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HOUSE JOINT RESOLUTION 1

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST EXTRAORDINARY SESSION, 2002

INTRODUCED BY

Joseph M Thompson

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE 7 OF THE CONSTITUTION OF NEW MEXICO TO AUTHORIZE MUNICIPALITIES TO CONDUCT RUNOFF ELECTIONS OTHER THAN INSTANT RUNOFF ELECTIONS.

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

Section 1. It is proposed to amend Article 7, Section 5 of the constitution of New Mexico to read:

"A. All elections shall be by ballot ~~[and]~~. The person who receives the highest number of votes for any office, except as provided in Subsection B of this section, ~~and~~ except in the cases of the offices of governor and lieutenant governor, shall be declared elected ~~[thereto]~~ to that office. The joint candidates receiving the highest number of votes for the offices of governor and lieutenant governor shall be declared elected to those offices.

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1 B. In a municipal election, the candidate who
2 receives the highest number of votes for an office shall be
3 declared elected to that office, unless the municipality
4 provides for runoff elections. A municipality may not provide
5 for instant runoff elections, but may provide for runoff
6 elections as follows:

7 (1) a municipality that has not adopted a
8 charter pursuant to Article 10, Section 6 of the constitution
9 of New Mexico may provide by ordinance for runoff elections;

10 (2) a municipality that has adopted a charter
11 pursuant to Article 10, Section 6 of the constitution of New
12 Mexico shall hold elections in accordance with the charter if,
13 prior to the approval of this amendment, the charter provided
14 for runoff elections and continues to do so;

15 (3) a municipality that has adopted a charter
16 pursuant to Article 10, Section 6 of the constitution of New
17 Mexico may provide for runoff elections by a charter amendment
18 adopted by majority vote of the qualified electors voting on
19 the question in a municipal election; or

20 (4) a municipality may provide for runoff
21 elections in a charter it adopts pursuant to Article 10,
22 Section 6 of the constitution of New Mexico. "

23 Section 2. The amendment proposed by this resolution
24 shall be submitted to the people for their approval or
25 rejection at the next general election or at any special

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election prior to that date that may be called for that purpose.