

1 SENATE JOINT RESOLUTION 12

2 **44TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION,**
3 **2000**

4 INTRODUCED BY

5 Richard M. Romero
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11 A JOINT RESOLUTION

12 PROPOSING TO AMEND ARTICLES 5 AND 7 OF THE CONSTITUTION OF
13 NEW MEXICO TO REQUIRE THAT CANDIDATES FOR OFFICE BE ELECTED
14 BY A MAJORITY VOTE, REQUIRING THE USE OF AN INSTANT RUN-OFF
15 VOTING SYSTEM IF NO CANDIDATE RECEIVES A MAJORITY VOTE AND
16 AUTHORIZING THE USE OF RUN-OFF ELECTIONS OR PLURALITY
17 ELECTIONS IN MUNICIPALITIES.
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19 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:
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21 Section 1. It is proposed to amend Article 5, Section 2
22 of the constitution of New Mexico to read:

23 "The returns of every election for state officers shall
24 be sealed up and transmitted to the secretary of state, who,
25 with the governor and chief justice, shall constitute the
state canvassing board which shall canvass and declare the
result of the election. The joint candidates [~~having the~~
~~highest number~~] receiving a majority of votes cast for

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1 governor and lieutenant governor and the person [~~having the~~
2 ~~highest number of votes~~] receiving a majority of votes cast
3 for any other office, as shown by [~~said~~] the returns, shall
4 be declared duly elected. [~~If two or more have an equal, and~~
5 ~~the highest, number of votes for the same office or offices,~~
6 ~~one of them, or any two for whom joint votes were cast for~~
7 ~~governor and lieutenant governor respectively, shall be~~
8 ~~chosen therefor by the legislature on joint ballot.] If no
9 candidate or joint candidates receive a majority of votes
10 cast, the winner shall be determined by using an instant run-
11 off voting system as established by law."~~

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

14 "A. All elections shall be by ballot. [~~and the~~
15 ~~person who receives the highest number of votes for any~~
16 ~~office, except in the cases of the offices of governor and~~
17 ~~lieutenant governor, shall be declared elected thereto. The~~
18 ~~joint candidates receiving the highest number of votes for~~
19 ~~the offices of governor and lieutenant governor shall be~~
20 ~~declared elected to those offices.] In any primary election,
21 the candidate who receives the most votes cast for an office
22 shall be declared nominated. In all other elections, except
23 as provided in Subsection C of this section, the candidate
24 who receives a majority of the votes cast for any office,
25 except in the case of the offices of governor and lieutenant
governor, shall be declared elected. The joint candidates
receiving a majority of votes for the offices of governor and~~

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1 lieutenant governor in the general election shall be declared
2 elected to those offices. If no candidate or joint
3 candidates receive a majority of votes cast, the winner shall
4 be determined using an instant run-off voting system as
5 established by law. If, after completion of the instant run-
6 off, there is a tie in the number of votes cast for any
7 office, the winner shall be chosen in a manner established by
8 law.

9 B. An instant run-off voting system is a voting
10 system of single transferable votes that allows a voter the
11 option to rank at least two candidates for each office. The
12 instant run-off elimination shall begin with the candidate
13 who receives the lowest number of votes and all the
14 candidates who receive fewer than one percent of the votes.

15 C. In lieu of an instant run-off voting system, a
16 county or municipality may provide by charter or by ordinance
17 for run-off elections or plurality elections."

18 Section 3. The amendment proposed by this resolution
19 shall be submitted to the people for their approval or
20 rejection at the next general election or at any special
21 election prior to that date which may be called for that
22 purpose.
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