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SENATE BILL 520

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Dianna J. Duran

AN ACT

RELATING TO ELECTIONS; CHANGING THE DATE OF THE NEW MEXICO
PRESIDENTIAL PRIMARY TO COINCIDE WITH THE WESTERN REGIONAL
PRESIDENTIAL PRIMARY; MAKING AN APPROPRIATION.

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

Section 1. A new section of the Presidential Primary Act
is enacted to read:

" NEW MATERIAL PRESIDENTIAL PRIMARY PROCEDURES--
PROCLAMATION-- PUBLICATION. --

A. Whenever a presidential primary election is
required by law, the governor shall issue a public
proclamation calling the election to be held in each county
and precinct of the state. The proclamation shall be filed
with the secretary of state on the first Friday after the
second Monday in November of the year preceding the

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1 presidential primary election.

2 B. The proclamation shall specify:

3 (1) the date on which the presidential
4 primary will be held;

5 (2) the dates on which nominations by
6 committee and petition are to be submitted to the secretary of
7 state; and

8 (3) the date and time of closing of the
9 registration books by the county clerk as required by law.

10 C. Upon the proclamation being filed, the
11 secretary of state shall immediately:

12 (1) publish the proclamation for five
13 consecutive days in at least four daily newspapers of general
14 circulation in the state; and

15 (2) send by certified mail an authenticated
16 copy of the proclamation to each county clerk.

17 D. The county clerk shall give notice of the
18 election in accordance with the procedures of the Election
19 Code. "

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

22 "1-8-54. PRESIDENTIAL PRIMARY-- DATE OF ELECTION.-- In the
23 year in which the president and vice president of the United
24 States are to be elected, the registered voters of this state
25 shall be given an opportunity to express their preference for

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1 the person to be the presidential candidate of their party.
2 The presidential primary election shall be held on the [~~same~~
3 ~~date as the primary election is held in this state~~] first
4 Friday after the first Monday in March of that year. "

5 Section 3. Section 1-8-55 NMSA 1978 (being Laws 1977,
6 Chapter 230, Section 3) is amended to read:

7 "1-8-55. CONDUCT OF ELECTION. -- The presidential primary
8 election shall be conducted and canvassed [~~along with and in~~
9 ~~the~~] in substantially the same manner provided by law for the
10 conduct and canvassing of the primary election; provided the
11 secretary of state may issue alternative procedures and rules
12 for the conduct of the presidential primary election,
13 including the use of mail ballots and consolidation of
14 precincts. "

15 Section 4. Section 1-8-56 NMSA 1978 (being Laws 1977,
16 Chapter 230, Section 4, as amended) is amended to read:

17 "1-8-56. NOMINATION BY COMMITTEE. -- There shall be
18 convened in Santa Fe a committee consisting of the chief
19 justice of the supreme court, as chairman, the speaker of the
20 house of representatives, [~~and~~] the minority floor leader of
21 the house of representatives, the president pro tempore of the
22 senate, the minority floor leader of the senate and the state
23 chairmen of those major political parties participating in the
24 presidential primary. The committee shall nominate as
25 presidential primary candidates, and certify to the secretary

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1 of state, not later than [~~February 15~~] one hundred twenty days
2 before the presidential primary election, the names of all
3 those generally advocated and nationally recognized or
4 supported by any major political party in the state as
5 candidates of the major political parties participating in the
6 presidential primary for the office of president of the United
7 States. "

8 Section 5. Section 1-8-59 NMSA 1978 (being Laws 1977,
9 Chapter 230, Section 7, as amended) is amended to read:

10 "1-8-59. VOTING IN PRESIDENTIAL PRIMARY--BALLOT
11 POSITION. --

12 A. All candidates in the presidential primary
13 shall appear [~~with the candidates for other offices of their~~
14 ~~respective parties~~] at an appropriate place on the ballot.
15 Candidates who are nominated by committee and by petition
16 shall be placed first as a group on the presidential primary
17 ballot with each candidate's respective position in that group
18 determined by [~~the provisions of the Ballot Positioning Act~~]
19 lot. The ballot position for the uncommitted category shall
20 be placed last on the presidential primary ballot.

21 B. The voter shall be able to cast his ballot for
22 one of the presidential candidates of his party or for an
23 uncommitted delegation. A vote of the latter kind shall
24 express the preference for an uncommitted delegation from New
25 Mexico to the national convention of that voter's party. "

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1 Section 6. Section 1-23-7 NMSA 1978 (being Laws 1987,
2 Chapter 160, Section 7, as amended) is amended to read:

3 "1-23-7. MAIL BALLOT ELECTION NOT TO BE COMBINED WITH
4 OTHER ELECTIONS. -- Except for presidential primary elections,
5 mail ballot elections shall be used exclusively for voting in
6 those elections specified in Section 1-23-3 NMSA 1978 and
7 shall not be used in connection with elections at which
8 candidates are to be nominated for or elected to office. "

9 Section 7. APPROPRIATION. -- One million five hundred
10 thousand dollars (\$1,500,000) is appropriated from the general
11 fund to the office of the secretary of state for expenditure
12 in fiscal year 2000 to pay the costs of holding the
13 presidential primary election in 2000. Any unexpended or
14 unencumbered balance remaining at the end of fiscal year 2000
15 shall revert to the general fund.

1 FORTY-FOURTH LEGISLATURE
2 FIRST SESSION, 1999
3
4

5
6 March 11, 1999

7
8 Mr. President:

9
10 Your RULES COMMITTEE, to whom has been referred

11
12 SENATE BILL 520

13
14 has had it under consideration and reports same WITHOUT
15 RECOMMENDATION, and thence referred to the FINANCE
16 COMMITTEE.

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18 Respectfully submitted,
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24 _____
25 Gloria Howes, Co-Chair

. 125933. 1

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1 Adopted _____ Not

2 Adopted _____

3 (Chief Clerk)

(Chief Clerk)

4

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6 Date _____

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9 The roll call vote was 6 For 1 Against

10 Yes: 6

11 No: Campos

12 Excused: Altamirano

13 Absent: None

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