

HOUSE JOINT RESOLUTION 4

**44TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION,  
2000**

INTRODUCED BY  
Mimi Stewart

A JOINT RESOLUTION

PROPOSING TO AMEND ARTICLES 5 AND 7 OF THE CONSTITUTION OF  
NEW MEXICO TO ALLOW FOR, BUT NOT REQUIRE, RUNOFF ELECTIONS IN  
ALL ELECTIONS.

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

Section 1. It is proposed to amend Article 5, Section 2  
of the constitution of New Mexico to read:

"The returns of every election for state officers shall  
be sealed up and transmitted to the secretary of state, who,  
with the governor and chief justice, shall constitute the  
state canvassing board, which shall canvass and declare the  
result of the election. Unless a runoff election system is  
provided by law, the joint candidates having the highest  
number of votes cast for governor and lieutenant governor and  
the person having the highest number of votes for any other  
office, as shown by said returns, shall be declared duly

.131159.1

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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

1 elected; and, if two or more have an equal, and the highest,  
2 number of votes for the same office or offices, one of them,  
3 or any two for whom joint votes were cast for governor and  
4 lieutenant governor respectively, shall be chosen therefor by  
5 the legislature on joint ballot."

6 Section 2. It is proposed to amend Article 7, Section 5  
7 of the constitution of New Mexico to read:

8 "All elections shall be by ballot. [~~and~~] Unless a runoff  
9 election system is provided by law, or in the case of  
10 municipalities, by ordinance, the person who receives the  
11 highest number of votes for any office, except in the cases  
12 of the offices of governor and lieutenant governor, shall be  
13 declared elected thereto. The joint candidates receiving the  
14 highest number of votes for the offices of governor and  
15 lieutenant governor shall be declared elected to those  
16 offices, unless a runoff election system is provided by law."

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 which may be called for that  
21 purpose.