

1 SENATE BILL 59

2 **44TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION,**
3 **2000**

4 INTRODUCED BY

5 Patrick H. Lyons
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11 AN ACT

12 RELATING TO IRRIGATION DISTRICTS; PROVIDING FOR MAILING OF
13 BALLOTS TO ALL SPECIAL IRRIGATION DISTRICTS LANDOWNERS.
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15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

16 Section 1. Section 73-9-5 NMSA 1978 (being Laws 1919,
17 Chapter 41, Section 5, as amended) is amended to read:

18 "73-9-5. IRRIGATION DISTRICT--NOTICE--ELECTION--
19 BALLOTS.--The board of county commissioners shall [~~thereupon~~]
20 cause notice embodying [~~said~~] the orders in substance signed
21 by the chairman and clerk of [~~said~~] the board to be issued,
22 given and published, giving public notice of [~~said~~] the
23 election, [~~and~~] the time and places [~~thereof~~] of the election
24 and the matter submitted to the vote of the electors. [~~Said~~]
25 The notice and order shall be published once a week for at
least three weeks immediately prior to the date fixed for
[~~such~~] the election in a newspaper of general circulation

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underscored material = new
~~[bracketed material] = delete~~

underscored material = new
~~[bracketed material] = delete~~

1 published in ~~[said]~~ the county ~~[and]~~. If any portion of
2 ~~[such]~~ the proposed district lies within any other county ~~[or~~
3 ~~counties]~~, then ~~[such]~~ the order and notice shall be
4 published in a newspaper of general circulation published
5 within each of ~~[said]~~ the counties. At ~~[said]~~ the election
6 and all elections held under the provisions of ~~[this article]~~
7 Chapter 73, Article 9 NMSA 1978, all owners of land within
8 ~~[such]~~ the district, who are qualified electors under the
9 Election Code, shall be qualified electors; provided that if
10 any farm or tract of land in ~~[such]~~ the district is owned by
11 more than one owner, only one person shall be permitted to
12 vote at any election as the owner of ~~[such]~~ the one farm or
13 tract of land ~~[and providing further that]~~. At ~~[such]~~ the
14 elections, each otherwise qualified voter shall be entitled
15 to cast and have counted as many votes as he ~~[shall have]~~ has
16 acres of land owned by him and situate within ~~[said]~~ the
17 district, but in no event shall ~~[such]~~ that voter be entitled
18 to cast and have counted more than one hundred votes.
19 Written ballots may be mailed to all special irrigation
20 districts landowners that are listed on the tax rolls of the
21 county assessor; provided that a ballot with instructions,
22 interior envelope and return envelope with signature lines on
23 it is mailed to each qualified voter of the special
24 irrigation district. Insofar as applicable, the general
25 election laws of the state, except requirements for
registration and except as otherwise provided in ~~[this~~
article] Chapter 73, Article 9 NMSA 1978, shall govern such

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~~[bracketed material] = delete~~

1 elections. The ballots to be used and cast at [~~such~~] the
2 election for the formation of [~~such~~] the district shall have
3 printed [~~thereon~~] on them the words: "Irrigation District--
4 Yes," and "Irrigation District--No," or words equivalent
5 [~~thereto~~] to them and shall also contain the names of the
6 persons to be voted for as members of the board of directors
7 of [~~said~~] the district. Each elector may vote for three
8 directors, one from each division, and shall indicate his
9 vote by placing a marginal cross upon the ballot for or
10 against any question submitted or name voted upon and
11 opposite thereto, together with the figure or figures
12 indicating the number of votes he is entitled to cast
13 [~~thereat~~]."

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