

HOUSE JOINT RESOLUTION 15

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

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A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE 5, SECTION 7 OF THE
CONSTITUTION OF NEW MEXICO TO MODIFY THE SEQUENCE OF
GUBERNATORIAL SUCCESSION.

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

Section 1. It is proposed to amend Article 5, Section 7
of the constitution of New Mexico to read:

"A. If at the time fixed for the beginning of the
term of the governor, the governor-elect [~~shall have~~] has died,
the lieutenant governor-elect shall become governor. If a
governor [~~shall~~] is not [~~have been~~] chosen before the time
fixed for the beginning of [~~his~~] the governor's term, or if the
governor-elect [~~shall have failed~~] fails to qualify, then the
lieutenant governor-elect shall act as governor until a
governor [~~shall have~~] has qualified [~~and~~]. The legislature may

.176928.1

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 by law provide for the case [~~wherein~~] where neither a
2 governor-elect nor a lieutenant governor-elect [~~shall have~~
3 ~~qualified~~] qualifies, declaring who shall then act as governor,
4 or the manner in which [~~one who is to act~~] the governor shall
5 be selected, and [~~such~~] that person shall act accordingly until
6 a governor [~~or~~] and lieutenant governor [~~shall~~] have qualified.

7 B. If after the governor-elect has qualified a
8 vacancy occurs in the office of governor, the lieutenant
9 governor shall succeed to that office, and to all the powers,
10 duties and emoluments thereof, provided [~~he~~] the lieutenant
11 governor has by that time qualified for the office of
12 lieutenant governor. In case the governor is absent from the
13 state, or is for any reason unable to perform [~~his~~] the
14 governor's duties, the lieutenant governor shall act as
15 governor, with all the powers, duties and emoluments of that
16 office until such disability be removed. In case there is no
17 lieutenant governor, or in case [~~he~~] the lieutenant governor is
18 for any reason unable to perform the duties of governor, then
19 the [~~secretary of state~~] speaker of the house shall perform the
20 duties of governor [~~and~~]. In case there is no [~~secretary of~~
21 ~~state~~] speaker of the house, or the speaker of the house is for
22 any reason unable to perform the duties of governor, then the
23 president pro tempore of the senate [~~or~~] shall perform the
24 duties of governor. In case there is no president pro tempore
25 of the senate, or [~~he~~] the president pro tempore of the senate

.176928.1

underscoring material = new
~~[bracketed material]~~ = delete

1 is for any reason unable to perform the duties of governor,
2 then the ~~[speaker of the house]~~ secretary of state shall
3 succeed to the office of governor, or act as governor as
4 hereinbefore provided."

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

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