

HOUSE GOVERNMENT, ELECTIONS AND INDIAN AFFAIRS
COMMITTEE SUBSTITUTE FOR
HOUSE JOINT RESOLUTION 10

56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024

A JOINT RESOLUTION

PROPOSING TO AMEND THE CONSTITUTION OF NEW MEXICO TO PROVIDE FOR THE CREATION OF AN INDEPENDENT REDISTRICTING COMMISSION TO DEVELOP AND ADOPT REDISTRICTING PLANS AS PROVIDED BY LAW FOR CONGRESSIONAL DISTRICTS, STATE LEGISLATIVE DISTRICTS AND THE DISTRICTS OF OTHER DISTRICTED STATE 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

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

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

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

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

14 ~~[D. Once following publication of the official~~
15 ~~report of each federal decennial census hereafter conducted,~~
16 ~~the legislature may by statute reapportion its membership.]"~~

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. By September 1 of the year of the federal
20 decennial census, an independent redistricting commission shall
21 be established to develop and adopt plans for the redistricting
22 of congressional districts, state legislative districts and the
23 districts of other districted state offices. The commission
24 shall file its adopted plans with the secretary of state within
25 six months of the release of redistricting data by the United

1 States census bureau. Plans adopted by the commission shall
2 determine the districts for use in the succeeding primary and
3 general elections for each respective body.

4 B. The redistricting commission shall consist of
5 nine members who are registered qualified electors of New
6 Mexico, three of whom are members of the largest political
7 party, three of whom are members of the second largest
8 political party and three of whom are not members of either of
9 the two largest political parties and that, as closely as
10 possible, mirrors the geographic and demographic makeup of the
11 state. Two-thirds of members will be randomly selected, using
12 statistically accepted weighting methodology, from applications
13 received by the secretary of state. To achieve the geographic
14 and demographic makeup of the state, the final third will be
15 selected by majority vote by the randomly selected commission
16 members from among the applicant pool.

17 C. Districts shall be drawn using traditional
18 redistricting principles, shall be nonpartisan and incumbent
19 neutral and shall not result in minority vote dilution when a
20 minority group is sufficiently large and geographically compact
21 to constitute a majority in a single-member district and is
22 politically cohesive and the non-minority group votes
23 sufficiently as a block to usually enable it to defeat the
24 minority group's preferred candidate.

25 D. The legislature shall appropriate sufficient

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1 funding in an appropriations bill for the operation of the
2 commission."

3 SECTION 3. The amendment proposed by this resolution
4 shall be submitted to the people for their approval or
5 rejection at the next general election or at any special
6 election prior to that date that may be called for that
7 purpose.