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SENATE JOINT RESOLUTION 12

55TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2022

INTRODUCED BY

Mark Moores

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLES 4 AND 20 OF THE CONSTITUTION
OF NEW MEXICO TO PROVIDE FOR THE CREATION OF A STATE
REDISTRICTING COMMISSION TO DEVELOP REDISTRICTING PLANS FOR
CONGRESSIONAL, STATE AND LOCAL OFFICES.

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

SECTION 1. It is proposed to amend Article 4, Section 3
of the constitution of New Mexico to read:

"A. Senators shall not be less than twenty-five
years of age and representatives not less than twenty-one years
of age at the time of their election. If any senator or
representative permanently removes ~~[his]~~ the senator's or
representative's residence from or maintains no residence in
the district from which ~~[he]~~ the senator or representative was
elected, then ~~[he]~~ the senator or representative shall be

underscored material = new
[bracketed material] = delete

1 deemed to have resigned and [~~his~~] a successor shall be selected
2 as provided in Article 4, Section 4 of this [~~article~~]
3 constitution. No person shall be eligible to serve in the
4 legislature who, at the time of qualifying, holds any office of
5 trust or profit with the state, county or national governments,
6 except notaries public and officers of the militia who receive
7 no salary.

8 B. The senate shall be composed of no more than
9 forty-two members elected from single-member districts.

10 C. The house of representatives shall be composed
11 of no more than seventy members elected from single-member
12 districts.

13 D. Once following publication of the official
14 report of each federal decennial census [~~hereafter conducted~~],
15 the legislature may by statute [~~reapportion~~] modify its
16 membership as limited by Subsections B and C of this section."

17 SECTION 2. It is proposed to amend Article 20 of the
18 constitution of New Mexico by adding a new section to read:

19 "A. The "redistricting commission" is established.

20 B. Following each federal decennial census, the
21 redistricting commission shall adjust the boundaries of all
22 districted federal, state and local offices following a process
23 provided by law. District plans approved by the commission
24 shall:

25 (1) comply with federal and state

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1 constitutional and statutory requirements;

2 (2) be composed of contiguous precincts, be
3 reasonably compact and, to the extent feasible, be drawn in an
4 attempt to preserve communities of interest and take into
5 consideration political and geographic boundaries;

6 (3) be made available for public comment as
7 provided by law preceding the development of final approval of
8 district boundaries; and

9 (4) follow such other requirements as provided
10 by law.

11 C. District boundaries approved by the
12 redistricting commission shall become the boundaries for use in
13 the next succeeding election for each redistricted office and
14 for residency requirements of candidates seeking such office.
15 District boundaries approved by the commission shall become the
16 boundaries of a district upon the commencement of the next
17 succeeding term of office for that district.

18 D. The legislature shall provide the appropriations
19 necessary for the redistricting commission to perform its
20 duties.

21 E. The redistricting commission shall be composed
22 of members as provided by law. A commissioner may be removed
23 as provided by law only for substantial neglect of duty, gross
24 misconduct in office or inability to discharge the duties of
25 office. A vacancy on the redistricting commission shall be

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1 filled by the original appointing authority in the manner
2 provided by law. Commissioners are eligible for per diem and
3 mileage and other compensation as provided by law. Members of
4 the commission shall serve as provided by law or until the
5 decennial redistricting process is completed, including any
6 litigation that may result from the redistricting process and
7 as otherwise provided by law.

8 F. The redistricting commission shall have
9 procurement and contracting authority and may hire staff,
10 consultants and legal counsel as necessary to carry out its
11 duties. The commission shall have standing in legal actions
12 challenging its redistricting plan or process or the adequacy
13 of the resources provided for the operation of the commission.
14 The commission shall have sole authority to determine choice of
15 legal counsel hired or selected to represent the state in the
16 legal defense of a redistricting plan."

17 SECTION 3. The amendment proposed by this resolution
18 shall be submitted to the people for their approval or
19 rejection at the next general election or at any special
20 election prior to that date that may be called for that
21 purpose.