

Bond Case Briefs

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BALLOT INITIATIVES - NEW MEXICO

State ex rel. League of Women Voters of New Mexico v. Advisory Committee to the New Mexico Compilation Commission

Supreme Court of New Mexico - August 3, 2017 - P.3d - 2017 WL 3300638

Civic organization commenced original proceeding seeking writ of mandamus directing Advisory Committee to New Mexico Compilation Commission to effectuate compilation of three amendments to state constitutional provisions establishing and guaranteeing right to vote.

The Supreme Court of New Mexico held that:

- Organization had standing to file petition;
- Petition was not subject to thirty-day statute of limitations for election contests;
- Advisory Committee was proper respondent;
- Amendments that did not restrict elective franchise required approval of only simple majority;
- Amendments replacing pronoun “he” with “the person” were validly approved by simple majority of voters;
- Amendment allowing school elections to take place with other non-partisan elections was validly approved by simple majority;
- Amendment to account for changes in federal voting law and to remove offensive use of terms “idiots” and “insane persons” was validly approved by simple majority; and
- Provisions of 2014 amendments that used pre-2010 language had no effect on 2010 amendment.