



**GREEN AMENDMENTS
FOR THE GENERATIONS**
Pure Water. Clean Air. Healthy Environment.

Amending the New Mexico Constitution The Process:

Constitution Requires:

Pathway 1: (Legislature)

“An amendment or amendments to this constitution may be proposed in either house of the legislature at a regular session; and if a majority of all members elected to each of the two houses voting separately votes in favor thereof, the proposed amendment or amendments shall be entered on their respective journals with the yeas and nays thereon.

The secretary of state shall cause any such amendment or amendments to be published in at least one newspaper in every county of the state, where a newspaper is published once each week, for four consecutive weeks, in English and Spanish when newspapers in both of said languages are published in such counties, the last publication to be not more than two weeks prior to the election at which time said amendment or amendments shall be submitted to the electors of the state for their approval or rejection; and shall further provide notice of the content and purpose of legislatively approved constitutional amendments in both English and Spanish to inform electors about the amendments in the time and manner provided by law. The secretary of state shall also make reasonable efforts to provide notice of the content and purpose of legislatively approved constitutional amendments in indigenous languages and to minority language groups to inform electors about the amendments. Amendments approved by the legislature shall be voted upon at the next regular election held after the adjournment of that legislature or at a special election to be held not less than six months after the adjournment of that legislature, at such time and in such manner as the legislature may by law provide. An amendment that is ratified by a majority of the electors voting on the amendment shall become part of this constitution.

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. Amendments initiated by an independent commission created by law for that purpose may be submitted to the legislature separately or as a single ballot question, and any such commission-initiated amendments that are not substantially altered by the legislature may be submitted to the electors in the separate or single ballot question form recommended by the commission. No amendment shall restrict the rights created by Sections One and Three of Article VII hereof, on elective franchise, and Sections Eight and Ten of Article XII hereof, on education, unless it be proposed by vote of three-fourths of the members elected to each house and be ratified by a vote of the people of this state in an election at which at least three-fourths of the electors voting on the amendment vote in favor of that amendment.”

Pathway 2: (Independent Commission)

“An amendment or amendments may also be proposed by an independent commission established by law for that purpose, and the amendment or amendments shall be submitted to the legislature for its review in accordance with the provisions of this section.”

Pathway 2: (Convention)

“Whenever the legislature, by a two-thirds vote of the members elected to each house, deems it necessary to call a convention to revise or amend this constitution, they shall submit the question of calling such convention to the electors at the next general election, and if a majority of all the electors voting on such questions at said election in the state votes in favor of calling a convention, the legislature shall, at the next session, provide by law for calling the same. Such convention shall consist of at least as many delegates as there are members of the house of representatives. Revisions or amendments proposed by a constitutional convention shall be submitted to the voters of the state at an election held on a date set by the convention. The revisions or amendments proposed by the convention may be submitted in whole or in part, or with alternatives, as determined by the convention. If a majority vote favors a proposal or alternative, it is adopted and becomes effective thirty days after the certification of the election returns unless otherwise provided by the convention.

If this constitution be in any way so amended as to allow laws to be enacted by direct vote of the electors the laws which may be so enacted shall be only such as might be enacted by the legislature under the provisions of this constitution. (As amended November 7, 1911.)

What this means in practice:

Pathway 1: (Legislature)

- Step 1: An amendment may be proposed in either house of the legislature at a regular session. The amendment shall be agreed upon by a majority of members elected to each of the two houses voting separately.
- Step 2: The secretary of state shall cause such amendment to be published in a least one newspaper in every county of the state, where a newspaper is published once each week, for four consecutive weeks, in English and Spanish when newspapers in both of said languages are published in such counties. The secretary of state shall further provide notice of the content and purpose of the legislatively approved amendment in both English and Spanish (in addition to reasonable efforts in indigenous languages and to minority language groups) to inform the electors in the time and manner provided by law. The last publication shall be not more than two weeks prior to the election at which said amendment shall be submitted to the electors of the state.
- Step 3: Amendment is voted upon at the next general election held after the adjournment of that legislature or at a special election to be held not less than six months after the adjournment of legislature, at such a time and in such a manner as the legislature may by law provide. An amendment ratified by a majority of electors shall become part of this constitution.

Pathway 2: (Independent Commission)

- Step 1: An amendment may be proposed by an independent commission established by law for that purpose.
- Step 2: **The amendment shall be submitted to the legislature for the its review in accordance with the provisions of this section.**

Amendments initiated by an independent commission created by law for that purpose may be submitted to the legislature separately or as a single ballot question, and any such commission-initiated amendments that are not substantially altered by the legislature may be submitted to the electors in the separate or single ballot question form recommended by the commission. No amendment shall restrict the rights created by Sections One and Three of Article VII hereof, on elective franchise, and Sections Eight and Ten of Article XII hereof, on education, unless it be proposed by vote of three-fourths of the members elected to each house and be ratified by a vote of the people of this state in an election at which at least three-fourths of the electors voting on the amendment vote in favor of that amendment."