

Election-Year Confusion Proves Changes Needed to Law

By Senator Pete Campos

The slew of recent challenges to the paperwork filed by political candidates for a range of public offices highlights what many have long suspected: the requirements to get on the ballot are too stringent and, in some cases, designed by political insiders to keep potential challengers at bay.

Your ability to vote for the political candidate of your choice is a fundamental right protected by the United States and New Mexico constitutions. But that right is subtly and sometimes not-so-subtly undermined by the myriad technical requirements imposed upon those New Mexicans who are willing to offer themselves as candidates for public offices.

Most potential candidates must live in the district they wish to represent for a full nine months before the general election and nearly a year before ever taking office; gather a minimum number of signatures from registered voters who live in the district; and comply with paperwork requirements that the New Mexico Supreme Court has said are confusing. We've already seen the unfortunate result: an inordinate amount of time, energy and money spent by candidates debating technicalities rather than public policies.

The state should create an election reform task force immediately after this year's elections to examine how to increase ballot access, eliminate confusing and conflicting provisions of the law and encourage people to register to vote and to actually vote. The Office of the Secretary of State and officials from various county clerks' offices, who are usually caught in the middle of these hyper-technical disputes, should be key members of the task force. So, too, should legislators, political candidates and others who have been involved in campaigns.

Every idea should be considered, but the task force should start with these ideas:

It should be easier, not harder, for candidates to get on and stay on the ballot. The Constitution of New Mexico sets just a few qualifications for holding certain offices. State representatives, for example, must be at least 21 years old on Election Day and must not permanently move out of their districts while in office. That's clear enough, but through a series of laws, we now require major party candidates (who are usually the most viable candidates) to be registered as members of their party in January, gather signatures from a specific number of

.190017

fellow party members by March and complete forms that may only be submitted between 9:00 a.m. and 5:00 p.m. on a single specific date.

Is it really necessary for candidates to be "nominated" by a specific number of fellow political party members to be placed on the ballot? Are we so overrun with candidates that we must weed out those who can't gather a certain number of signatures on a nominating petition? The answer to both questions is, of course, a resounding "no". Nor should candidates who meet basic requirements such as age and residency be denied spots on the ballot simply because they failed to put their address, county or district number in the proper blank on a nominating form.

It's even harder for minor party and independent candidates to get on the ballot. Their nominating petitions must, in some cases, be signed by 10 or even 15 times as many voters as those of major party candidates.

The secretary of state should be given the duty, the staff and the budget to help potential candidates navigate how to get on the ballot by producing a clear and concise candidate guide and forms that strictly comply with the law.

The law itself should make clear what is required of candidates, and it should impose reasonable remedies when those requirements are not met, rather than the "all-or-nothing" approach of appearing to disqualify candidates from the ballot for even the most minor omissions or technical transgressions.