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HOUSE BILL 651

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

INTRODUCED BY

EDWARD C. SANDOVAL

AN ACT

RELATING TO DISTRICT ELECTIONS; ALLOWING THE CREATION OF AN
ABSENT VOTER PRECINCT BOARD; ESTABLISHING ABSENTEE VOTER
PROCEDURES; ALLOWING FOR AN ELECTION DIRECTOR TO PROVIDE
ELECTION SERVICES; STREAMLINING THE DISTRICT ELECTION PROCESS;
ESTABLISHING PENALTIES; AMENDING, REPEALING AND ENACTING
SECTIONS OF CHAPTER 73, ARTICLE 14 NMSA 1978; DECLARING AN
EMERGENCY.

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

Section 1. A new section of Chapter 73, Article 14 NMSA
1978 is enacted to read:

" [NEW MATERIAL] PENALTY-- FALSE VOTING. --

A. False voting consists of:

(1) voting or offering to vote with the
knowledge of not being a qualified elector;

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1 (2) voting or offering to vote in the name of
2 any other person;

3 (3) voting or offering to vote more than once
4 in the same election;

5 (4) inducing, abetting or procuring or
6 attempting to induce, abet or procure a person known to not be a
7 qualified elector to vote; or

8 (5) inducing, abetting or procuring or
9 attempting to induce, abet or procure a person who, having voted
10 once in any election, votes or attempts to vote again at the
11 same election.

12 B. Whoever commits false voting is guilty of a
13 fourth degree felony. "

14 Section 2. A new section of Chapter 73, Article 14 NMSA
15 1978 is enacted to read:

16 "[NEW MATERIAL] UNLAWFUL POSSESSION OF ABSENTEE BALLOT
17 MATERIAL-- PENALTY. --

18 A. Unlawful possession of absentee ballot material
19 consists of the unauthorized possession at any time of absentee
20 ballot material or obtaining absentee ballot material in an
21 unlawful manner. As used in this section, "absentee ballot
22 material" means an absentee ballot, absentee ballot envelope or
23 an absentee ballot return.

24 B. Whoever commits unlawful possession of absentee
25 ballot material is guilty of a fourth degree felony. "

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1 Section 3. A new section of Chapter 73, Article 14 NMSA
2 1978 is enacted to read:

3 "[NEW MATERIAL] UNLAWFUL OPENING OF BALLOT BOX--PENALTY.--

4 A. Unlawful opening of a ballot box consists of
5 opening any ballot box or inspecting or removing the contents of
6 a ballot box without lawful authority or conspiring with others
7 to have the same done.

8 B. Whoever commits unlawful opening of a ballot box
9 is guilty of a fourth degree felony."

10 Section 4. A new section of Chapter 73, Article 14 NMSA
11 1978 enacted to read:

12 "[NEW MATERIAL] FALSIFYING AN ELECTION DOCUMENT--
13 PENALTY.--

14 A. Falsifying an election document consists of
15 knowingly circulating, presenting or offering to present for the
16 signature of another person a nominating petition that does not
17 clearly show on the face of the petition the name of the
18 candidate, the date of the election, the address at which the
19 candidate resides, the candidate's county of residence and the
20 position on the conservancy district board for which the
21 candidate seeks nomination.

22 B. Whoever commits falsifying an election document
23 is guilty of a misdemeanor and upon conviction shall be
24 imprisoned in the county jail for a definite term of less than
25 one year or shall pay a fine of not more than one thousand

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1 dollars (\$1,000), or both the imprisonment and fine in the
2 discretion of the judge. "

3 Section 5. Section 73-14-19 NMSA 1978 (being Laws 1975,
4 Chapter 262, Section 2) is amended to read:

5 "73-14-19. BOARDS OF DIRECTORS--MEMBERSHIP--
6 QUALIFICATIONS.--The boards of directors [~~hereby~~] created by
7 Sections 73-14-18 through 73-14-32 NMSA 1978 shall consist of
8 three directors from and representing that portion of the most
9 populous county within the conservancy district, one director
10 each from and representing those portions of each of the
11 remaining counties within the conservancy district and one
12 director from and representing the district at large; provided
13 that each director:

14 A. is a qualified elector of the conservancy
15 district; and

16 B. resides within the benefited area of the
17 conservancy district and the county from which he is elected or,
18 if representing the district at large, resides within the
19 benefited area of one of the four counties. "

20 Section 6. Section 73-14-20 NMSA 1978 (being Laws 1975,
21 Chapter 262, Section 3) is amended to read:

22 "73-14-20. [~~DEFINITION OF "QUALIFIED ELECTOR"~~]
23 DEFINITIONS. --As used in Sections [~~75-28-11.1 through~~
24 ~~75-28-11.15 NMSA 1953~~] 73-14-18 through 73-14-32 NMSA 1978:

25 A. "benefited area" means that area described by a

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1 property appraisal that receives a benefit as a result of the
2 creation of a district for any of the purposes specified in
3 Section 73-14-4 NMSA 1978:

4 B. "election director" means the person whom the
5 board of directors may request to provide election services by a
6 contract approved by the secretary of state;

7 C. "election officer" means a person appointed by
8 the board of directors to conduct the election in the absence of
9 an election director and who performs all election services
10 required by statute;

11 D. "list compiler" means a contractor approved by
12 the board of directors to compile and produce a qualified
13 elector list for a conservancy district;

14 E. "qualified elector" means [a natural person] an
15 individual who owns real property within the benefited area of
16 the conservancy district and who has provided proof of an
17 ownership interest from any available source to the list
18 compiler or who resides on and owns legal or equitable title in
19 tribal lands and who is over the age of majority;

20 F. "qualified elector's list" means the list
21 compiled before each election that contains the individual names
22 of all qualified electors; and

23 G. "residence" means a dwelling that lies partially
24 or completely within the benefited area of a conservancy
25 district. "

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1 Section 7. Section 73-14-20.1 NMSA 1978 (being Laws 1990,
2 Chapter 48, Section 1, as amended by Laws 1991, Chapter 136,
3 Section 1 and also by Laws 1991, Chapter 248, Section 1) is
4 amended to read:

5 "73-14-20.1. QUALIFIED ELECTOR LIST. --

6 ~~[A. The secretary of the board of directors of any~~
7 ~~conservancy district organized under the provisions of the~~
8 ~~Conservancy Act of New Mexico and created prior to 1930,~~
9 ~~embracing land situate in four or more counties, shall maintain~~
10 ~~a current list of qualified electors in the conservancy~~
11 ~~district, which shall be known as the registration list.~~
12 ~~Updating of the list shall be completed on an annual basis no~~
13 ~~later than the thirty-first day of August. Any qualified~~
14 ~~elector whose name appears on the registration list is~~
15 ~~considered to be a registered elector in the conservancy~~
16 ~~district.]~~

17 A. The board of directors of the conservancy
18 district may contract for a list compiler before each election
19 to compile and produce a qualified elector's list for the
20 district. The list compiler shall deliver the completed list to
21 the election director no later than twenty days prior to a
22 district election. An individual who purchases property twenty-
23 eight days prior to an election and whose name does not appear
24 on the qualified elector's list shall not vote in that election.
25 The individual may become certified to vote in a future election

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1 by filing his deed of title with the appropriate county clerk at
2 least twenty-eight days before the next conservancy district
3 election.

4 B. Names of qualified electors shall be obtained
5 from the records of the county clerk of the appropriate county,
6 [~~from~~] the appropriate county assessor of the appropriate
7 county, records of the conservancy district or from the census
8 bureau and enrollment records provided by the pueblos [~~on an~~
9 annual basis]. The county assessor of the appropriate county,
10 the county clerk of the appropriate county and the tribal
11 representatives of the appropriate pueblos shall deliver to the
12 election director all records regarding qualified electors of
13 the benefited area of the conservancy district no later than the
14 last day of each August before a district election.

15 C. Updating the qualified elector's list shall
16 consist of adding, for any new qualified elector who has
17 purchased property in the district, the name, address and
18 description of all property owned by the qualified elector in
19 the benefited area of the conservancy district and removing the
20 name of any elector who is deceased or is no longer a qualified
21 elector because he no longer owns property within the benefited
22 district.

23 D. Proof of ownership of land within the benefited
24 area of the conservancy district requires one of the following:

- 25 (1) a recorded deed or real estate contract

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1 indicating current ownership of land within the benefited area
2 of the district;

3 (2) an individual's name on county clerk
4 records indicating a description of property the individual owns
5 within the benefited area of the district;

6 (3) an individual's name on a list compiled by
7 the governing body of a pueblo within the benefited area of the
8 conservancy district indicating that the individual named is
9 residing on and has legal or equitable title in the pueblo; or

10 (4) a current property tax bill indicating
11 ownership of land within the benefited area of the district.

12 E. The ~~[secretary of the board of directors]~~
13 election officer or the election director of the conservancy
14 district shall distribute to each polling ~~[location]~~ place a
15 current ~~[registration]~~ qualified elector's list for the
16 appropriate county. The election officer or the election
17 director shall distribute the qualified elector's list to each
18 polling place within a pueblo located within the benefited area
19 of the conservancy district. A qualified elector may vote at
20 any one polling place in the pueblo or county where he owns
21 land. ~~[A qualified elector]~~ An individual who seeks to cast his
22 vote but finds his name is not on the ~~[registration]~~ qualified
23 elector's list shall not be allowed to vote ~~[upon a satisfactory~~
24 ~~showing of proof of current ownership of land within the~~
25 ~~benefited area of the district in any manner provided in~~

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1 ~~Subsection D of this section]~~ in that election. "

2 Section 8. Section 73-14-24 NMSA 1978 (being Laws 1975,
3 Chapter 262, Section 7, as amended by Laws 1991, Chapter 136,
4 Section 2 and also by Laws 1991, Chapter 248, Section 2) is
5 amended to read:

6 "73-14-24. TIME AND PROCEDURE FOR ELECTION. --

7 A. The members of the ~~[board]~~ boards of directors
8 created by Sections 73-14-18 through 73-14-32 NMSA 1978 shall be
9 elected ~~[on the first Tuesday of May of the year 1976 and at~~
10 ~~Elections]~~ at an election held on the first Tuesday after the
11 first Monday in November ~~[beginning in 1990 and in each second~~
12 ~~year]~~ in 1996 and in each even-numbered year thereafter.

13 B. The elections for the members of the board of
14 directors of the conservancy district shall be conducted,
15 counted and canvassed as provided in Sections 73-14-18 through
16 73-14-32 and 73-14-84 through 73-14-86 NMSA 1978. The polls
17 shall be opened and closed at the same time as provided for the
18 general election under the Election Code. "

19 Section 9. Section 73-14-25 NMSA 1978 (being Laws 1975,
20 Chapter 262, Section 8) is amended to read:

21 "73-14-25. ~~[NOTICE]~~ DECLARATION OF CANDIDACY--SIGNATURES
22 OF ELECTORS. --

23 A. Any person who desires to become a candidate for
24 election as a member of the conservancy district board ~~[and who~~
25 ~~has the qualifications as provided by law]~~ shall file his

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1 written [~~notice~~] declaration of candidacy with the [~~secretary of~~
2 ~~the existing~~] election director or with the election officer
3 [~~board~~] at least thirty days before the election. The election
4 officer or the election director shall certify the candidates to
5 the board of directors.

6 B. The [~~notice~~] declaration of candidacy shall
7 contain:

8 (1) a statement that the candidate is a
9 qualified elector of the district and meets the qualifications
10 of a director as required by law;

11 (2) the candidate's name, address, date and
12 county of residence;

13 (3) the numerical designation of the position
14 on the board of directors for which he desires to be a
15 candidate;

16 (4) if a candidate for a position representing
17 a county in the conservancy district, a petition signed by at
18 least seventy-five qualified electors of the district [~~resident~~]
19 who reside in that county; [~~and~~]

20 (5) if a candidate for the position at large in
21 the conservancy district, a petition signed by at least one
22 hundred twenty-five qualified electors [~~resident in the~~
23 ~~conservancy district~~]; and

24 (6) a statement that the candidate is a
25 resident within the benefited area of the conservancy district

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1 and in the county for which he desires to be a candidate on the
2 board of directors."

3 Section 10. Section 73-14-27 NMSA 1978 (being Laws 1975,
4 Chapter 262, Section 10, as amended by Laws 1991, Chapter 136,
5 Section 3 and also by Laws 1991, Chapter 248, Section 3) is
6 amended to read:

7 "73-14-27. ELECTION--LOCATION OF POLLING PLACES--NOTICE OF
8 ELECTION--CREATION OF ABSENT VOTER PRECINCT.--

9 A. For every conservancy district election, the
10 board of directors shall provide for a polling place at each
11 physical location within the boundaries of the conservancy
12 district at which polling places for the general election are
13 located. In addition, the board of directors shall provide a
14 polling place at the main office of the conservancy district and
15 may provide such other locations as it deems necessary. The
16 board of directors may also create an absent voter precinct.

17 B. Notice of election shall be published three times
18 in a newspaper of general circulation within each county of the
19 district. Each notice shall state the time, place and purpose
20 of the election and shall be published twenty, ten and five days
21 before the election."

22 Section 11. Section 73-14-28 NMSA 1978 (being Laws 1975,
23 Chapter 262, Section 11) is amended to read:

24 "73-14-28. ELECTION JUDGES.--The [~~board of directors~~]
25 election officer or the election director shall select three

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1 election judges for each polling place established within the
2 conservancy district. The election officer or the election
3 director shall also appoint an absent voter precinct board.

4 [~~The judges shall be qualified electors of the district.~~]"

5 Section 12. A new Section 73-14-28.1 NMSA 1978 is enacted
6 to read:

7 "73-14-28.1. [NEW MATERIAL] ELECTION. -- The board of
8 directors of the conservancy district shall conduct the election
9 pursuant to Chapter 73, Article 14 NMSA 1978 and other
10 applicable election laws or shall select an election director as
11 defined in Section 73-14-20 NMSA 1978 to provide election
12 services. The election director shall operate pursuant to a
13 contract approved by the secretary of state. The election may
14 be conducted by emergency paper ballot, electronic voting
15 machine or any other state certified tabulating voting machine."

16 Section 13. Section 73-14-29 NMSA 1978 (being Laws 1975,
17 Chapter 262, Section 12) is amended to read:

18 "73-14-29. FORM OF BALLOT. -- The election officer or the
19 election director shall oversee the preparation and printing of
20 the ballots for a conservancy district [~~board of directors'~~]
21 election. Ballots shall be prepared and printed [~~by the board~~
22 ~~of directors~~] at the expense of the conservancy district. The
23 [~~board of directors may prepare~~] election officer or the
24 election director shall oversee the preparation of a separate
25 ballot for each county within the conservancy district or [~~it~~

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1 ~~may prepare]~~ the preparation of one ballot for use within the
2 entire conservancy district. The board of directors shall
3 approve the form of the ballot. The ballot shall contain the
4 numbered position or positions, as the case may be, to which
5 directors are to be elected at the election, with the names of
6 all candidates for each position listed under that designation."

7 Section 14. Section 73-14-31 NMSA 1978 (being Laws 1975,
8 Chapter 262, Section 14) is amended to read:

9 "73-14-31. ~~[ABSENT]~~ ABSENTEE VOTING BY BALLOT PERMITTED--
10 PROCEDURE. --

11 A. In any election of officers of the conservancy
12 district, a qualified elector shall be entitled to vote by
13 ~~[absent]~~ absentee ballot. ~~[Absent ballots]~~ An absentee ballot
14 shall be furnished by the ~~[secretary of the board of directors~~
15 ~~and such ballots shall be]~~ election director in a form
16 prescribed by the board of directors. ~~[In addition to the~~
17 ~~absent ballot, the secretary of the board of directors]~~ The
18 election director shall also furnish to each qualified elector
19 requesting an ~~[absent]~~ absentee ballot an official inner
20 envelope for use in sealing the completed ~~[absent]~~ absentee
21 ballot and an official outer envelope for use in returning the
22 inner envelope to the ~~[secretary]~~ election director. No
23 absentee ballot shall be delivered or mailed to any person other
24 than the applicant for the ballot.

25 B. A qualified elector voting by ~~[absent]~~ absentee

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1 ballot shall secretly mark his ballot, place it in the official
2 inner envelope and securely seal the envelope. ~~[He shall then]~~
3 The qualified elector shall place the inner envelope inside the
4 outer envelope and securely seal the envelope. The qualified
5 elector shall then sign his name and address on the outer
6 envelope and deliver or mail it to the ~~[secretary of the board~~
7 ~~of directors any time prior to the opening of the polls on~~
8 ~~election day]~~ election director or the election officer.

9 C. Absentee ballots shall be distributed by the
10 election director or the election officer during the regular
11 hours and days of business from the twentieth day preceding the
12 election up until 5:00 p.m. on the Saturday immediately prior to
13 the date of the election.

14 ~~[C.]~~ D. No ~~[absent]~~ absentee ballot shall be counted
15 unless it is received by the secretary of the board of directors
16 prior to the ~~[opening]~~ closing of the polls. ~~[Upon receipt of~~
17 ~~an absent ballot, the secretary of the board of directors shall~~
18 ~~remove the outer envelope and enter in a register the name and~~
19 ~~address of the qualified elector and the date and time the~~
20 ~~ballot was received. The secretary shall keep the inner envelope~~
21 ~~sealed and unmarked or unidentified in any manner as to the~~
22 ~~qualified elector and place it in a safe place until the opening~~
23 ~~of the polls on election day. At the time the polls open on~~
24 ~~election day, the secretary shall deliver all the sealed inner~~
25 ~~envelopes to the chairman of the election board of the precinct~~

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1 ~~nearest to the office of the district. The sealed inner~~
2 ~~envelopes shall be accompanied by a signed affidavit setting~~
3 ~~forth the number of ballots received, the number of ballots~~
4 ~~delivered and a statement to the effect that the ballots de-~~
5 ~~livered are in the same condition as when received.]~~

6 E. An absentee ballot received after the closing of
7 the polls on the day of the election shall not be collected by
8 the absent voter precinct board but shall be preserved by the
9 conservancy district until the time for election contests has
10 expired. In the absence of a court order after expiration of
11 the time for election contests, the conservancy district shall
12 destroy all late official mailing envelopes without opening them
13 or permitting the contents to be examined, cast, counted or
14 canvassed. Before their destruction, the election director
15 shall count the number of late ballots from voters of the
16 conservancy district and report the number to the election
17 officer and the secretary of state.

18 ~~[D.—Absent]~~ E. Prior to the delivery of the
19 absentee ballots to the absent voter precinct board, the
20 absentee ballots shall be held unopened at the absentee voter
21 precinct in a locked ballot box. At the close of the polls on
22 election day, the absent voter precinct board shall obtain the
23 absentee ballot box from the election director and tally the
24 absentee ballots. The presiding judge shall have authority to
25 unlock the absentee ballot box.

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1 G. Absentee ballots shall be counted and tallied
2 [~~and canvassed~~] as are other ballots for the conservancy
3 district election. "

4 Section 15. A new Section 73-14-31.1 NMSA 1978 is enacted
5 to read:

6 "73-14-31.1. [NEW MATERIAL] ABSENTEE BALLOT APPLICATION. --

7 A. Application by a qualified elector for an
8 absentee ballot shall be made on the official form prescribed by
9 the board of directors and printed and furnished by the election
10 director. The form shall identify the applicant and contain
11 information to establish his qualification as a qualified
12 elector for issuance of an absentee ballot. Each application
13 for an absentee ballot shall be subscribed and sworn to by the
14 applicant.

15 B. The election director shall mark each completed
16 absentee ballot application with the date and time of receipt
17 and enter the required information in the absentee ballot
18 qualified elector list. The election director shall then
19 determine if the applicant is a qualified elector.

20 C. If the applicant is not listed in the qualified
21 elector list, an absentee ballot shall not be issued and the
22 election director shall mark the application "rejected" and file
23 the application in a separate file from those accepted.

24 D. The election director shall notify in writing
25 each applicant of the fact of acceptance or rejection of his

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1 application and, if rejected, shall state the reason for
2 rejection.

3 E. If the election director determines that the
4 applicant is a qualified elector, the election director shall
5 mark the application "accepted" and deliver or mail to the
6 applicant an absentee ballot and the required envelopes for use
7 in returning the ballot to the absent voter precinct. "

8 Section 16. A new Section 73-14-31.2 NMSA 1978 is enacted
9 to read:

10 "73-14-31.2. [NEW MATERIAL] HANDLING OF ABSENTEE BALLOTS
11 BY ABSENT VOTER PRECINCT BOARD. --

12 A. The absent voter precinct board shall select one
13 member to serve as presiding judge. The election director shall
14 appoint a special deputy to serve at the absent voter precinct.

15 B. Upon receipt of the absentee ballots by the
16 absent voter precinct board, the special deputy shall remain in
17 the polling place of the absent voter precinct until he has
18 observed the opening of the official mailing envelope, the
19 deposit of the ballot in the locked ballot box marked for the
20 conservancy district election and the listing of the names on
21 the official mailing envelope in the signature rosters. Upon
22 delivery of the absentee ballots, the special deputy shall
23 obtain a receipt executed by the presiding judge and each
24 election judge appointed to the absent voter precinct board.
25 The special deputy shall return the receipt to the election

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1 director for filing. The receipts shall specify the number of
2 envelopes received by the special deputy for each absent voter
3 precinct of the conservancy district and the number of envelopes
4 received by the absent voter precinct board from the special
5 deputy.

6 C. Before opening any official mailing envelope, the
7 presiding judge and the election judges shall determine if the
8 required information has been completed on the reverse side of
9 the official mailing envelope.

10 D. If the voter's signature is missing, the
11 presiding judge shall write "rejected" on the front of the
12 official mailing envelope. The election judges shall enter the
13 voter's name in the signature rosters and shall write the
14 notation "rejected--missing signature" in the notations column
15 of the signature rosters. The presiding judge shall place the
16 official mailing envelope unopened in an envelope provided for
17 rejected ballots for the conservancy district, seal the envelope
18 and write the voter's name on the front of the envelope and
19 deposit it in the locked ballot box.

20 E. At 5:00 p.m. on the Monday immediately preceding
21 the date of election, the election officer or election director
22 shall record the numbers of the unused absentee ballots for the
23 conservancy district and shall publicly destroy in the
24 conservancy office all of the unused ballots. The election
25 officer or election director shall execute a certificate of

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1 destruction, which shall include the numbers on the ballots
2 destroyed. A copy of the certificate of destruction shall be
3 sent to the board of directors of the conservancy district and
4 the secretary of state. "

5 Section 17. Section 73-14-85 NMSA 1978 (being Laws 1961,
6 Chapter 67, Section 17) is amended to read:

7 "73-14-85. ELECTIONS- - COUNTING BALLOTS- - CERTIFICATION OF
8 RESULTS TO THE BOARD. -- Not more than six hours after the polls
9 have closed, the [~~three election judges shall count the total~~
10 ~~vote cast and those cast for each candidate. They shall then~~
11 ~~certify the results on a form prescribed by the board of~~
12 ~~directors. This written certification shall be returned~~
13 ~~immediately to the board of directors. The ballots shall be~~
14 ~~placed in a ballot box and the box shall be securely locked.~~
15 ~~The ballot box shall then be delivered to the secretary of the~~
16 ~~board of directors by one of the judges in person not less than~~
17 ~~twenty four hours after the closing of the polls] presiding
18 judge of each polling place shall deliver to the election
19 director a certified copy of the certificate of returns. Not
20 more than twenty-four hours after the polls have closed the
21 election director shall deliver a certified copy of the
22 certificate of returns immediately to the board of directors. "~~

23 Section 18. REPEAL. -- Sections 73-14-32 and 73-14-88 NMSA
24 1978 (being Laws 1975, Chapter 262, Section 15 and Laws 1961,
25 Chapter 17, Section 20) are repealed.

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Section 19. EMERGENCY. --It is necessary for the public
peace, health and safety that this act take effect immediately.

- 20 -

State of New Mexico
House of Representatives

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4 FORTY- SECOND LEGISLATURE
5 SECOND SESSION, 1996
6
7

8 February 6, 1996
9

10
11 Mr. Speaker:
12

13 Your VOTERS AND ELECTIONS COMMITTEE, to whom has
14 been referred

15
16 HOUSE BILL 651

17 has had it under consideration and reports same with
18 recommendation that it DO PASS, amended as follows:
19

- 20 1. On page 4, line 16, strike the underscored language.
21
22 2. On page 4, line 18, strike the second occurrence of
23 "the", and on line 19, strike "benefited area of".
24
25 3. On page 4, line 19, before the period insert "of the
conservancy district".

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FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996

HVEC/HB 651

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4. On page 5, line 17, after "interest" strike the remainder of the line, and on line 18, strike "compiler" and insert in lieu thereof "to one of the sources specified in Subsection B of Section 73-14-20.1 NMSA 1978 within the required time period,".

5. On page 10, line 24, strike "is a", and on line 25, strike "resident" and insert in lieu thereof "resides".

6. On page 10, line 25, strike "benefited area of the".

7. On page 19, lines 5 through 22, strike Section 17 in its entirety and insert in lieu thereof:

"Section 17. A new section of Chapter 73, Article 14 NMSA 1978 is enacted to read:

"[NEW MATERIAL] ELECTIONS FOR CERTAIN DISTRICTS--COUNTING BALLOTS--CERTIFICATION OF RESULTS TO THE BOARD.--For conservancy districts having more than one hundred thousand acres within the district, the presiding judge of each polling place within that district shall, not more than six hours after the polls have closed, deliver to the election director a certified copy of the certificate of returns. Not more than twenty-four hours after the polls have closed, the election director shall deliver a certified copy of the certificate of returns to the board of directors.".

8. On page 19, lines 23 through 25, strike Section 18 in its entirety and insert in lieu thereof:

. 109953. 5

Underscored material = new
[bracketed material] = delete

FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996

HVEC/HB 651

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"Section 18. REPEAL. -- Section 73-14-32 NMSA 1978 (being Laws
1975, Chapter 262, Section 15) is repealed.".,
and thence referred to the AGRICULTURE AND WATER
RESOURCES COMMITTEE.

Respectfully submitted,

Edward C. Sandoval, Chairman

Adopted _____

Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

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FORTY- SECOND LEGISLATURE
SECOND SESSION, 1996

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The roll call vote was 9 For 0 Against
 Yes: 9
 Excused: Lujan, Madalena, Sanchez
 Absent: None

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State of New Mexico House of Representatives

**FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996**

February 8, 1996

Mr. Speaker:

**Your AGRICULTURE AND WATER RESOURCES COMMITTEE,
to whom has been referred**

HOUSE BILL 651, as amended

**has had it under consideration and reports same with
recommendation that it DO PASS.**

Respectfully submitted,

G. X. McSherry, Chairman

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FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996

HAGC/HB 651

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Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 6 For 0 Against

Yes: 6

Excused: Casey, Porter, Stell

Absent: None

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~~[bracketed material] = delete~~

FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996

1 HAGC/HB 651

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FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996

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February 13, 1996

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10 Mr. President:

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Your CONSERVATION COMMITTEE, to whom has been referred

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HOUSE BILL 651

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has had it under consideration and reports same with

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recommendation that it DO PASS.

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Respectfully submitted,

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TOM R. BENAVIDES, Chairman

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Adopted _____

Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Underscored material = new
[bracketed material] = delete

FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996

1 HAGC/HB 651

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Date _____

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The roll call vote was 6 For 0 Against

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Yes: 6

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No: 0

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Excused: Tsosie, Vernon, Wray

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Absent: 0

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Underscored material = new
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