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HOUSE BILL 222

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

James G. Taylor

AN ACT

RELATING TO FLOOD CONTROL; AMENDING THE ARROYO FLOOD CONTROL ACT TO PROVIDE FOR ELECTION OF DIRECTORS FROM SINGLE-MEMBER DISTRICTS.

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

Section 1. Section 72-16-10 NMSA 1978 (being Laws 1963, Chapter 311, Section 10) is amended to read:

"72-16-10. ELECTION OF DIRECTORS. -- ~~[At the time that a proposal to incur debt shall be first submitted to the taxpaying electors or at the first general election next following the effective date of the Arroyo Flood Control Act, whichever occurs first, the qualified electors of the authority shall elect five qualified directors, two to serve a term ending January 1, 1965, two to serve a term ending January 1, 1967 and one to serve a term ending January 1,~~

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1 ~~1969. At the first election, the five candidates receiving~~  
2 ~~the highest number of votes shall be elected as directors.~~  
3 ~~The terms of the directors shall be determined by lot at their~~  
4 ~~organizational meeting.]~~

5           A. At each general election, ~~[thereafter]~~  
6 directors shall be elected from single-member districts in  
7 which they reside. The board shall ensure that the districts  
8 remain contiguous, compact and as equal in population as is  
9 practicable, assessing the existing districts following each  
10 federal decennial census to accomplish that objective. A  
11 redistricting shall be effective at the following regular  
12 board election. Incumbent board members whose residences are  
13 redistricted out of their districts may serve out their term  
14 of office.

15           B. The qualified electors of the authority shall  
16 elect similarly one or two qualified electors as directors to  
17 serve six-year terms as directors and as successors to the  
18 directors whose terms end on the first day of January next  
19 following each ~~[such]~~ election. Nothing herein may be  
20 construed as preventing a qualified elector of the authority  
21 from any single-member district from being elected or  
22 reelected as a director to succeed himself. ~~[If there be only~~  
23 ~~one vacancy on the board, the candidate receiving the highest~~  
24 ~~number of votes shall be elected as director. If there be two~~  
25 ~~vacancies on the board, the candidate receiving the highest~~

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1 ~~number of votes and the candidate receiving the next highest~~  
2 ~~number of votes shall be elected as directors.] "~~

3 Section 2. Section 72-16-11 NMSA 1978 (being Laws 1963,  
4 Chapter 311, Section 11, as amended) is amended to read:

5 "72-16-11. NOMINATION OF DIRECTORS. --Not later than  
6 forty-five days before a proposal to incur debt is first  
7 submitted to the taxpaying electors or at the first general  
8 election next following the effective date of the Arroyo Flood  
9 Control Act, whichever occurs first, written nominations of  
10 any candidate as director may be filed with the secretary of  
11 the board. Each nomination of any candidate shall be signed  
12 by not less than fifty taxpaying electors [~~regardless of~~  
13 ~~whether or not nominated therein]~~ who reside within the  
14 district for which the candidate has been nominated, shall  
15 designate therein the name of the candidates thereby nominated  
16 and shall recite that the subscribers [~~thereto~~] are taxpaying  
17 electors of the district for which the candidate is nominated  
18 and that the candidate or candidates designated therein are  
19 qualified electors of the authority and reside within the  
20 district for which they are nominated. [~~No written nomination~~  
21 ~~may designate more qualified electors as candidates than there~~  
22 ~~are vacancies.] No taxpaying elector may nominate more than  
23 one candidate for any vacancy. If a candidate does not  
24 withdraw his name before the [~~first publication of the notice~~  
25 ~~of election]~~ time established by the county for purposes of~~

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1 absentee ballots or as set forth in the Election Code,  
2 whichever is earlier, his name shall be placed on the ballot.  
3 For any election held after November 6, 1984, nominations  
4 shall be made by qualified electors in accordance with the  
5 procedures and limitations of this section, except that such  
6 nominations shall be filed with the secretary of the board not  
7 later than the fourth Tuesday in June preceding the general  
8 election. "

9 Section 3. Section 72-16-12 NMSA 1978 (being Laws 1963,  
10 Chapter 311, Section 12) is amended to read:

11 "72-16-12. FILLING VACANCIES ON BOARD. -- Upon a vacancy  
12 occurring in the board by reason of death, change of  
13 residence, resignation or for any other reason, the governor  
14 shall appoint a qualified elector of the authority who resides  
15 within the district where the vacancy exists as successor to  
16 serve the unexpired term "