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RELATING TO ELECTIONS; ALLOWING A MAJOR POLITICAL PARTY TO SELECT DELEGATES TO ITS NATIONAL CONVENTION BY PARTY-ESTABLISHED PROCEDURES OR BY PRESIDENTIAL PRIMARY; AMENDING AND ENACTING SECTIONS OF THE ELECTION CODE.

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

Section 1. Section 1-8-1 NMSA 1978 (being Laws 1969, Chapter 240, Section 151, as amended) is amended to read:

"1-8-1. NOMINATING PROCEDURES--MAJOR POLITICAL PARTIES--MINOR POLITICAL PARTIES.--

A. Any major political party in New Mexico, as defined in Section 1-1-9 NMSA 1978, shall nominate its candidates, other than its presidential candidates, by secret ballot at the next succeeding primary election as prescribed in the Primary Election Law.

B. Any minor political party in New Mexico, as defined in Section 1-1-9 NMSA 1978, shall nominate candidates for public office in the manner prescribed in its party rules and regulations and according to the provisions of the Election Code."

Section 2. Section 1-8-54 NMSA 1978 (being Laws 1977, Chapter 230, Section 2) is amended to read:

"1-8-54. PRESIDENTIAL PRIMARY--DATE OF ELECTION.--In the year in which the president and vice president of the United States are to be elected, the registered voters of this state shall be given an opportunity to express their preference for the person to be the presidential candidate of their party in either a presidential primary

election or in accordance with the selection procedure for presidential candidates of each voter's party. The presidential primary election shall be held on the same date as the primary election is held in this state."

Section 3. A new section of the Election Code is enacted to read:

"SELECTION OF NATIONAL CONVENTION DELEGATES BY MAJOR POLITICAL PARTIES--CERTIFICATION.--

A. If a major political party chooses not to participate in the presidential primary, it shall notify the secretary of state at least thirty days before the governor is required to issue the proclamation of the primary election.

B. The state chairman of a major political party that does not participate in the presidential primary shall certify to the secretary of state the names of the state party's delegates to the party's national convention and those delegates shall file a declaration of acceptance in accordance with Section 1-8-61 NMSA 1978."

Section 4. Section 1-8-61 NMSA 1978 (being Laws 1977, Chapter 230, Section 9, as amended by Laws 1980, Chapter 13, Section 5 and also by Laws 1980, Chapter 43, Section 5) is amended to read:

"1-8-61. DELEGATE PLEDGE.--

A. No person selected as a delegate or alternate shall qualify to attend the national convention of his political party unless he files with the state chairman of his political party at least fifteen days prior to the convening of the applicable national party convention a written declaration of acceptance, signed by himself, in the form herein prescribed and the state chairman deposits this declaration of acceptance in the office of the secretary of state no later than ten days before convening of the applicable national convention.

B. The declaration of acceptance shall be in the form of an affidavit and shall contain the following information:

(1) the name, residence and post office address of the delegate or alternate delegate;

(2) a statement that he is a registered voter in New Mexico affiliated with the political party for which he is a delegate or alternate and that he was a registered voter and affiliated with that party on the day of the governor's primary election proclamation in the year in which he is a delegate to the national convention;

(3) a statement that he accepts his selection as a delegate or alternate to the national convention; and

(4) if delegates are pledged to specific candidates for the office of president, a pledge in the following form:

"As a delegate to the 20 _____ national convention of _____ party, I pledge myself to vote on the first ballot for the nomination of president by the _____ party as required by Section 1-8-60 NMSA 1978."

C. Any delegate representing the uncommitted category may vote for any candidate at the national convention or remain uncommitted."

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