
	CA 4	14 §1	Confirm institutions as state institutions	Nov. 8, 1960
	CA 5	5 §1	Terms of elected state officials, four years	-
	CA 6	5 §15	Location of executive offices	-
	CA 7	12 §11	Change names of certain state institutions	Nov. 8, 1960
	CA 8	5 §13	Division of counties into county commission districts	Nov. 8, 1960
	CA 9	4 §2	Continuity of government, disaster	Nov. 8, 1960
1961	CA 1	5 §1 10 §2	Terms of executive state officers, four years Terms of county officers, four years	-
	CA 2	5 §14	State highway commission, resubmission of appointments to state senate	Sept. 19, 1961*
	CA 3	17 §1	State mine inspector, legislature to prescribe qualifications	Sept. 19, 1961*
	CA 4	7 §1	Absentee voting	-
	CA 5	12 §4	Current school fund, fines and forfeitures, legislature to prescribe administrative costs to be deducted	-
	CA 6	4 §10	Legislators' compensation to be determined by law	-
	CA 7	11 §§1 & 2	State corporation commission	-
	CA 8	4 §5	Annual legislative sessions	-
	CA 9	7 §2	Legislature to establish qualifications of public officers	Sept. 19, 1961*
	CA 10	5 §§1 & 12	Delete state auditor and provisions relating to salaries of officers	-
	CA 11	6 §26	Legislature prescribes qualifications of justices of the peace, police magistrates and constables	Sept. 19, 1961*
	CA 12	4 §28	Legislators serve on state board of finance	-
	CA 13	5 §§1 & 2; 7 §5	Election of governor and lieutenant governor on joint ticket	Nov. 6, 1962

*Special election

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TABLE 1
(continued)

LEGISLATURE	AMENDMENT NUMBER	ARTICLE AND SECTION(S)	SUBJECT	ADOPTED
1963	CA 1	13 §3	Validating land titles prior to Sept. 4, 1956	Nov. 3, 1964
	CA 2	4 §5	Annual legislative sessions	Nov. 3, 1964
	CA 3	12 §11	Western N.M. university, name change	Nov. 3, 1964
	CA 4	10 §5	H-class county charter	Nov. 3, 1964
	CA 5	7 §1	Absentee voting and removal of voting restriction for women and Indians	-
	CA 6	9 §10	School bond issues, remodeling and additions	Nov. 3, 1964
	CA 7	9 §12	Municipal bonds, special election, nonresident vote	Nov. 3, 1964
	CA 8	4 §18	Permitting tax legislation by reference	Nov. 3, 1964
	CA 9	5 §14	Director, state highway department	-
	CA 10	11 §§5, 7 & 8	Corporation commission, salaries, powers and duties	Nov. 3, 1964
1965	CA 1	4 §10	Legislative compensation	-
	CA 2	12 §7	State permanent fund investments	Sept. 28, 1965*
	CA 3	9 §11	Bonds for remodeling schools	Sept. 28, 1965*
	CA 4	4	Weighted voting, state senate	-
	CA 5	6 §§1, 2, 3 & 29	Establish court of appeals	Sept. 28, 1965*
	CA 6	4 §42	Establish legislative auditor	-
	CA 7	19 §5	Constitutional amendment procedure	-
	CA 8	16	District court water appeals	-
	CA 9	19 §1	Constitutional amendment procedure	withdrawn
	CA 10	6 §§1, 18, 21, 26, 27, 30 & 31	Abolish justices of the peace, establish magistrate courts	Nov. 8, 1966
1966	none enacted			

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TABLE 1
(continued)

LEGISLATURE	AMENDMENT NUMBER	ARTICLE AND SECTION(S)	SUBJECT	ADOPTED
1967	CA 1	9 §14	Permit economic development loans	-
	CA 2	8 §4	Public money deposit in savings and loan associations	Nov. 7, 1967*
	CA 3	24 §1	Geothermal steam development on public lands	Nov. 7, 1967*
	CA 4	5 §14	State highway commission	Nov. 7, 1967*
	CA 5	16 §5		Nov. 7, 1967*
	CA 6	6 §32	District court water appeals	Nov. 7, 1967*
	CA 7	7 §1	Judicial discipline and removal	Nov. 7, 1967*
	CA 8	8 §2	Absentee voting and removal of voting restriction for women and Indians	Nov. 7, 1967*
			Property tax, elections, exceeding 20-mill limitation	
1968	none enacted			
1969	CA 1	8 §1	Property tax, property classification	**
	CA 2	8 §5	Property tax, personal exemption	**
	CA 3	12 §4	Current school fund levy	**
	CA 4	10 §6	Municipal home rule	withdrawn
1970	CA 1	10 §6	Municipal home rule	Nov. 3, 1970
	CA 2	7	Elective franchise	-
	CA 3	5 §1	Terms of state executive officers, four years	Nov. 3, 1970
	CA 4	12 (repeal §4)	Current school fund, state levy	-
	CA 5	19 §5	Amendment procedure	-
	CA 6	12 §13	Board of regents, removal	-
	CA 7	9 §14	Student loan payments	-
	CA 8	8	Taxation and revenue	-

*Special election

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TABLE 1
(continued)

LEGISLATURE	AMENDMENT NUMBER	ARTICLE AND SECTION(S)	SUBJECT	ADOPTED
1971	CA 1	7 §1	Lower voting age to 18	-
	CA 2	4 §10	Legislative compensation, \$40 per diem	Nov. 2, 1971*
	CA 3	2 §6	Right to bear arms	Nov. 2, 1971*
	CA 4	20 §17	Uniform system of textbooks	Nov. 2, 1971*
	CA 5	9 §14	Vietnam veterans' scholarships	Nov. 2, 1971*
	CA 6	8 §1	Property tax, property classification	Nov. 2, 1971*
	CA 7	8 §3	Property tax, exempt water-user cooperatives	-
	CA 8	19 §5	Amendment procedures	-
	CA 9	20 §21 (new)	Pollution control	Nov. 2, 1971*
	CA 10	12 §4	Current school fund, state levy	Nov. 2, 1971*
1972	CA 1	2 §18	Equal rights	Nov. 7, 1972
	CA 2	8 §3	Property tax exemptions	Nov. 7, 1972
	CA 3	2 §12	Six-person juries	-
1973	CA 1	7 §2	Sex discrimination in qualifications for office	Nov. 6, 1973*
	CA 2	8 §5	Sex discrimination in veterans' property tax exemptions	Nov. 6, 1973*
	CA 3	12 §14 (new)	Local school board recall	Nov. 6, 1973*
	CA 4	7 §1	Qualifications for voting	-
	CA 5	10 §7 (new)	Five-member board of county commissioners, four-year terms, class A counties	Nov. 6, 1973*
	CA 6	8 §8	Freeport personal property tax exemption	Nov. 6, 1973*
	CA 7	10 §2	Age limitation on county officers, two-year unlimited terms	-
1974	CA 1	4 §10	Legislative compensation commission	-
	CA 2	8 §9	Tax levy or assessment prohibited by political subdivision with appointed board	Nov. 5, 1974
	CA 3	9 §14	Loans to students of healing arts	Nov. 5, 1974
1975	CA 1	10 §2	Terms of county officers, two-term limitation removed	-
	CA 2	5 §1	Terms of state executive officers, two four-year terms, limitation	-
	CA 3	8 §3	Property tax, permit legislature to exempt certain interests in property owned by tax-exempt entity	-

*Special election

**Submission conditioned upon action of constitutional convention — automatically withdrawn

***Not certified by order of state supreme court

+The numbers assigned to CA 1 and CA 2 in the session laws were opposite of how they were presented on the ballot and how they are listed here.

TABLE 1
(continued)

LEGISLATURE	AMENDMENT NUMBER	ARTICLE AND SECTION(S)	SUBJECT	ADOPTED
	CA 4	12	Appointive state board of education, state department of education	-
	CA 5	10 §7	Five-member board of county commissioners, four-year terms, class B counties	-
	CA 6	8	Severance tax permanent fund	Nov. 2, 1976
1976	CA 7	4 §3	Legislature, number of members	Nov. 2, 1976
1977	CA 1	6 §32	Judicial conduct	Nov. 7, 1978
	CA 2	6 §15	Retired judges, appointment	Nov. 7, 1978
1978	CA 3	8	Postponement of property taxes for elderly	-
	CA 4	4 §10	Annual legislative salary	-
1979	CA 1	10 §7	Dona Ana county board of commissioners, five members	Nov. 4, 1980
	CA 2	12 §15	Albuquerque school district, seven-member board	Nov. 4, 1980
	CA 3	2 §13	Denial of bail	Nov. 4, 1980
	CA 4	5 §1	State officers, two consecutive terms	-
	CA 5	2 §14	Grand jury convention petition, signature increase	Nov. 4, 1980
1980	CA 6	4 §10	Legislative per diem and mileage increase	-
1981	CA 1	6 §§4, 10, 12, 14, 16, 28, 33, 34, 35 & 36; 20 §4	Merit selection of judges	-
	CA 2	8 §10	Severance tax permanent fund	Nov. 2, 1982
	CA 3	8 §11	\$3,000 income tax exemption for national guard	-
1982	CA 4	10 §2	County sheriffs, unlimited two-year terms	-
	CA 5	4 §10	Legislative per diem and mileage increase	Nov. 2, 1982
	CA 6	11 §7	Yellow pages amendment	Nov. 2, 1982
	CA 7	9 §10	County indebtedness for water and sewer systems, sanitary landfills and airports	Nov. 2, 1982
1983	none enacted			
1984	CA 1	10 §8	State regulation-mandated county or municipal services	Nov. 6, 1984
1985	CA 1	12 §14	Local school boards, recall	Nov. 4, 1986
	CA 2	2 §6	Right to keep and bear arms	Nov. 4, 1986
	CA 3	5 §13	Governing bodies, single-member districts	Nov. 4, 1986
	CA 4	8 §4	Public money deposits	Nov. 4, 1986

*Special election

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TABLE 1
(continued)

LEGISLATURE	AMENDMENT NUMBER	ARTICLE AND SECTION(S)	SUBJECT	ADOPTED
1986	CA 5	12 §4	Disposition of forfeitures	Nov. 4, 1986
	CA 6	4 §42 (new)	Interim hearings by senate on confirmations	Nov. 4, 1986
	CA 7	12 §6	State board of education, expand and enhance control	Nov. 4, 1986
	CA 8	12 §13	UNM board of regents, increase	Nov. 4, 1986
	CA 9	10 §2	County officers, four consecutive terms	-
	CA 10	3 §1	Workers' compensation body	Nov. 4, 1986
	CA 11	5 §1	State executive officers, two consecutive four-year terms	Nov. 4, 1986
1987	none enacted			
1988	CA 1	4 §10	Legislative retirement	-
	CA 2	5 §5	Gubernatorial removal of appointees	Nov. 8, 1988
	CA 3	8 §5	Head-of-family exemption	Nov. 8, 1988
	CA 4	9 §10	County bond issues	Nov. 8, 1988
	CA 5	2 §13	Bail for convicted persons	Nov. 8, 1988
	CA 6	6 §§4, 8, 12, 14, 16, 19, 26, 28, 33 (new), 34 (new), 35 (new), 36 (new), 37 (new), 38 (new); 20 §4	Judicial reform, merit selection	Nov. 8, 1988
	CA 7	10 §7	Boards of county commissioners, five members, staggered terms, four years	Nov. 8, 1988
1989	CA 1	12 §7	Permanent school funds management	Nov. 6, 1990
1990	CA 2	12 §7	Permanent school fund investment	-
	CA 3	4 §10	Legislative per diem and salary	-
	CA 4	9 §17 (new)	State financial obligations	-
	CA 5	21 §12 (new)	Land exchange authority	-
1991	CA 1	9 §10	County indebtedness restrictions	-
1992	CA 2	2 §24	Crime victims' rights	Nov. 3, 1992
	CA 3	10 §§2 & 7	Terms for elected county officials	Nov. 3, 1992
	CA 4	4 §10	Legislative compensation commission	-

*Special election

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TABLE 1
(continued)

LEGISLATURE	AMENDMENT NUMBER	ARTICLE AND SECTION(S)	SUBJECT	ADOPTED
1993	CA 1	12 (repeal §14)	Local school board member recall	-
	CA 2	2 §14	Grand jury signatures	Nov. 8, 1994
	CA 3	12 §13	Board of regents, student member	Nov. 8, 1994
	CA 4	5 §14	Highway commission name change	-
	CA 5	4 §10	Legislative per diem	withdrawn
	CA 6	9 §10	Authorize certain county debt	-
	CA 7	14 §1	N.M. state hospital name change	-
	CA 8	20 §22	Lottery and certain games of chance	***
	CA 9	9 §14	Public support of economic development	Nov. 8, 1994
1994	CA 10	6 §§33 & 34	Judicial retention elections	Nov. 8, 1994
	CA 11	7 §1	Voter qualifications	-
	CA 12	8 §10	Severance tax permanent fund distribution	-
	CA 13	12 §2	Land grant permanent funds distribution and investment	-
	CA 14	4 §10	Legislative per diem	-
1995	none enacted			
1996	CA 1	8 §10; 12 §§2, 4 & 7	State permanent funds	Nov. 5, 1996
	CA 2	9 §11	School district debt	Nov. 5, 1996
	CA 3	10 (new)	Recall county officers	Nov. 5, 1996
	CA 4	19 §§1 & 2 (repeal §5)	Constitutional amendment process	Nov. 5, 1996
	CA 5	4 §10	Legislative per diem and mileage	Nov. 5, 1996
	CA 6	11 (repeal §§ 1-12; 15-17)	Create public regulation commission, repeal state corporation commission	Nov. 5, 1996
	CA 7	9 §10	County-bonded indebtedness for certain projects	Nov. 5, 1996
1997	CA 1	8 §1	Residential property valuation for property tax purposes	Nov. 3, 1998
	CA 2	6 §32	Judicial standards commission membership	Nov. 3, 1998
	CA 3	10 §2	Limits on holding county office	Nov. 3, 1998
1998	CA 4	20 (new §22)	Public employees retirement system and educational retirement system trust funds	Nov. 3, 1998
	CA 5	8 (new §15)	Property tax exemption for disabled veterans	Nov. 3, 1998

*Special election

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TABLE 1
(continued)

LEGISLATURE	AMENDMENT NUMBER	ARTICLE AND SECTION(S)	SUBJECT	ADOPTED
1999	CA 1	10 (new §§10 & 11)	Creation of Bernalillo urban county and creation of united Bernalillo county-Albuquerque urban government	Nov. 7, 2000
	CA 2	10 §2	Eliminate term limits for county elected officials	-
2000	none enacted			
2001	CA 1	8 §5	Veterans' property tax exemption	Nov. 5, 2002
	CA 2	7 §1	Voter qualifications	-
	CA 3	6 (repeal §25)	Judicial districts	Nov. 5, 2002
	CA 4	2 (repeal §22)	Non-U.S. citizen ownership of property	-
	CA 5	8 §15	Disabled veteran property tax exemption	Nov. 5, 2002
	CA 6	9 §14	Donation by state, county or municipality of land, buildings or costs of infrastructure for affordable housing	Nov. 5, 2002
	CA 7	20 (new §23)	Cesar Chavez holiday	-
	CA 8	9 §4	Vietnam veterans' scholarship eligibility	Nov. 5, 2002
	CA 9	5 §14	Change state highway commission to state transportation commission	Nov. 5, 2002
2002	none enacted			
2003	CA 1	12 §6	Cabinet-level public education department	Sept. 23, 2003 *
	CA 2	12 §7	Land grant permanent funds distributions	Sept. 23, 2003 *
	CA 3	7 §5	Runoff elections for municipalities	Nov. 2, 2004
	CA 4	8 §5	Veterans' property tax exemption	Nov. 2, 2004
2004	CA 5	12 §11	Change New Mexico school for the visually handicapped to New Mexico school for the blind and visually impaired	Nov. 2, 2004
2005	CA 1	2 §22	Protection of right to own property	Nov. 7, 2006
	CA 2	9 §8	Building lease agreements for state	Nov. 7, 2006
2006	CA 3	16	Water trust fund	Nov. 7, 2006
	CA 4	9 §14	Local government affordable housing	Nov. 7, 2006

*Special election

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TABLE 1
(continued)

LEGISLATURE	AMENDMENT NUMBER	ARTICLE AND SECTION(S)	SUBJECT	ADOPTED
2007	CA 2 +	12 §15	Increase certain school board sizes	-
	CA 1 +	10 §1	County officers midterm salary increases	-
2008	CA 3	5 §15 (new)	Cabinet secretary confirmations	November 4, 2008
	CA 4	7 §1	School elections with other elections	-
	CA 5	5 §16 (new)	Lieutenant governor vacancy appointment	November 4, 2008
2009	CA 1	9 §14	War veteran college scholarship	November 2, 2010
2010	CA 2	10 §2	Extend county official term limits	-
	CA 3	7 §1	Modernize election language	-
	CA 4	8 §16	Veterans' organization property tax	November 2, 2010
	CA 5	4 §28	Civil offices for former legislators	-

*Special election

**Submission conditioned upon action of constitutional convention — automatically withdrawn

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DISPOSITION OF PROPOSED AMENDMENTS TO THE CONSTITUTION OF NEW MEXICO
(1911 - 2010)

TABLE 2

DATE OF ELECTION	GENERAL	SPECIAL	REJECTED	ADOPTED	PERCENT ADOPTED
Nov. 7, 1911*	1		0	1	100.00%
Nov. 5, 1912	1		0	1	100.00%
Nov. 3, 1914	3		0	3	100.00%
Nov. 6, 1917		3	2	1	33.33%
Sept. 16, 1919		3	3	0	0.00%
Sept. 20, 1921		11	6	5	45.45%
Nov. 4, 1924	3		2	1	33.33%
Nov. 2, 1926	2		2	0	0.00%
Nov. 8, 1927		4	4	0	0.00%
Nov. 6, 1928	1		0	1	100.00%
Nov. 4, 1930	2		2	0	0.00%
Nov. 8, 1932	2		0	2	100.00%
Sept. 19, 1933		4	1	3	75.00%
Sept. 17, 1935		5	5	0	0.00%
Sept. 21, 1937		5	5	0	0.00%
Nov. 8, 1938	1		0	1	100.00%
Sept. 16, 1939		1	1	0	0.00%
Nov. 5, 1940	2		1	1	50.00%
Nov. 3, 1942	6		6	0	0.00%
Nov. 7, 1944	1		0	1	100.00%
Nov. 5, 1946	2		0	2	100.00%
Nov. 2, 1948	6		3	3	50.00%
Sept. 20, 1949		10	4	6	60.00%
Sept. 18, 1951		8	8	0	0.00%
Sept. 15, 1953		11	4	7	63.64%
Sept. 20, 1955		6	2	4	66.67%
Nov. 4, 1958	5		2	3	60.00%
Nov. 8, 1960	9		3	6	66.67%
Sept. 19, 1961		12	8	4	33.33%
Nov. 6, 1962	1		0	1	100.00%
Nov. 3, 1964	10		2	8	80.00%
Sept. 28, 1965		8	5	3	37.50%
Nov. 8, 1966	1		0	1	100.00%
Nov. 7, 1967		8	1	7	87.50%
Nov. 3, 1970	8		6	2	25.00%
Nov. 2, 1971		10	3	7	70.00%
Nov. 7, 1972	3		1	2	66.67%
Nov. 6, 1973		7	2	5	71.43%
Nov. 5, 1974	3		1	2	66.67%
Nov. 2, 1976	7		5	2	28.57%
Nov. 7, 1978	4		2	2	50.00%
Nov. 4, 1980	6		2	4	66.67%
Nov. 2, 1982	7		3	4	57.14%
Nov. 6, 1984	1		0	1	100.00%
Nov. 4, 1986	11		1	10	90.91%
Nov. 8, 1988	7		1	6	85.71%
Nov. 6, 1990	5		4	1	20.00%
Nov. 3, 1992	4		2	2	50.00%
Nov. 8, 1994	13		8	4	** 30.80%
Nov. 5, 1996	7		0	7	100.00%
Nov. 3, 1998	5		0	5	100.00%
Nov. 7, 2000	2		1	1	50.00%
Nov. 5, 2002	9		3	6	66.67%
Sept. 23, 2003		2	0	2	100.00%
Nov. 2, 2004	3		0	3	100.00%
Nov. 7, 2006	4		0	4	100.00%
Nov. 4, 2008	5		3	2	40.00%
Nov. 2, 2010	5		3	2	40.00%
Total	178	118	134	162	54.60%
TOTAL LESS BLUE BALLOT	177	118	134	161	54.20%

*Blue ballot voted on at what was deemed the first state general election by congress even though it was held in an odd-numbered year.

**Does not include CA 8, which was approved by voters but ordered not certified by the state supreme court

AMENDMENTS OF ARTICLES OF THE CONSTITUTION OF NEW MEXICO
(1911 - 2010)

TABLE 3

ARTICLE	GENERAL SUBJECT	YEAR AMENDED (No. Times)	Total No. Times
1	Name and Boundaries		0
2	Bill of Rights	1921; 1924; 1971; 1972; 1980(2); 1986; 1988; 1992; 1994; 2006	11
3	Distribution of Powers	1986	1
4	Legislative Department	1932; 1940; 1944; 1946; 1948(2); 1949; 1953(3); 1955; 1958; 1960(3); 1964(2); 1971; 1976; 1982; 1986; 1996	22
5	Executive Department	1914; 1948; 1949; 1955; 1958; 1960; 1961; 1962; 1967; 1970; 1986(2); 1988; 2002, 2008(2)	16
6	Judicial Department	1938; 1949; 1953(2); 1961; 1965; 1966; 1967; 1978(2); 1988; 1994; 1998; 2002; 2006	15
7	Elective Franchise	1921; 1961; 1962; 1967; 1973; 2004	6
8	Taxation and Revenue	1914; 1921; 1933; 1946; 1949; 1953; 1967(2); 1971; 1972; 1973(2); 1974; 1976; 1982; 1986; 1988; 1996; 1998(2); 2002(2); 2004; 2010	24
9	State, County & Municipal Indebtedness	1921(2); 1933; 1964(2); 1965; 1971; 1974; 1982; 1988; 1994; 1996(2); 2002(2); 2006(2); 2010	18
10	County & Municipal Government	1914; 1949; 1964; 1970; 1973; 1980; 1984; 1988; 1992; 1996; 1998; 2000	12
11	Private Corporations and Utilities	1964; 1982; 1996	3
12	Education	1949; 1958(2); 1960; 1964; 1965; 1971; 1973; 1980; 1986(4); 1990; 1994; 1996; 2003(2); 2004	19
13	Public Lands	1964	1
14	Public Institutions	1955(2); 1960	3
15	Department of Agriculture		0
16	Irrigation & Water Rights	1967; 2006	2
17	Mines and Mining	1961	1
18	Militia		0
19	Amendment Procedures	1911; 1996	2
20	Miscellaneous	1971(2); 1988; 1998	4
21	Compact with United States	1912; 1932; 1953	3
22	Schedule of Transition to Statehood		0
23	Intoxicating Liquors	1917; 1933	2
24	Leases on State Lands	1928; 1967	2

VOTER PARTICIPATION ON PROPOSED CONSTITUTIONAL AMENDMENTS SUBMITTED AT GENERAL ELECTIONS
IN NEW MEXICO
(1911-2010)

TABLE 4

YEAR	SUBJECT	VOTE ON		PERCENT OF TOTAL VOTE CAST FOR GOV NOT CAST FOR PROPOSED CA
		PROPOSED YES	CA NO	
1911	Amending procedure	34,897	22,831	5.1
1912	Qualification for holding office	26,663	13,678	*
1914	Two-year terms for county officers	20,295	12,125	*
1914	Property tax	18,468	13,593	*
1914	Two-year terms for executive officers	18,472	12,257	*
1924	Four-year terms for county officers	20,685	28,363	57.4
1924	Four-year terms for executive officers	21,367	26,972	58.0
1924	Indictment and information	28,420	21,166	56.9
1926	Increased compensation for legislators	20,338	21,278	61.0
1926	Apportionment of state land money	18,788	23,560	60.3
1928	Development of minerals on state lands	40,650	9,774	57.5
1930	Consent to exchange of state lands	23,883	34,467	50.5
1930	Five-member state board of education	17,582	40,802	50.4
1932	Consent to exchange of state lands	36,575	16,349	65.0
1932	Forty-five day limitation on introduction of bills	34,028	14,737	67.8
1938	District judge pro tempore	44,503	18,601	60.0
1940	Absentee voting	41,322	21,737	66.0
1940	Split legislative sessions	31,490	28,415	67.7
1942	Apportionment of legislature	12,490	20,879	69.3
1942	Annual legislative salaries	11,565	21,922	69.2
1942	Contracts for grazing and agricultural leases	14,589	17,624	70.4
1942	Staggered terms for educational boards of regents	13,648	18,849	70.1
1942	Split legislative sessions	10,516	20,808	71.2
1942	New Mexico educational institutions board	10,123	21,204	71.2
1944	Increased compensation of legislators	26,547	23,041	66.4
1946	Elimination of split session	15,915	5,676	83.7
1946	Property tax exemptions	15,645	6,925	83.0
1948	Call of special session by legislature	36,166	24,184	68.3
1948	Compensation for legislative employees	31,172	29,633	68.0
1948	Right to work	43,229	60,865	45.2
1948	Four-year terms for county officers	27,349	31,981	68.7
1948	Four-year terms for state executive officers	28,914	30,364	68.8
1948	Succession to governorship by lieutenant governor	35,730	22,193	69.5
1958	Absentee voting	69,567	19,061	56.8
1958	Elected state board of education	48,884	41,795	55.8
1958	Investment of state permanent funds	56,877	26,332	59.4
1958	Remission of debts due state	58,347	28,802	57.5
1958	Four-year terms for county officers	41,443	44,442	58.1
1960	Staggered terms for state senators	61,842	61,522	59.6
1960	Annual legislative sessions	58,405	61,340	60.8
1960	Time limit on bill introduction set by legislature	58,840	56,532	62.2
1960	Confirming state institutions	75,987	47,724	59.5
1960	Four-year terms for state executive officers	49,751	71,987	60.1
1960	Location of executive offices in Santa Fe	44,244	70,872	62.3
1960	Change names of certain state institutions	74,256	44,823	61.0
1960	Division of counties into county commission districts	58,477	58,102	61.9
1960	Continuity of government in case of disaster	83,742	37,591	60.3
1962	Joint election of governor and lieutenant governor	41,435	22,283	54.8
1964	Validating land titles prior to Sept. 4, 1956	72,258	49,758	61.6
1964	Annual legislative sessions	71,499	50,785	61.5
1964	Western N.M. university, name change	89,084	31,788	62.0
1964	H-class county charter	82,163	34,663	63.3
1964	Absentee voting, removal of voting restrictions for women and Indians	106,579	23,694	59.0
1964	School bond issues, remodeling and additions	70,619	47,858	62.8
1964	Municipal bonds, special elections, nonresident voting	63,791	53,237	63.2
1964	Permitting tax legislation by reference	62,129	51,937	64.2
1964	Director, state highway department	54,547	63,306	62.9
1964	Corporation commission, salaries, powers and duties	72,224	41,103	64.4
1966	Abolishing justices of the peace, establishing magistrate courts	81,055	26,317	58.7
1968	[To call a constitutional convention]**	80,242	35,997	63.5
1970	Municipal home rule	77,095	60,867	52.4

TABLE 4
(continued)

YEAR	SUBJECT	VOTE ON		PERCENT OF TOTAL
		<u>PROPOSED</u>	<u>CA</u>	VOTE CAST FOR GOV NOT <u>CAST FOR PROPOSED CA</u>
		YES	NO	
1970	Elective franchise article	67,299	63,279	55.0
1970	Four-year terms for state executive officers	79,722	59,426	52.0
1970	Current school fund levy repeal	60,531	68,720	55.5
1970	Amending procedure	57,778	67,889	56.7
1970	Board of regents removal	56,047	74,927	54.9
1970	Student loan program	57,864	78,061	53.2
1970	Taxation and revenue article	65,552	71,537	52.8
1972	Equal rights	155,633	64,823	*
1972	Property tax exemptions, certain interests	141,622	73,386	*
1972	Six-person juries	83,498	128,595	*
1974	Legislative compensation commission	47,104	75,618	62.7
1974	Political subdivisions, taxing powers	62,103	62,083	62.2
1974	Loans to students of healing arts	77,761	49,294	61.3
1976	Terms of county officers, two-term limitation removed	91,755	190,645	*
1976	Terms of state executive officers, two four-year terms limitation	117,167	181,201	*
1976	Property tax exemption, certain interest	110,232	155,761	*
1976	Appointive state board of education	94,258	157,986	*
1976	Five-member board of county commissioners, four-year terms class B counties	110,893	133,708	*
1976	Severance tax permanent fund	155,365	99,836	*
1976	Legislature, number of members	130,364	115,684	*
1978	Judicial conduct	142,468	53,660	43.3
1978	Retired judges, appointment	103,611	87,969	44.5
1978	Postponement of property taxes for elderly	78,796	113,034	44.5
1978	Annual legislative salary	90,068	103,213	44.0
1980	Dona Ana board of county commissioners	132,542	100,449	*
1980	Albuquerque school district, seven-member board	147,035	95,385	*
1980	Denial of bail	157,992	88,033	*
1980	State officers, two consecutive terms	107,676	138,393	*
1980	Grand jury convention petition	124,996	108,056	*
1980	Legislative per diem and mileage increase	105,693	138,339	*
1982	Merit selection of judges	117,601	139,643	36.8
1982	Severance tax permanent fund	125,727	125,324	38.3
1982	National guard service pay tax exemption	113,247	143,574	37.0
1982	County sheriffs, unlimited terms	109,611	142,871	38.0
1982	Legislative per diem and mileage increase	148,486	112,763	35.9
1982	Yellow pages amendment	201,014	60,212	35.9
1982	County indebtedness	156,113	97,644	37.7
1984	State-mandated county services	220,101	64,684	*
1986	Local school board recall	178,149	103,483	28.7
1986	Right to keep and bear arms	179,716	111,517	26.3
1986	Government bodies, single-member district	181,880	84,964	32.4
1986	Public money deposits	198,766	78,948	33.9
1986	Disposition of forfeitures	181,813	93,731	30.3
1986	Interim hearings on confirmations	161,322	103,134	33.1
1986	State board of education	142,909	126,928	31.7
1986	UNM board of regents	164,385	108,118	30.6
1986	County officers' terms	119,504	156,177	30.2
1986	Workers' compensation body	173,989	92,419	32.5
1986	State executive officers' terms	168,850	106,013	30.5
1988	Legislative retirement	162,657	207,133	*
1988	Gubernatorial removal of appointees	224,091	145,206	*
1988	Head-of-family exemption	282,926	93,218	*
1988	County bond issues	228,519	140,676	*
1988	Bail for convicted persons	278,909	95,156	*
1988	Judicial reform	203,509	159,957	*
1988	Board of county commissioners, five members, terms	203,309	123,799	*
1990	Permanent school funds management	189,456	125,779	23.3
1990	Permanent school funds investment	137,565	169,859	25.2
1990	Legislative per diem and salary	78,643	234,497	23.9
1990	State financial obligations	97,460	210,575	25.1
1990	Land exchange authority	129,889	177,245	25.3
1992	County indebtedness restrictions	225,749	246,366	*
1992	Crime victims' rights	324,509	148,419	*

TABLE 4
(continued)

YEAR	SUBJECT	VOTE ON		PERCENT OF TOTAL
		<u>PROPOSED</u>	<u>CA</u>	<u>VOTE CAST FOR GOV NOT</u> <u>CAST FOR PROPOSED CA</u>
		YES	NO	
1992	Terms for county elected officials	317,887	151,625	*
1992	Legislative compensation commission	215,628	245,159	*
1994	Local school board recall	115,441	281,588	15.1
1994	Grand jury petitions	203,496	192,459	15.3
1994	Student regent	238,458	165,119	13.7
1994	Highway commission, rename	174,276	223,455	14.9
1994	County bonds	192,861	210,001	13.8
1994	State hospital, rename	166,636	231,931	14.8
1994	Lottery and gaming***	234,988	200,321	6.9
1994	Anti-donation	209,019	186,505	15.4
1994	Judicial retention	222,910	166,639	16.7
1994	Voter qualification	172,111	210,576	18.2
1994	Severance tax permanent fund	173,924	208,556	18.2
1994	Land grant permanent funds	187,216	192,492	18.8
1994	Legislative per diem	181,842	212,885	15.6
1996	Permanent funds	307,442	153,021	*
1996	School district debt	238,126	230,850	*
1996	County official recall	330,258	132,969	*
1996	Constitutional amendment process	294,328	166,415	*
1996	Legislative per diem	309,927	155,265	*
1996	Corporation commission repeal; public regulation commission	232,788	221,693	*
1996	County bonds	228,751	227,580	*
1998	Residential property valuation for property tax	261,507	169,513	13.6
1998	Judicial standards commission membership	213,354	199,143	14.9
1998	Limits on holding county office	288,419	136,010	14.9
1998	Public employees retirement system and education retirement system trust funds	336,043	97,716	13.0
1998	Property tax exemption for disabled veterans	279,787	143,585	15.1
2000	Creation of Bernalillo urban county	261,323	225,439	*
2000	Eliminate term limits for county elected officials	134,319	376,706	*
2002	Veterans' property tax exemption	311,429	123,238	10.2
2002	Voter qualification	183,943	243,437	11.7
2002	Judicial districts	284,644	129,350	14.5
2002	Non-U.S. citizen ownership of property	199,683	233,018	10.6
2002	Disabled veteran property tax exemption	315,036	118,818	10.4
2002	Donation by state, county or municipality	239,388	190,380	11.2
2002	Cesar Chavez holiday	159,536	277,523	9.7
2002	Vietnam veterans' scholarship eligibility	303,443	127,954	10.9
2002	Change name of state highway commission	216,734	205,489	12.8
2004	Runoff elections for municipalities	419,251	214,844	*
2004	Veterans' property tax exemption	452,386	212,297	*
2004	Change name of school for the blind	462,144	188,026	*
2006	Protection of right to own property	330,309	142,568	25.5
2006	Building lease agreement for state	337,019	149,344	26.7
2006	Water trust fund	312,764	163,136	29.2
2006	Local government affordable housing	266,861	213,468	38.2
2008	Increase certain school board sizes***	368,438	323,553	*
2008	County officers midterm salary increases	184,781	511,900	*
2008	Cabinet secretary confirmations	490,160	191,299	*
2008	School elections with other elections****	512,962	175,767	*
2008	Lieutenant governor vacancy appointment	477,975	215,727	*
2010	War veteran college scholarship	408,467	119,043	12.3
2010	Extend county official term limits	90,932	431,989	13.1
2010	Modernize election language****	290,091	219,593	15.3
2010	Veterans' organization property tax	298,830	216,706	14.3
2010	Civil offices for former legislators	115,592	394,039	15.3

*No corresponding vote for governor in this election

**Not a constitutional amendment

***Not certified by order of the state supreme court

****Failed to receive the constitutionally required majority

REPETITION OF SUBJECT MATTER IN PROPOSED CONSTITUTIONAL AMENDMENTS
(1912-2010)

TABLE 5

SUBJECT	LEGISLATURE (No. times)	TOTAL NO. TIMES PROPOSED
Terms — County Officers	1913; 1921; 1923; 1927; 1937; 1947; 1957; 1961; 1973(2); 1975(2); 1982; 1986; 1988; 1992; 1997; 1999; 2010	19
Terms — State Officers	1913; 1923; 1927; 1937; 1947; 1959; 1961; 1970; 1975; 1979; 1986	11
Compensation of Legislators	1925; 1927; 1937; 1941; 1943; 1949; 1951; 1953; 1961; 1965; 1971; 1974; 1978; 1980; 1982; 1988; 1990; 1992; 1994; 1996	20
Legislative Sessions	1921; 1939; 1941; 1945; 1947; 1953; 1959; 1961; 1963	9
Absentee Voting	1919; 1937; 1939; 1949; 1951; 1953; 1955; 1957; 1961; 1963; 1967	11
Compensation of Judges	1933; 1949; 1951(2); 1953(2)	6
Qualifications of Officials	1912; 1921; 1961(2); 1973	5
Boards of Regents for Educational Institutions	1919; 1941(2); 1949; 1970; 1993; 1994	6
State Board of Education Composition*	1929; 1935; 1951; 1957; 1975; 1986; 2003	7
State Corporation Commission Powers	1921; 1955; 1961; 1963; 1982; 1996	6
Veterans' Tax Exemptions	1921; 1935; 1949; 1953; 1973; 1998; 2001(2); 2003; 2010	10

*The state board of education was eliminated and replaced with the public education commission when the voters approved Constitutional Amendment 1 in the special election in September 2003.

VOTE ON SECOND CONSTITUTIONAL CONVENTION QUESTIONS
(1968 - 1969)
TABLE 6

COUNTY	NOV. 5, 1968 TO CALL CONSTITUTIONAL CONVENTION			DEC. 9, 1969 TO RATIFY PROPOSED CONSTITUTION		
	YES	NO	TOTAL	YES	NO	TOTAL
Bernalillo	38,814	8,057	46,871	28,368	15,303	43,671
Catron	91	239	330	134	351	485
Chaves	4,467	2,837	7,304	2,289	1,449	3,738
Colfax	821	499	1,320	576	1,135	1,711
Curry	1,411	1,990	3,401	798	2,319	3,117
DeBaca	180	243	423	193	238	431
Dona Ana	4,918	2,156	7,074	4,324	1,761	6,085
Eddy	2,500	2,112	4,612	2,379	1,964	4,343
Grant	967	992	1,959	399	1,614	2,013
Guadalupe	146	123	269	119	590	709
Harding	87	156	243	84	209	293
Hidalgo	204	302	506	100	338	438
Lea	2,073	2,212	4,285	1,053	3,381	4,434
Lincoln	592	440	1,032	375	636	1,011
Los Alamos	2,450	761	3,211	3,043	1,205	4,248
Luna	826	620	1,446	361	1,088	1,449
McKinley	1,696	611	2,307	1,037	620	1,657
Mora	92	77	169	81	878	959
Otero	1,741	1,186	2,927	1,418	1,951	3,369
Quay	936	956	1,892	670	786	1,456
Rio Arriba	710	939	1,649	638	3,432	4,070
Roosevelt	854	1,249	2,103	527	1,472	1,999
Sandoval	834	240	1,074	923	946	1,869
San Juan	3,626	1,635	5,261	1,688	3,102	4,790
San Miguel	858	503	1,361	750	2,732	3,482
Santa Fe	4,185	1,956	6,141	2,906	6,989	9,895
Sierra	256	577	833	369	825	1,194
Socorro	806	346	1,152	531	1,070	1,601
Taos	683	403	1,086	669	1,605	2,274
Torrance	288	280	568	418	596	1,014
Union	200	544	744	246	727	973
Valencia	1,930	756	2,686	2,219	2,075	4,294
Totals	80,242	35,997	116,239	59,685	63,387	123,072

**CONSTITUTIONAL AMENDMENTS SUBMITTED TO NEW MEXICO VOTERS
(1911-2010)
TABLE 7**

ARTICLE	SECTION	LEGISLATURE	AMENDMENT NUMBER	SUBJECT	ADOPTED	
2	6	1971	CA 3	Right to bear arms	Nov. 2, 1971*	
2	6	1985	CA 2	Right to keep and bear arms	Nov. 4, 1986	
2	12	1972	CA 3	Six-person juries	-	
2	13	1979	CA 3	Denial of bail	Nov. 4, 1980	
2	13	1988	CA 5	Bail for convicted persons	Nov. 8, 1988	
2	14	1923	CA 3	Indictment and information, information added	Nov. 4, 1924	
2	14	1935	CA 5	Indictment and information	-	
2	14	1979	CA 5	Grand jury convention petition, signature increase	Nov. 4, 1980	
2	14	1993	CA 2	Grand jury signatures	Nov. 8, 1994	
2	15	1935	CA 4	Double jeopardy, degrees to be stricken	-	
2	18	1972	CA 1	Equal rights	Nov. 7, 1972	
2	22	1921	CA 2	Alien land ownership	Sept. 20, 1921*	
2	22	(repeal)	2001	CA 4	Non-U.S. citizen ownership of property	-
2	22	2005	CA 1	Protection of right to own property	Nov. 7, 2006	
2	24	1947	CA 3	Right to work	-	
2	24	1992	CA 2	Crime victims' rights	Nov. 3, 1992	
3	1	1986	CA 10	Workers' compensation body	Nov. 4, 1986	
4	2	1959	CA 9	Continuity of government, disaster	Nov. 8, 1960	
4	3	1941	CA 1	Legislative apportionment	-	
4	3	1949	CA 10	Legislative apportionment	Sept. 20, 1949*	
4	3	1955	CA 1	Legislative apportionment	Sept. 20, 1955*	
4	3	1976	CA 7	Legislature, number of members	Nov. 2, 1976	
4	4	1953	CA 4	Filling vacancies in legislature	Sept. 15, 1953*	
4	4	1959	CA 1	Stagger terms for state senators	Nov. 8, 1960	
4	5	1921	CA 6	Length of legislative sessions, schedule for presentation of budget, legislative action on executive budget	-	
4	5	1939	CA 3	Split legislative session, 30 and 30 days	Nov. 5, 1940	
4	5	1941	CA 5	Split legislative session, 20 and 40 days	-	
4	5	1945	CA 1	Eliminate split legislative session	Nov. 5, 1946	
4	5	1953	CA 7	Annual legislative sessions	-	
4	5	1959	CA 2	Annual legislative session	-	
4	5	1961	CA 8	Annual legislative sessions	-	
4	5	1963	CA 2	Annual legislative sessions	Nov. 3, 1964	
4	6	1947	CA 1	Extraordinary session call by	Nov. 2, 1948	
4	9	1947	CA 2	Eliminate maximum compensation for legislative employees	Nov. 2, 1948	

*Special election

**Submission conditioned upon action of constitutional convention - automatically withdrawn

***Not certified by order of state supreme court

+The numbers assigned to CA 1 and CA 2 in the session laws

**CONSTITUTIONAL AMENDMENTS SUBMITTED TO NEW MEXICO VOTERS
(1911-2010)**

TABLE 7

4	10	1925	CA 1	Compensation of legislators, increase	-	
4	10			Compensation of legislators, increase	-	
		1927	CA 1			
4	10	1937	CA 6	Legislators' compensation	-	
4	10	1941	CA 2	Compensation of legislators, annual salary	-	
4	10	1943	CA 1	Legislators' compensation	Nov. 7, 1944	
4	10	1949	CA 9	Legislators' compensation, annual	-	
4	10	1951	CA 7	Legislators' compensation	-	
4	10	1953	CA 5	Legislators' compensation	-	
4	10	1961	CA 6	Legislators' compensation to be determined by law	-	
4	10	1965	CA 1	Legislative compensation	-	
4	10	1971	CA 2	Legislative compensation, \$40 per diem	Nov. 2, 1971*	
4	10	1974	CA 1	Legislative compensation commission	-	
4	10	1978	CA 4	Annual legislative salary	-	
4	10	1980	CA 6	Legislative per diem and mileage incre	-	
4	10	1982	CA 5	Legislative per diem and mileage increase	Nov. 2, 1982	
4	10	1988	CA 1	Legislative retirement	Nov. 8, 1988	
4	10	1990	CA 3	Legislative per diem and salary	-	
4	10	1992	CA 4	Legislative compensation commission	-	
4	10	1993	CA 5	Legislative per diem	withdrawn	
4	10	1994	CA 14	Legislative per diem	-	
4	10	1996	CA 5	Legislative per diem and mileage	Nov. 5, 1996	
4	18	1963	CA 8	Permitting tax legislation by reference	Nov. 3, 1964	
4	19	1927	CA 5	Introduction of bills, 45th day	-	
4	19	1931	CA 2	Introduction of bills, 45th day	Nov. 8, 1932	
4	19	1959	CA 3	Time limit on bill introduction, set by legislature	Nov. 8, 1960	
4	22	1953	CA 3	Governor's veto, approval or rejection within 20 days after adjournment	Sept. 15, 1953*	
4	28	1941	CA 2	Limit appointment to other offices	-	
4	28	1961	CA 12	Legislators serve on state board of	-	
4	28	2010	CA 5	Civil offices for former legislators	-	
4	32	1957	CA 4	Remission, debts due state	Nov. 4, 1958	
4	42	1965	CA 6	Establish legislative auditor	-	
4	42	(new)	1986	CA 6	Interim hearings by senate on confirmations	Nov. 4, 1986
4		1965	CA 4	Weighted voting, state senate	-	
5	1	1913	JR 15	Terms of executive officers, changed from four to two years	Nov. 3, 1914	

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CONSTITUTIONAL AMENDMENTS SUBMITTED TO NEW MEXICO VOTERS

(1911-2010)

TABLE 7

5	1	1921	CA 3	Executive officers	-
5	1	1923	CA 2	Terms of executive officers, four years	-
5	1	1937	CA 4	Terms of executive officers, remove two-term limitation	-
5	1	1947	CA 5	Terms of executive officers, four years	-
5	1	1951	CA 2	Delete reference to elected superintendent of public instruction	
5	1	1957	CA 2	Election of state board of education	Nov. 4, 1958
5	1	1959	CA 5	Terms of elected state officials, four years	-
5	1	1961	CA 1	Terms of executive state officers, four years	-
5	1	1961	CA 10	Delete state auditor and provisions relating to salaries of officers	-
5	1	1961	CA 13	Election of governor and lieutenant governor on joint ticket	Sept. 19, 1961*
5	1	1970	CA 3	Terms of state executive officers, four years	Nov. 3, 1970
5	1	1975	CA 2	Terms of state executive officers, two four-year terms, limitation	-
5	1	1979	CA 4	State officers, two consecutive terms	-
5	1	1986	CA 11	State executive officers, two consecutive four-year terms	Nov. 4, 1986
5	2	1961	CA 13	Election of governor and lieutenant governor on joint ticket	Sept. 19, 1961*
5	5	1988	CA 2	Gubernatorial removal of appointees	Nov. 8, 1988
5	7	1947	CA 6	Succession to governorship by lieutenant governor	Nov. 2, 1948
5	12	1961	CA 10	Delete state auditor and provisions relating to salaries of officers	-
5	13	1959	CA 8	Division of counties into county commission districts	Nov. 8, 1960
5	13	1985	CA 3	Governing bodies, single-member districts	Nov. 4, 1986
5	14	1949	CA 3	Create state highway commission	Sept. 20, 1949*
5	14	1955	CA 3	State highway commission	Sept. 20, 1955*
5	14	1961	CA 2	State highway commission, resubmission of appointments to state	Sept. 19, 1961*
5	14	1963	CA 9	Director, state highway department	-
5	14	1967	CA 4	State highway commission	Nov. 7, 1967*
5	14	1993	CA 4	Highway commission name change	-
5	14	2001	CA 9	Change state highway commission to state transportation commission	Nov. 5, 2002
5	15	1959	CA 6	Location of executive offices	-
5	15	(new) 2008	CA 3	Cabinet secretary confirmations	Nov. 4, 2008

*Special election

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CONSTITUTIONAL AMENDMENTS SUBMITTED TO NEW MEXICO VOTERS

(1911-2010)

TABLE 7

5	16	(new)	2008	CA 5	Lieutenant governor vacancy appointment	Nov. 4, 2008
6	1		1933	CA 3	Judicial department, compensation of	-
6	1		1965	CA 10	Abolish justices of the peace, establish magistrate courts	Nov. 8, 1966
6	1		1965	CA 5	Establish court of appeals	Sept. 28, 1965*
6	2		1965	CA 5	Establish court of appeals	Sept. 28, 1965*
6	3		1965	CA 5	Establish court of appeals	Sept. 28, 1965*
6	4		1981	CA 1	Merit selection of judges	-
6	4		1988	CA 6	Judicial reform, merit selection	
6	8		1988	CA 6	Judicial reform, merit selection	
6	10		1981	CA 1	Merit selection of judges	-
6	11		1951	CA 3	Allow legislature to fix salaries of supreme court justices	-
6	11		1953	CA 8	Allow legislature to fix salaries of supreme court justices	Sept. 15, 1953*
6	12		1917	JR 16	Judicial districts	-
6	12		1933	CA 3	Judicial department, compensation of judges, abolish probate courts, etc.	-
6	12		1981	CA 1	Merit selection of judges	-
6	12		1988	CA 6	Judicial reform, merit selection	
6	13		1933	CA 3	Judicial department, compensation of judges, abolish probate courts, etc.	-
6	14		1981	CA 1	Merit selection of judges	-
6	14		1988	CA 6	Judicial reform, merit selection	
6	15		1937	CA 5	District judges pro tempore	Nov. 8, 1938
6	15		1977	CA 2	Retired judges, appointment	Nov. 7, 1978
6	16		1933	CA 3	Judicial department, compensation of judges, abolish probate courts, etc.	-
6	16		1981	CA 1	Merit selection of judges	-
6	16		1988	CA 6	Judicial reform, merit selection	
6	17		1933	CA 3	Judicial department, compensation of judges, abolish probate courts, etc.	-
6	17		1949	CA 2	Legislature to set salary of district	-
6	17		1951	CA 4	Allow legislature to fix salaries of district judges	-
6	17		1953	CA 9	Allow legislature to fix salaries of district judges	Sept. 15, 1953*
6	18		1965	CA 10	Abolish justices of the peace, establish magistrate courts	Nov. 8, 1966
6	19		1988	CA 6	Judicial reform, merit selection	
6	21		1965	CA 10	Abolish justices of the peace, establish magistrate courts	Nov. 8, 1966

*Special election

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CONSTITUTIONAL AMENDMENTS SUBMITTED TO NEW MEXICO VOTERS

(1911-2010)

TABLE 7

6	23		1933	CA 3	Judicial department, compensation of	-
6	23		1949	CA 4	Authorize legislature to bestow civil	Sept. 20, 1949*
6	25		1917	JR 16	Judicial districts	-
6	25		1933	CA 3	Judicial department, compensation of	-
6	25	(repeal)	2001	CA 3	Judicial districts	Nov. 5, 2002
6	26		1961	CA 11	Legislature prescribes qualifications of justices of the peace, police magistrates and constables	Sept. 19, 1961*
6	26		1965	CA 10	Abolish justices of the peace, establish magistrate courts	Nov. 8, 1966
6	26		1988	CA 6	Judicial reform, merit selection	
6	27		1933	CA 3	Judicial department, compensation of judges, abolish probate courts, etc.	-
6	27		1965	CA 10	Abolish justices of the peace, establish magistrate courts	Nov. 8, 1966
6	28		1981	CA 1	Merit selection of judges	-
6	28		1988	CA 6	Judicial reform, merit selection	
6	29		1965	CA 5	Establish court of appeals	Sept. 28, 1965*
6	30		1965	CA 10	Abolish justices of the peace, establish magistrate courts	Nov. 8, 1966
6	31		1965	CA 10	Abolish justices of the peace, establish magistrate courts	Nov. 8, 1966
6	32		1967	CA 6	Judicial discipline and removal	Nov. 7, 1967*
6	32		1977	CA 1	Judicial conduct	Nov. 7, 1978
6	32		1997	CA 2	Judicial standards commission membership	Nov. 3, 1998
6	33		1981	CA 1	Merit selection of judges	-
6	33		1988	CA 6	Judicial reform, merit selection	
6	33		1994	CA 10	Judicial retention elections	Nov. 8, 1994
6	34		1981	CA 1	Merit selection of judges	-
6	34	(new)	1988	CA 6	Judicial reform, merit selection	
6	34		1994	CA 10	Judicial retention elections	Nov. 8, 1994
6	35		1981	CA 1	Merit selection of judges	-
6	35	(new)	1988	CA 6	Judicial reform, merit selection	
6	36		1981	CA 1	Merit selection of judges	-
6	36	(new)	1988	CA 6	Judicial reform, merit selection	
6	37	(new)	1988	CA 6	Judicial reform, merit selection	
6	38	(new)	1988	CA 6	Judicial reform, merit selection	
7	1		1937	CA 1	Absentee voting	-
7	1		1939	CA 2	Absentee voting	-
7	1		1949	CA 1	Absentee voting	-
7	1		1951	CA 6	Absentee voting	-
7	1		1955	CA 2	Absentee voting	-
7	1		1957	CA 1	Absentee voting	-

*Special election

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**CONSTITUTIONAL AMENDMENTS SUBMITTED TO NEW MEXICO VOTERS
(1911-2010)**

TABLE 7

7	1	1961	CA 4	Absentee voting	-
7	1	1963	CA 5	Absentee voting and removal of voting restriction for women and Indians	-
7	1	1967	CA 7	Absentee voting and removal of voting restriction for women and Indians	Nov. 7, 1967*
7	1	1971	CA 1	Lower voting age to 18	-
7	1	1973	CA 4	Qualifications for voting	-
7	1	1994	CA 11	Voter qualifications	-
7	1	2001	CA 2	Voter qualifications	-
7	1	2008	CA 4	School elections with other elections	-
7	1	2010	CA 3	Modernize election language	-
7	2	1921	CA 1	Qualifications for holding office	Sept. 20, 1921*
7	2	1961	CA 9	Legislature to establish qualifications of public officers	Sept. 19, 1961*
7	2	1973	CA 1	Sex discrimination in qualifications for office	Nov. 6, 1973*
7	4	1953	CA 10	Absentee voting	-
7	5	1961	CA 13	Election of governor and lieutenant governor on joint ticket	Sept. 19, 1961*
7	5	2003	CA 3	Runoff elections for municipalities	Nov. 2, 2004
7	6	1919	JR 12	Absentee voting	-
7		1970	CA 2	Elective franchise	-
8	1	1913	JR 10	Property tax	Nov. 3, 1914
8	1	1917	JR 15	Property tax	-
8	1	1969	CA 1	Property tax, property classification	**
8	1	1971	CA 6	Property tax, property classification	Nov. 2, 1971*
8	1	1997	CA 1	Residential property valuation for property tax purposes	Nov. 3, 1998
8	2	1913	JR 10	Property tax	Nov. 3, 1914
8	2	1921	CA 8	Property tax limitations	-
8	2	1933	CA 4	Property tax 20-mill limitation	Sept. 19, 1933*
8	2	1967	CA 8	Property tax, elections, exceeding 20-mill limitation	-
8	3	1913	JR 10	Property tax	Nov. 3, 1914
8	3	1945	CA 2	Property tax exemptions	Nov. 5, 1946
8	3	1971	CA 7	Property tax, exempt water-user cooperatives	-
8	3	1972	CA 2	Property tax exemptions	Nov. 7, 1972
8	3	1975	CA 3	Property tax, permit legislature to exempt certain interests in property owned by tax-exempt entity	-
8	4	1913	JR 10	Property tax	Nov. 3, 1914
8	4	1967	CA 2	Public money deposit in savings and loan associations	Nov. 7, 1967*

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**CONSTITUTIONAL AMENDMENTS SUBMITTED TO NEW MEXICO VOTERS
(1911-2010)**

TABLE 7

8	4	1985	CA 4	Public money deposits	Nov. 4, 1986	
8	5	1913	JR 10	Property tax	Nov. 3, 1914	
8	5	1921	CA 4	Head of family and veteran tax exemptions	Sept. 20, 1921*	
8	5	1935	CA 1	Head of family and veteran tax exemptions, increase	-	
8	5	1949	CA 5	Tax exemptions for heads of families and veterans to include community or joint property	Sept. 20, 1949*	
8	5	1953	CA 6	Tax exemptions for heads of families and veterans	Sept. 15, 1953*	
8	5	1969	CA 2	Property tax, personal exemption	**	
8	5	1973	CA 2	Sex discrimination in veterans' property tax exemptions	Nov. 6, 1973*	
8	5	1988	CA 3	Head-of-family exemption	Nov. 8, 1988	
8	5	2001	CA 1	Veterans' property tax exemption	Nov. 5, 2002	
8	5	2003	CA 4	Veterans' property tax exemption	Nov. 2, 2004	
8	6	1913	JR 10	Property tax	Nov. 3, 1914	
8	7	1913	JR 10	Property tax	Nov. 3, 1914	
8	8	1953	CA 11	Natural resources investment fund	-	
8	8	1973	CA 6	Freeport personal property tax	Nov. 6, 1973*	
8	9	1974	CA 2	Tax levy or assessment prohibited by political subdivision with appointed board	Nov. 5, 1974	
8	10	1981	CA 2	Severance tax permanent fund	Nov. 2, 1982	
8	10	1994	CA 12	Severance tax permanent fund distribution	-	
8	10	1996	CA 1	State permanent funds	Nov. 5, 1996	
8	11	1981	CA 3	\$3,000 income tax exemption for national guard	-	
8	15	(new)	1998	CA 5	Property tax exemption for disabled	Nov. 3, 1998
8	15		2001	CA 5	Disabled veteran property tax	Nov. 5, 2002
8	16		2010	CA 4	Veterans' organizations property tax	Nov. 2, 2010
8			1970	CA 8	Taxation and revenue	-
8			1975	CA 6	Severance tax permanent fund	Nov. 2, 1976
8			1978	CA 3	Postponement of property taxes for elderly	-
8			2010	CA 4	Veterans' organization property tax	-
9	4		2001	CA 8	Vietnam veterans' scholarship	Nov. 5, 2002
9	8		1919	JR 11	Restrictions on state indebtedness	-
9	8		2005	CA 2	Building lease agreements for state	Nov. 7, 2006
9	10		1963	CA 6	School bond issues, remodeling and	Nov. 3, 1964
9	10		1982	CA 7	County indebtedness for water and	Nov. 2, 1982
9	10		1988	CA 4	County bond issues	Nov. 8, 1988
9	10		1991	CA 1	County indebtedness restrictions	-
9	10		1993	CA 6	Authorize certain county debt	-

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TABLE 7

9	10		1996	CA 7	County-bonded indebtedness for certain projects	Nov. 5, 1996
9	11		1933	CA 2	Restrictions on school district indebtedness	-
9	11		1965	CA 3	Bonds for remodeling schools	Sept. 28, 1965*
9	11		1996	CA 2	School district debt	Nov. 5, 1996
9	12		1921	CA 9	Restrictions on municipal indebtedness	Sept. 20, 1921*
9	12		1951	CA 5	Debt-contracting power of municipalities, election	-
9	12		1953	CA 1	Debt-contracting power of municipalities, elections	Sept. 15, 1953*
9	12		1963	CA 7	Municipal bonds, special election, nonresident vote	Nov. 3, 1964
9	14		1967	CA 1	Permit economic development loans	-
9	14		1970	CA 7	Student loan payments	-
9	14		1971	CA 5	Vietnam veterans' scholarships	Nov. 2, 1971*
9	14		1974	CA 3	Loans to students of healing arts	Nov. 5, 1974
9	14		1993	CA 9	Public support of economic	Nov. 8, 1994
9	14		2001	CA 6	Donation by state, county or municipality of land, buildings or costs of infrastructure for affordable housing	Nov. 5, 2002
9	14		2006	CA 4	Local government affordable housing	Nov. 7, 2006
9	14		2009	CA 1	War veteran college scholarship	Nov. 2, 2010
9	16		1921	CA 11	State highway bonds	Sept. 20, 1921*
9	17		1937	CA 2	Limitation on state institution building bonds	-
9	17		1939	CA 1	Limitation on state institution building bonds	-
9	17	(new)	1990	CA 4	State financial obligations	-
10	1		2007	CA 1 +	County officers midterm salary	-
10	2		1913	JR 9	Terms of county officers, changed from four to two years	Nov. 3, 1914
10	2		1921	CA 10	Terms of county officers, limited to two terms except for county school superintendents	-
10	2		1923	CA 1	Terms of county officers, four years	-
10	2		1937	CA 3	Terms of county officers, remove two-term limitation	-
10	2		1947	CA 4	Terms of county officers, four years	-
10	2		1957	CA 5	Remission, debts due state	Nov. 8, 1960
10	2		1961	CA 1	Terms of county officers, four years	-
10	2		1973	CA 7	Age limitation on county officers, two-year unlimited terms	-
10	2		1975	CA 1	Terms of county officers, two-term limitation removed	-

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10	2		1982	CA 4	County sheriffs, unlimited two-year	-
10	2		1986	CA 9	County officers, four consecutive	-
10	2		1992	CA 3	Terms for elected county officials	Nov. 3, 1992
10	2		1997	CA 3	Limits on holding county office	Nov. 3, 1998
10	2		1999	CA 2	Eliminate term limits for county elected officials	-
10	2		2010	CA 2	Extend county official term limits	-
10	4		1949	CA 6	Organization of city-county governments	Sept. 20, 1949*
10	5		1963	CA 4	H-class county charter	Nov. 3, 1964
10	6		1969	CA 4	Municipal home rule	withdrawn
10	6		1970	CA 1	Municipal home rule	Nov. 3, 1970
10	7	(new)	1973	CA 5	Five-member board of county commissioners, four-year terms, class A counties	Nov. 6, 1973*
10	7		1975	CA 5	Five-member board of county commissioners, four-year terms, class B counties	-
10	7		1979	CA 1	Dona Ana county board of commissioners, five members	Nov. 4, 1980
10	7		1988	CA 7	Boards of county commissioners, five members, staggered terms, four years	Nov. 8, 1988
10	7		1992	CA 3	Terms for elected county officials	Nov. 3, 1992
10	8		1984	CA 1	State regulation-mandated county or municipal services	Nov. 6, 1984
10	10	(new)	1999	CA 1	Creation of Bernalillo urban county and creation of united Bernalillo county-Albuquerque urban government	Nov. 7, 2000
10	11	(new)	1999	CA 1	Creation of Bernalillo urban county and creation of united Bernalillo county-Albuquerque urban government	Nov. 7, 2000
10		(new)	1996	CA 3	Recall county officers	Nov. 5, 1996
11	1		1961	CA 7	State corporation commission	-
11	1	(repeal)	1996	CA 6	Create public regulation commission, repeal state corporation commission	Nov. 5, 1996
11	2		1961	CA 7	State corporation commission	-
11	2	(repeal)	1996	CA 6	Create public regulation commission, repeal state corporation commission	Nov. 5, 1996
11	3	(repeal)	1996	CA 6	Create public regulation commission,	Nov. 5, 1996
11	4	(repeal)	1996	CA 6	Create public regulation commission, repeal state corporation commission	Nov. 5, 1996

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11	5		1963	CA 10	Corporation commission, salaries, powers and duties	Nov. 3, 1964
11	5	(repeal)	1996	CA 6	Create public regulation commission, repeal state corporation commission	Nov. 5, 1996
11	6	(repeal)	1996	CA 6	Create public regulation commission, repeal state corporation commission	Nov. 5, 1996
11	7		1963	CA 10	Corporation commission, salaries, powers and duties	Nov. 3, 1964
11	7		1982	CA 6	Yellow pages amendment	Nov. 2, 1982
11	7	(repeal)	1996	CA 6	Create public regulation commission, repeal state corporation commission	Nov. 5, 1996
11	8		1963	CA 10	Corporation commission, salaries, powers and duties	Nov. 3, 1964
11	8	(repeal)	1996	CA 6	Create public regulation commission, repeal state corporation commission	Nov. 5, 1996
11	9	(repeal)	1996	CA 6	Create public regulation commission, repeal state corporation commission	Nov. 5, 1996
11	10	(repeal)	1996	CA 6	Create public regulation commission, repeal state corporation commission	Nov. 5, 1996
11	11	(repeal)	1996	CA 6	Create public regulation commission, repeal state corporation commission	Nov. 5, 1996
11	12	(repeal)	1996	CA 6	Create public regulation commission, repeal state corporation commission	Nov. 5, 1996
11	15	(repeal)	1996	CA 6	Create public regulation commission, repeal state corporation commission	Nov. 5, 1996
11	16	(repeal)	1996	CA 6	Create public regulation commission, repeal state corporation commission	Nov. 5, 1996
11	17	(repeal)	1996	CA 6	Create public regulation commission, repeal state corporation commission	Nov. 5, 1996
11	19		1921	CA 5	Legislature to establish powers of corporation commission	-
11			1955	CA 6	State corporation commission	-
12	2		1994	CA 13	Land grant permanent funds distribution and investment	-
12	2		1996	CA 1	State permanent funds	Nov. 5, 1996
12	4		1961	CA 5	Current school fund, fines and forfeitures, legislature to prescribe administrative costs to be deducted	-

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12	4		1969	CA 3	Current school fund levy	**
12	4	(repeal)	1970	CA 4	Current school fund, state levy	-
12	4		1971	CA 10	Current school fund, state levy	Nov. 2, 1971*
12	4		1986	CA 5	Disposition of forfeitures	Nov. 4, 1986
12	4		1996	CA 1	State permanent funds	Nov. 5, 1996
12	6		1929	CA 2	Five-member state board of education, powers and duties	-
12	6		1935	CA 2	Five-member state board of education, powers and duties	-
12	6		1951	CA 2	State board of education, nine members	-
12	6		1957	CA 2	Election of state board of education	Nov. 4, 1958
12	6		1986	CA 7	State board of education, expand and enhance control	Nov. 4, 1986
12	6		2003	CA 1	Cabinet-level public education department	Sept. 23, 2003*
12	7		1957	CA 3	Investment of state permanent funds	Nov. 4, 1958
12	7		1965	CA 2	State permanent fund investments	Sept. 28, 1965*
12	7		1989	CA 1	Permanent school funds management	Nov. 6, 1990
12	7		1990	CA 2	Permanent school fund investment	-
12	7		1996	CA 1	State permanent funds	Nov. 5, 1996
12	7		2003	CA 2	Land grant permanent funds	
12	11		1959	CA 7	Change names of certain state institutions	Nov. 8, 1960
12	11		1963	CA 3	Western N.M. university, name change	Nov. 3, 1964
12	11		2004	CA 5	Change New Mexico school for the visually handicapped to New Mexico school for the blind and visually	Nov. 2, 2004
12	13		1919	JR 13	Placing state educational institutions under board of control; creation of board of control for state institutions	-
12	13		1941	CA 4	Stagger terms, boards of regents,	-
12	13		1949	CA 7	Boards of regents, educational	Sept. 20, 1949*
12	13		1970	CA 6	Board of regents, removal	-
12	13		1986	CA 8	UNM board of regents, increase	Nov. 4, 1986
12	13		1993	CA 3	Board of regents, student member	Nov. 8, 1994
12	14		1941	CA 6	N.M. educational institutions board	-
12	14	(new)	1973	CA 3	Local school board recall	Nov. 6, 1973*
12	14		1985	CA 1	Local school boards, recall	Nov. 4, 1986
12	14	(repeal)	1993	CA 1	Local school board member recall	-
12	15		1979	CA 2	Albuquerque school district, seven-member board	Nov. 4, 1980
12	15		2007	CA 2 +	Increase certain school board sizes	-
12			1975	CA 4	Appointive state board of education, state department of education	-

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13	1		1921	CA 7	Public lands, creating state land commission	-
13	3		1963	CA 1	Validating land titles prior to Sept. 4,	Nov. 3, 1964
13	10		1921	CA 7	Public lands, creating state land commission	-
14	1		1955	CA 5	Confirming certain institutions as state institutions	Sept. 20, 1955*
14	1		1959	CA 4	Confirm institutions as state institutions	Nov. 8, 1960
14	1		1993	CA 7	N.M. state hospital name change	-
14	3		1919	JR 13	Creation of board of control for state institutions	-
14	3		1955	CA 4	Legislature to prescribe manner of control and management of state institutions	Sept. 20, 1955*
14	3		1955	CA 5	Confirming certain institutions as state institutions	Sept. 20, 1955*
16	5		1967	CA 5	District court water appeals	Nov. 7, 1967*
16			1965	CA 8	District court water appeals	-
16			2006	CA 3	Water trust fund	Nov. 7, 2006
17	1		1961	CA 3	State mine inspector, legislature to prescribe qualifications	Sept. 19, 1961*
19	1		1911	Blue Ballot	Amendments to constitution	Nov. 7, 1911
19	1		1965	CA 9	Constitutional amendment procedure	withdrawn
19	1		1996	CA 4	Constitutional amendment process	Nov. 5, 1996
19	2		1911	Blue Ballot	Amendments to constitution	Nov. 7, 1911
19	2		1996	CA 4	Constitutional amendment process	Nov. 5, 1996
19	3		1911	Blue Ballot	Amendments to constitution	Nov. 7, 1911
19	4		1911	Blue Ballot	Amendments to constitution	Nov. 7, 1911
19	5		1911	Blue Ballot	Amendments to constitution	Nov. 7, 1911
19	5		1965	CA 7	Constitutional amendment procedure	-
19	5		1970	CA 5	Amendment procedure	-
19	5		1971	CA 8	Amendment procedures	-
19	5	(repeal)	1996	CA 4	Constitutional amendment process	Nov. 5, 1996
20	3		1921	CA 6	Date terms of elective officers begin	-
20	4		1981	CA 1	Merit selection of judges	-
20	4		1988	CA 6	Judicial reform, merit selection	
20	17		1971	CA 4	Uniform system of textbooks	Nov. 2, 1971*
20	21	(new)	1971	CA 9	Pollution control	Nov. 2, 1971*
20	22		1993	CA 8	Lottery and certain games of chance	***
20	22	(new)	1998	CA 4	Public employees retirement system and educational retirement system	Nov. 3, 1998
20	23	(new)	2001	CA 7	Cesar Chavez holiday	-
21	1		1951	CA 1	Eliminate prohibition of sale of intoxicating liquors to Indians	-

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21	1		1953	CA 2	Eliminate prohibition of sale of intoxicating liquors to Indians	Sept. 15, 1953*
21	5		1912	JR 6	Compact with U.S., suffrage, qualifications for holding office deleted	Nov. 5, 1912
21	11		1927	CA 3	Consent to exchange of state lands	-
21	11		1929	CA 1	Consent to exchange of state lands	-
21	11		1931	CA 1	Consent to exchange of state lands	Nov. 8, 1932
21	12	(new)	1990	CA 5	Land exchange authority	-
23	1	(repeal)	1933	CA 1	Repeal prohibition	Sept. 19, 1933*
23	2	(repeal)	1933	CA 1	Repeal prohibition	Sept. 19, 1933*
23		(new)	1917	JR 17	Prohibition	Nov. 6, 1917*
24	1		1941	CA 3	Contracts, grazing and agricultural leases, state lands	-
24	1		1967	CA 3	Geothermal steam development on public lands	Nov. 7, 1967*
24			1925	CA 2	Apportionment of money from state	-
24			1927	CA 2	Executive and county officers, four-year terms for state, two-year terms	-
24			1927	CA 4	Contracts for development and production of minerals on state lands	Nov. 6, 1928
25			1935	CA 3	Land exchange between New Mexico and U.S.	-
25			1951	CA 8	Nonpartisan selection of judges	-
		new	1949	CA 8	Natural resources trust fund	-
			1966	none enacted		
			1968	none enacted		
			1983	none enacted		
			1987	none enacted		-
			1995	none enacted		
			2000	none enacted		
			2002	none enacted		

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