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SENATE BILL 414

42ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1996

INTRODUCED BY

DIANNA J. DURAN

FOR THE ELECTION CODE RECODIFICATION COMMITTEE

AN ACT

RELATING TO ELECTIONS; CLARIFYING THAT A CANDIDATE FOR A COUNTY OFFICE IS NOT REQUIRED TO FILE A NOMINATING PETITION; AMENDING A SECTION OF THE ELECTION CODE; DECLARING AN EMERGENCY.

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

Section 1. Section 1-8-21 NMSA 1978 (being Laws 1994, Chapter 92, Section 2, as amended) is amended to read:

"1-8-21. PRIMARY ELECTION--METHODS OF PLACING NAMES ON PRIMARY BALLOT.--

A. [~~All candidates~~] A candidate seeking primary election nomination to a statewide office or the office of United States representative shall file [~~declarations~~] a declaration of candidacy with the proper filing officer. [~~Candidates~~] A candidate shall file a nominating [~~petitions~~] petition at the time of filing [~~their declarations~~] the

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1 declaration of candidacy. [~~Candidates~~] A candidate who [~~seek~~]
2 seeks, but [~~do~~] does not obtain, preprimary convention
3 designation by a major political party may file a new
4 [~~declarations~~] declaration of candidacy and a nominating
5 [~~petitions~~] petition pursuant to Section 1-8-33 NMSA 1978.

6 B. [~~Candidates~~] A candidate for [~~any other office~~] a
7 legislative office, the office of district attorney, district
8 judge, metropolitan judge, magistrate judge or the state board
9 of education shall have [~~their names~~] his name placed on the
10 primary election ballot by filing [~~declarations~~] with the proper
11 filing officer a declaration of candidacy and a nominating
12 [~~petitions with the proper filing officer. Candidates for county~~
13 ~~office shall also pay filing fees or file the proper paupers'~~
14 ~~statements at the time of filing declarations of candidacy~~
15 petition.

16 C. A candidate for a county office shall have his
17 name placed on the primary election ballot by filing with the
18 proper filing officer a declaration of candidacy accompanied by
19 the appropriate filing fee or a pauper's statement. "

20 Section 2. EMERGENCY. --It is necessary for the public
21 peace, health and safety that this act take effect immediately.

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1 FORTY- SECOND LEGISLATURE

2 SECOND SESSION, 1996

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6 JANUARY 29, 1996

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8 Mr. President:

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10 Your COMMITTEES' COMMITTEE, to whom has been referred

11
12 SENATE BILL 414

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14
15 has had it under consideration and finds same to be GERMANE, PURSUANT
16 TO EXECUTIVE MESSAGE NUMBER FIFTEEN, and thence referred to the RULES
17 COMMITTEE.

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19 Respectfully submitted,

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SENATOR MANNY M. ARAGON, Chairman

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Adopted _____ Not Adopted _____

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(Chief Clerk)

(Chief Clerk)

Date _____

S0414CC1

1 FORTY-SECOND LEGISLATURE
2 SECOND SESSION, 1996
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6 February 3, 1996
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8 Mr. President:
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10 Your RULES COMMITTEE, to whom has been referred
11

12 SENATE BILL 414
13

14 has had it under consideration and reports same with recommendation that
15 it DO PASS.
16

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18 Respectfully submitted,
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23 Gloria Howes, Chairman
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Adopted _____ Not Adopted _____

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(Chief Clerk)

(Chief Clerk)

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Date _____

The roll call vote was 6 For 0 Against

Yes: 6

No: 0

Excused: EJennings, Wray, Doni sthorpe

Absent: 0

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State of New Mexico
House of Representatives

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FORTY- SECOND LEGISLATURE
SECOND SESSION, 1996

February 12, 1996

Mr. Speaker:

Your VOTERS AND ELECTIONS COMMITTEE, to whom has been referred

SENATE BILL 414

has had it under consideration and reports same with recommendation that it DO PASS, amended as follows:

1. On page 2, between lines 19 and 20, insert the following new language:

"Section 2. Section 1-8-21 NMSA 1978 (being Laws 1994, Chapter 92, Section 2 is repealed effective January 1, 1997.

Section 3. Effective January 1, 1997, a new Section 1-8-21 NMSA

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FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996

HVEC/SB 414

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1978 is enacted to read:

"1-8-21. [NEW MATERIAL] PRIMARY ELECTION--METHODS OF PLACING
NAMES ON PRIMARY BALLOT. --

A. All candidates seeking primary election nomination to a statewide office or the office of United States representative shall file declarations of candidacy with the proper filing officer. Candidates shall file nominating petitions at the time of filing their declarations of candidacy. Candidates who seek, but do not obtain, preprimary convention designation by a major political party may file new declarations of candidacy and nominating petitions pursuant to Section 1-8-33 NMSA 1978.

B. Candidates for any other office shall have their names placed on the primary election ballot by filing declarations of candidacy and nominating petitions with the proper filing officer. Candidates for county office shall also pay filing fees or file the proper paupers' statements at the time of filing declarations of candidacy. "".

2. Renumber the succeeding section accordingly.

FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996

HVEC/SB 414

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Respectfully submitted,

Edward C. Sandoval, Chairman

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 7 For 0 Against

Yes: 7

Excused: Buffett, Lujan, Nicely, Sanchez, Silva

Absent: None

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S0414VE1

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