

underscored material = new  
[bracketed material] = del etc

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

HOUSE JOINT RESOLUTION 11  
45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001  
INTRODUCED BY  
Max Coll

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  
GENERAL 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

underscored material = new  
[bracketed material] = delete

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

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

10 "A. All elections shall be by ballot. [and] In any  
11 primary election, the candidate who receives the most votes  
12 cast for an office shall be declared nominated. Unless a  
13 runoff election system is provided by law, or as provided in  
14 Subsection B or C of this Section, the person who receives the  
15 highest number of votes for any office, except in the cases of  
16 the offices of governor and lieutenant governor, shall be  
17 declared elected thereto. The joint candidates receiving the  
18 highest number of votes for the offices of governor and  
19 lieutenant governor shall be declared elected to those offices,  
20 unless a runoff election system is provided by law.

21 B. A municipality that has not adopted a charter  
22 pursuant to Article 10, Section 6 of the constitution of New  
23 Mexico may, by ordinance, provide for runoff elections.

24 C. A municipality that has adopted a charter  
25 pursuant to Article 10, Section 6 of the constitution of New

1 Mexico may provide for runoff elections by a charter amendment  
2 adopted by a majority of the qualified electors voting on the  
3 question in a regular municipal election held after the  
4 effective date of this section."

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

10 - 3 -  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25