

1 HOUSE JOINT RESOLUTION 6

2 **53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017**

3 INTRODUCED BY

4 Antonio "Moe" Maestas

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10 A JOINT RESOLUTION

11 PROPOSING TO AMEND ARTICLE 7 OF THE CONSTITUTION OF NEW MEXICO  
12 TO ALLOW VOTERS TO CAST A VOTE IN A VOTER-NOMINATION PRIMARY  
13 ELECTION PROCESS FOR ANY CANDIDATE FOR A CONGRESSIONAL OFFICE;  
14 A STATE EXECUTIVE, LEGISLATIVE OR JUDICIAL OFFICE; OR A COUNTY  
15 OFFICE WITHOUT LIMITATION BASED ON PARTY PREFERENCE OR  
16 AFFILIATION OF EITHER THE VOTER OR THE CANDIDATE.

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

19 SECTION 1. It is proposed to amend Article 7 of the  
20 constitution of New Mexico by adding a new section to read:

21 "A. All registered qualified electors, regardless  
22 of party preference or affiliation, who are otherwise qualified  
23 to vote for an office shall be allowed to vote for the  
24 candidate of their choice in a voter-nomination primary  
25 election process in which all candidates, regardless of party

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1 preference or affiliation, for a partisan office specified in  
2 Subsection C of this section, are listed on the ballot. Only  
3 the names of the two candidates, or joint candidates in the  
4 case of the governor and lieutenant governor, receiving the  
5 most votes for an office shall appear on the general election  
6 ballot.

7 B. A candidate for a partisan office subject to the  
8 provisions of this section may state a party preference, or  
9 state "prefer unaffiliated", on the candidate's declaration of  
10 candidacy, which preference shall appear on the primary  
11 election ballot and shall remain the same for a candidate who  
12 qualifies for the general election ballot. Selection of a  
13 party preference by a candidate shall not constitute or imply  
14 endorsement of the candidate by the party so designated, and no  
15 party shall have the right to have the name of its preferred  
16 candidate for an office subject to the provisions of this  
17 section appear on the ballot in the general election unless  
18 that candidate has qualified in accordance with the provisions  
19 of Subsection A of this section.

20 C. The following partisan elective offices are  
21 subject to the provisions of this section:

22 (1) United States senator and United States  
23 representative;

24 (2) all state elective offices, including the  
25 offices of state representative and state senator; and

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(3) all county elective offices, except those  
offices for which a county home rule charter provides  
otherwise."

**SECTION 2.** The amendment proposed by this resolution  
shall be submitted to the people for their approval or  
rejection at the next general election or at any special  
election prior to that date that may be called for that  
purpose.