

1 HOUSE BILL 143

2 **52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016**

3 INTRODUCED BY

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10 AN ACT

11 RELATING TO ELECTIONS; CHANGING CERTAIN SPECIAL DISTRICT AND
12 POLITICAL SUBDIVISION ELECTION DATES TO THE FIRST TUESDAY AFTER
13 THE FIRST MONDAY IN NOVEMBER IN ODD-NUMBERED YEARS AND MAKING
14 CORRESPONDING ADJUSTMENTS TO ELECTION PROCEDURES.

15
16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

17 SECTION 1. Section 1-22-3 NMSA 1978 (being Laws 1985,
18 Chapter 168, Section 5, as amended) is amended to read:

19 "1-22-3. SCHOOL DISTRICT ELECTIONS--QUALIFICATIONS OF
20 CANDIDATES.--

21 A. A school district election shall be held in each
22 school district to elect qualified persons to membership on a
23 board. No person shall become a candidate for membership on a
24 board unless the person's record of voter registration shows
25 that the person is a qualified elector of the state, physically

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1 resides in the school district in which the person is a
2 candidate and was registered to vote in the district on the
3 date the board's proclamation calling a regular school district
4 election is filed in the office of the county clerk.

5 B. A regular school district election shall be held
6 in each school district on the first Tuesday [~~in February~~]
7 after the first Monday in November of each odd-numbered year.

8 C. An election on a ballot question held at any
9 time other than the date for the regular school district
10 election shall be a special school district election called,
11 conducted and canvassed as provided in the Election Code.

12 D. Except as otherwise provided in the School
13 Election Law, school district elections shall be called,
14 conducted and canvassed as provided in the Election Code."

15 SECTION 2. Section 1-22-4 NMSA 1978 (being Laws 1985,
16 Chapter 168, Section 6, as amended) is amended to read:

17 "1-22-4. REGULAR ELECTION--PROCLAMATION--PUBLICATION.--

18 A. The board shall by resolution issue a public
19 proclamation in Spanish and English calling a regular school
20 district election within the school district on the date
21 prescribed by the School Election Law. The proclamation shall
22 be filed by the superintendent with the county clerk of record
23 on the last Tuesday in [~~November of the even-numbered year~~]
24 August immediately preceding the date of the election.

25 B. The proclamation shall specify:

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- 1 (1) the date when the election will be held;
- 2 (2) the positions on the board to be filled;
- 3 (3) the date on which declarations of
- 4 candidacy are to be filed;
- 5 (4) the date on which declarations of intent
- 6 to be a write-in candidate are to be filed;
- 7 (5) the questions to be submitted to the
- 8 voters;
- 9 (6) the precincts in each county in which the
- 10 election is to be held and the location of each polling place;
- 11 (7) the hours each polling place will be open;
- 12 and
- 13 (8) the date and time of the closing of the
- 14 registration books by the county clerk of record as required by
- 15 law.

16 C. After filing the proclamation with the county
17 clerk of record and not less than [~~fifty~~] sixty days before the
18 date of the election, the county clerk of record shall publish
19 the proclamation at least once in a newspaper of general
20 circulation within the school district. The publication of the
21 proclamation shall conform to the requirements of the federal
22 Voting Rights Act of 1965, as amended."

23 SECTION 3. Section 1-22-7 NMSA 1978 (being Laws 1985,
24 Chapter 168, Section 9, as amended) is amended to read:

25 "1-22-7. DECLARATION OF CANDIDACY--FILING DATE--

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1 PENALTY.--

2 A. A candidate for a board position that will be
3 filled at a regular school district election shall file a
4 declaration of candidacy with the proper filing officer during
5 the period commencing at 9:00 a.m. on the third Tuesday in
6 [~~December of the even-numbered year~~] September immediately
7 preceding the date of the regular school district election and
8 ending at 5:00 p.m. on the same day.

9 B. A candidate shall file for only one board
10 position during a filing period.

11 C. Whoever knowingly makes a false statement in a
12 declaration of candidacy is guilty of a fourth degree felony
13 and shall be sentenced pursuant to the provisions of Section
14 31-18-15 NMSA 1978."

15 SECTION 4. Section 1-22-18 NMSA 1978 (being Laws 1985,
16 Chapter 168, Section 20, as amended) is amended to read:

17 "1-22-18. WRITE-IN CANDIDATES.--

18 A. Write-in candidates for the office of board
19 member shall be permitted in school district elections.

20 B. A person may be a write-in candidate only if the
21 person has the qualifications to be a candidate for membership
22 on the board in the school district election as provided in the
23 School Election Law.

24 C. A person desiring to be a write-in candidate for
25 the office of board member shall file with the proper filing

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1 officer a declaration of intent to be a write-in candidate.
2 The declaration shall be filed before 5:00 p.m. on the [~~thirty-~~
3 ~~fifth~~] forty-second day preceding the date of the election.

4 D. A write-in vote shall be counted and canvassed
5 only if:

6 (1) the name written in is the name of a
7 declared write-in candidate and shows two initials and last
8 name; first name, middle initial or name and last name; first
9 and last name; or the full name as it appears on the
10 declaration of intent to be a write-in candidate and if
11 misspellings of those combinations can be reasonably determined
12 by a majority of the members of the precinct board to identify
13 a declared write-in candidate; and

14 (2) the name is written on the proper line
15 provided on the ballot for write-in votes for the office and
16 position for which the candidate has declared intent and the
17 voter has followed the directions for voting for the write-in
18 candidate.

19 E. At the time of filing the declaration of intent
20 to be a write-in candidate, the write-in candidate shall be
21 considered a candidate for all purposes and provisions relating
22 to candidates in the School Election Law except that the write-
23 in candidate's name shall not be printed on the ballot.

24 F. A write-in vote shall be cast by writing in the
25 name. As used in this section, "write-in" does not include the

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1 imprinting of any name by rubber stamp or similar device or the
2 use of a preprinted sticker or label."

3 SECTION 5. Section 4-48A-16 NMSA 1978 (being Laws 1978,
4 Chapter 29, Section 16, as amended) is amended to read:

5 "4-48A-16. SPECIAL TAX IMPOSED FOR SPECIAL HOSPITAL
6 DISTRICT.--

7 A. In each special hospital district, the board of
8 trustees may adopt a resolution calling for an election, which
9 shall be held on the first Tuesday after the first Monday in
10 November in an odd-numbered year, for the purpose of
11 authorizing the imposition of an ad valorem tax on all taxable
12 property within the special hospital district. The revenue
13 from such tax shall be used for current operations and
14 maintenance of hospitals, including hospital facilities owned
15 and operated by the special hospital district or ~~[for]~~
16 hospitals operated and maintained by the special hospital
17 district pursuant to an agreement with a political subdivision
18 as provided in Subsection B of Section 4-48A-11 NMSA 1978, and
19 to pay the operational costs of the special hospital district.

20 B. In the case of a special hospital district
21 located wholly within one county, if authorized by a majority
22 of the qualified electors of the special hospital district
23 voting on the question, the board of county commissioners of
24 the county in which the special hospital district is located
25 shall levy such tax at the same time and in the same manner as

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1 levies for ad valorem taxes for school districts are made and
2 in the amount certified by the board of trustees as necessary
3 to meet its approved annual budget, but in no event shall the
4 tax levied exceed the rate limitation approved by the voters or
5 the rate limitations provided in Subsection D of this section.

6 C. In the case of a special hospital district
7 ~~[which]~~ that is composed of all or a portion of two or more
8 counties, if a majority of the qualified electors of each
9 subdistrict voting on the question ~~[authorize]~~ authorizes a tax
10 levy, the boards of county commissioners of the counties
11 ~~[which]~~ that agreed to form the special hospital district shall
12 levy such tax in the manner provided in Subsection B of this
13 section.

14 D. The tax authorized in this section shall not
15 exceed four dollars twenty-five cents (\$4.25), or any lower
16 maximum amount required by operation of the rate limitation
17 provisions of Section 7-37-7.1 NMSA 1978 upon any tax imposed
18 under this section, on each one thousand dollars (\$1,000) of
19 net taxable value as that term is defined in the Property Tax
20 Code, of all taxable property of the county within the hospital
21 district for a period of time greater than four years. An
22 election upon the question of continuing the levy may be called
23 by the board of trustees immediately prior to the expiration of
24 the period of assessment previously approved by the qualified
25 electors and shall be held on the first Tuesday after the first

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1 Monday in November in an odd-numbered year."

2 SECTION 6. Section 4-48A-17 NMSA 1978 (being Laws 1978,
3 Chapter 29, Section 17, as amended) is amended to read:

4 "4-48A-17. ELECTION PROCEDURES.--

5 A. In all elections held pursuant to the provisions
6 of the Special Hospital District Act, except as otherwise
7 provided in that act, the board of trustees shall give notice
8 of the election in a newspaper of general circulation in the
9 special hospital district and, in the case of a special
10 hospital district composed of all or portions of two or more
11 counties, in the [~~subdistrict~~] subdistricts, at least once a
12 week for three consecutive weeks, the last insertion to be not
13 less than two weeks prior to the proposed election.

14 B. All elections of the special hospital district,
15 unless otherwise provided in the Special Hospital District Act,
16 shall be held on the first Tuesday after the first Monday in
17 November in odd-numbered years and shall be called, conducted
18 and canvassed in substantially the same manner as school
19 district elections are called, conducted and canvassed. The
20 board of trustees shall be the canvassing board for such
21 elections.

22 C. The expenses of elections conducted by the
23 special hospital district shall be budgeted for and paid from
24 the operating funds of the special hospital district."

25 SECTION 7. Section 21-13-8 NMSA 1978 (being Laws 1963,

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1 Chapter 17, Section 7, as amended) is amended to read:

2 "21-13-8. COMMUNITY COLLEGE BOARD.--

3 A. Community college board members shall be over
4 twenty-one years of age, qualified electors and residents of
5 the community college district.

6 B. Community college board members shall be elected
7 for staggered terms of six years beginning on April 1
8 succeeding their elections; provided that the terms of members
9 electd after July 1, 2016 shall begin on January 1 succeeding
10 their elections. Elections shall be held

11 [~~(1) in conjunction with regular school~~
12 ~~district elections on the first Tuesday of February in each~~
13 ~~odd-numbered year if the community college board and school~~
14 ~~board agree to hold their elections at the same time; or~~

15 ~~(2) on the date otherwise prescribed by the~~
16 ~~Community College Act] on the first Tuesday after the first
17 Monday in November in odd-numbered years.~~

18 C. All vacancies caused in any other manner than by
19 the expiration of the term of office shall be filled by
20 appointment by the remaining members. An individual appointed
21 by the remaining members of the board to fill a vacancy in
22 office shall serve until the next community college board
23 election, at which time candidates shall file for and be
24 elected to fill the vacant position to serve the remainder of
25 the unexpired term.

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1 D. A community college board shall select from its
2 members a chair and secretary who shall serve in these offices
3 until the next regular community college board election. After
4 each community college board election, the members shall
5 proceed to reorganize."

6 **SECTION 8.** Section 21-13-18.1 NMSA 1978 (being Laws 1993,
7 Chapter 75, Section 3, as amended) is amended to read:

8 "21-13-18.1. REGULAR COMMUNITY COLLEGE ELECTION--
9 RESOLUTION--PUBLICATION.--

10 A. The community college board shall issue a
11 resolution in English and Spanish calling for a regular
12 community college election within the community college
13 district on the date prescribed by the Community College Act.
14 The resolution shall be filed with each county clerk in the
15 community college district on the [~~third Friday in December or,~~
16 ~~if the election is held in conjunction with a school district~~
17 ~~election, the]~~ last Tuesday in [~~November~~] August of each [~~even-~~
18 ~~numbered~~] odd-numbered year.

- 19 B. The resolution shall specify:
- 20 (1) the date the election will be held;
 - 21 (2) the positions on the board to be filled;
 - 22 (3) the date on which declarations of
23 candidacy are to be filed;
 - 24 (4) the date on which declarations of intent
25 to be a write-in candidate are to be filed;

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1 (5) any questions to be submitted to the
2 voters;

3 (6) the precincts in each county in which the
4 election is to be held and the location of each polling place;

5 (7) the hours each polling place will be open;
6 and

7 (8) the date and time of the closing of the
8 registration books by the county clerks as required by law.

9 C. In the event that only one candidate files a
10 declaration of candidacy for each position to be filled at an
11 election and no declared write-in candidates have filed for any
12 position in which there is any other candidate and there are no
13 questions or bond issues on the ballot, only one polling place
14 for the election shall be designated and it shall be in the
15 office of the county clerk of the county in which the community
16 college is located.

17 D. In any election held under the Community College
18 Act, the county clerk shall perform the duties of the precinct
19 board and no other precinct board shall be appointed."

20 SECTION 9. Section 21-16-5.1 NMSA 1978 (being Laws 1994,
21 Chapter 83, Section 3, as amended) is amended to read:

22 "21-16-5.1. BOARD MEMBERS--ELECTED FROM DISTRICTS--
23 ELECTIONS.--

24 A. A district board shall be composed of five or
25 seven members elected for four-year terms who shall reside in

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1 and be elected from single-member districts as provided in this
2 section. Any board, the members of which have not been elected
3 from single-member districts, shall district and hold a special
4 election to coincide with the school district elections of
5 2001. If the board is a seven-member board, board members
6 shall be elected for all seven positions on the board, with the
7 board members elected to positions 1, 3, 5 and 7 to be elected
8 for initial terms of two years and the board members elected to
9 positions 2, 4 and 6 to be elected for initial terms of four
10 years. If the board is a five-member board, board members
11 elected to positions 1, 3 and 5 shall be elected for initial
12 terms of two years and board members elected to positions 2 and
13 4 shall be elected for initial terms of four years. After the
14 initial election for a district board, each board member shall
15 be elected for a term of four years. Elections held after July
16 1, 2016 shall be held on the first Tuesday after the first
17 Monday in November in odd-numbered years.

18 B. Except where specific provision is otherwise
19 provided by law, all election proceedings for technical and
20 vocational institute district elections shall be conducted
21 pursuant to the provisions of the School Election Law with the
22 president of the institute serving in the place of the
23 superintendent of schools in every case.

24 C. Once following each federal decennial census,
25 the board shall redistrict the technical and vocational

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1 institute district into election districts to ensure that the
2 districts remain as equal in population as is practicable. The
3 new districts shall go into effect at the first regular board
4 election thereafter. Candidates for the new single-member
5 districts that are scheduled to be voted on at the election
6 shall reside in and be elected from the appropriate new single-
7 member district. Incumbent board members whose districts
8 before redistricting were not scheduled to be voted on at the
9 election need not reside in the new single-member districts
10 corresponding to their position numbers and may serve out their
11 terms. At the second regular board election held after the
12 redistricting, all candidates for the new single-member
13 districts that are scheduled to be voted on shall reside in and
14 be elected from the appropriate single-member district.

15 D. All election districts covered by this section
16 shall be contiguous, compact and as equal in population as is
17 practicable.

18 E. A vacancy occurring on the board shall be filled
19 in the same manner as provided for school board vacancies in
20 Section 22-5-9 NMSA 1978; provided, however, a vacancy that
21 occurs in an election district where a nonresident board member
22 had been serving shall be filled [~~with~~] by a resident of that
23 district."

24 SECTION 10. Section 21-16-14 NMSA 1978 (being Laws 1963,
25 Chapter 108, Section 11, as amended) is amended to read:

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1 "21-16-14. ADDITION OF SCHOOL DISTRICTS OR PORTIONS OF
2 SCHOOL DISTRICTS TO EXISTING TECHNICAL AND VOCATIONAL INSTITUTE
3 DISTRICTS.--

4 A. A technical and vocational institute district
5 may be expanded by either the procedure in Subsections B, C and
6 D of this section or the procedure in Subsections E and F of
7 this section.

8 B. The qualified voters of a school district,
9 portion of a school district, group of school districts within
10 a county containing a technical and vocational institute
11 district or in an adjoining county, not included in the
12 technical and vocational institute district as originally
13 formed, may petition the public education department to be
14 added to the technical and vocational institute district. The
15 department shall examine the petition, and, if it finds that
16 the petition is signed by a number of qualified voters residing
17 within the pertinent school district or portion of a school
18 district equal to ten percent of the votes cast for governor in
19 such school district or portion of such school district in the
20 last preceding general election, the department shall cause a
21 survey to be made of the petitioning district or districts to
22 determine the desirability of the proposed expansion of the
23 technical and vocational institute district.

24 C. In conducting the survey, the public education
25 department, in conjunction with the [~~commission on~~] higher

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1 education department, shall ascertain the attitude of the
2 technical and vocational institute board and collect other
3 information it deems necessary. If on the basis of the survey
4 the public education department finds that the proposed
5 addition of the petitioning area will promote an improved
6 education service in the area, it shall approve the petition.
7 The secretary of public education shall proceed to call an
8 election within the petitioning area and in the established
9 technical and vocational institute district on the question of
10 the inclusion of the petitioning area in the institute
11 district.

12 D. If a majority of the votes cast in the
13 petitioning area and a majority of the votes cast within the
14 established institute district are in favor of the addition of
15 the area, the public education department shall notify the
16 local school board of each affected school district and the
17 technical and vocational institute board of the results of the
18 election and shall declare the extension of the boundaries of
19 the institute district to include the petitioning area in which
20 the proposed addition referendum carried by a majority vote.

21 E. If a technical and vocational institute district
22 includes less than all of a school district, the institute
23 board, by resolution of a majority of the members of the board,
24 may call an election within the institute district and in the
25 portion of the school district that is not included in the

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1 institute district on the question of the addition of the
2 excluded portion of the school district to the established
3 institute district. Except where specific provision is
4 otherwise provided by law, such election shall be conducted
5 pursuant to the provisions of the School Election Law, with the
6 president of the institute district serving in the place of the
7 superintendent of schools in every case; provided that:

8 (1) the election [~~may~~] shall be held in
9 conjunction with a regular school district election [~~or as a~~
10 ~~special election~~];

11 (2) if a precinct lies partly within and
12 partly outside the institute district, the parts of the
13 precinct within and outside the institute district shall
14 constitute separate precincts for purposes of the election; and

15 (3) precincts may be consolidated for purposes
16 of administrative convenience.

17 F. If a majority of the votes cast in the institute
18 district and the portion of the school district that is outside
19 the institute district are in favor of the addition of the
20 excluded portion of the school district to the institute
21 district, the board of the institute district shall declare the
22 institute district to be expanded to include all of such school
23 district.

24 G. Each area added to an existing technical and
25 vocational institute district shall automatically be subject to

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1 any special levy on taxable property approved for the institute
2 district for the maintenance of facilities and services and for
3 support of bond issues."

4 SECTION 11. Section 21-16-20 NMSA 1978 (being Laws 1964
5 (1st S.S.), Chapter 12, Section 5) is amended to read:

6 "21-16-20. SUBMISSION AT ELECTION--NOTICE--
7 CERTIFICATION.--If [~~the~~] a question is submitted pursuant to
8 Section 21-16-16 NMSA 1978 at [~~a general~~] an election, the
9 submitting board shall publish notice [~~thereof~~] of the election
10 in the manner required for [~~general~~] regular school district
11 elections, except that [~~such~~] the notice need not include the
12 names of any election officials or the places where [~~such~~] the
13 election is to be held in each precinct and voting division and
14 no posting shall be required. The submitting board shall, not
15 less than [~~thirty~~] seventy days before the election, furnish to
16 the county clerk of each county in which [~~each~~] an affected
17 school district is situate a certificate specifying the
18 question to be submitted and the precincts and voting divisions
19 included in the school district or districts or in the
20 technical and vocational institute district. The county clerk
21 [~~of each such county~~] shall include [~~such~~] the question on the
22 ballots and voting machines in the proper voting divisions.
23 The election officials in [~~such~~] those voting divisions shall
24 execute separate certificates certifying the results of the
25 voting on [~~such~~] the question, and, upon receipt [~~thereof~~] of

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1 the certificates, each county clerk shall deliver [~~the same~~]
2 them to the president of the submitting board or [~~his~~] the
3 president's designated representative."

4 SECTION 12. Section 21-16-22 NMSA 1978 (being Laws 1964
5 (1st S.S.), Chapter 12, Section 7) is amended to read:

6 "21-16-22. CANVASS OF VOTE.--Upon delivery of the
7 certificates of results by the county clerk in case the
8 question is submitted at [~~a general~~] an election [~~or upon~~
9 ~~receipt of the returns in case it is submitted at a special~~
10 ~~election called for that purpose~~], the vote at an election held
11 pursuant to Section 21-16-16 NMSA 1978 shall be canvassed in
12 the manner provided by law for canvassing elections of members
13 of [~~municipal~~] local school boards [~~of education~~]."

14 SECTION 13. Section 21-16A-6 NMSA 1978 (being Laws 2000,
15 Chapter 105, Section 6) is amended to read:

16 "21-16A-6. LEARNING CENTER TAX LEVY AUTHORIZED--
17 ELECTION.--

18 A. A board may adopt a resolution authorizing, for
19 learning center operational purposes, the imposition of a
20 property tax upon the taxable value of property in the
21 district. The total tax imposition that may be authorized
22 under the Learning Center Act shall not exceed a rate of five
23 dollars (\$5.00) on each one thousand dollars (\$1,000) of
24 taxable value of property in each district. [A] The tax
25 authorized pursuant to this section may not be imposed for a

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1 period of more than six years.

2 B. The tax authorized in Subsection A of this
3 section shall not be imposed in a district unless the question
4 of authorizing the imposition of the tax is submitted to the
5 voters of the district at a regular school district election
6 ~~[or a special election called for that purpose].~~

7 C. A resolution adopted pursuant to Subsection A of
8 this section shall specify:

9 (1) the rate of the proposed tax;

10 (2) the date of the election at which the
11 question of imposition of the tax will be submitted to the
12 voters of the district;

13 (3) the period of time the tax is authorized
14 to be imposed; and

15 (4) the proposed use of the revenues from the
16 proposed tax.

17 D. The election required by this section shall be
18 called, conducted and canvassed as provided in the School
19 Election Law.

20 E. If a majority of the voters voting on the
21 question votes for a learning center tax levy pursuant to a
22 resolution adopted under the Learning Center Act, the tax shall
23 be imposed. The tax rate shall be certified by the department
24 of finance and administration and imposed, administered and
25 collected in accordance with the provisions of the Oil and Gas

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1 Ad Valorem Production Tax Act, the Oil and Gas Production
2 Equipment Ad Valorem Tax Act, the Copper Production Ad Valorem
3 Tax Act and the Property Tax Code.

4 F. If a majority of the voters voting on the
5 question votes against a learning center tax levy pursuant to a
6 resolution adopted under the Learning Center Act, the tax shall
7 not be imposed. The board shall not again adopt a resolution
8 authorizing the imposition of a tax levy pursuant to the
9 Learning Center Act for at least two years after the date of
10 the resolution that the voters rejected.

11 G. The board may discontinue by resolution the
12 imposition of any tax authorized pursuant to the Learning
13 Center Act. The discontinuance resolution shall be mailed to
14 the department of finance and administration no later than June
15 15 of the year in which a tax rate pursuant to that act is not
16 to be certified."

17 **SECTION 14.** Section 22-18-2 NMSA 1978 (being Laws 1967,
18 Chapter 16, Section 229, as amended) is amended to read:

19 "22-18-2. BOND ELECTIONS--QUALIFICATION OF VOTERS--
20 CALLING FOR BOND ELECTIONS.--

21 A. Before any general obligation bonds are issued,
22 a local school board of a school district shall submit to a
23 vote of the qualified electors of the school district owning
24 real estate in the school district the question of creating a
25 debt by issuing the bonds, and a majority of those persons

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1 voting on the question shall vote for issuing the general
2 obligation bonds.

3 B. The election on the question of creating a debt
4 by issuing general obligation bonds shall be held at the same
5 time as a regular school district election [~~or at any special~~
6 ~~school district election which is not within ninety days after~~
7 ~~a regular school district election~~]. The question shall be
8 submitted to a vote at a [~~general or special~~] regular school
9 district election upon the initiative of a local school board
10 or upon a petition being filed with a local school board signed
11 by qualified electors of the school district having paid a
12 property tax on property in the school district for the
13 preceding year, according to the latest completed tax rolls.
14 The number of signatures required on the petition shall be at
15 least ten percent of the number of votes cast for governor in
16 the school district in the last preceding general election.
17 For the purpose of determining the number of votes cast for
18 governor in the school district at the last preceding general
19 election, any portion of a voting division within the school
20 district shall be construed to be wholly within the school
21 district. A local school board shall call for a bond election
22 at [~~a~~] the next regular [~~or special~~] school district election
23 [~~within ninety days from~~] following the date a properly signed
24 petition is filed with it."

25 SECTION 15. Section 22-18-8 NMSA 1978 (being Laws 1967,

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1 Chapter 16, Section 235) is amended to read:

2 "22-18-8. RESTRICTION ON BOND ELECTIONS.--In the event a
3 majority of those persons voting on a question submitted to the
4 voters in a bond election vote against creating a debt by
5 issuing general obligation bonds, no bond election shall be
6 held on the same question for a period of two years from the
7 date of the bond election [~~except upon the presentation of a~~
8 ~~petition pursuant to Section 77-15-2 New Mexico Statutes~~
9 ~~Annotated, 1953 Compilation and after the expiration of at~~
10 ~~least six months from the date of the previous bond election on~~
11 ~~the question. If a majority of those persons voting on a~~
12 ~~question submitted to the voters in a bond election for a~~
13 ~~second time within two years vote against creating a debt by~~
14 ~~issuing general obligation bonds, no bond election shall then~~
15 ~~be held on the same question for a period of two years from the~~
16 ~~date of first bond election on the question]."~~

17 SECTION 16. Section 22-25-5 NMSA 1978 (being Laws 1975
18 (S.S.), Chapter 5, Section 5, as amended) is amended to read:

19 "22-25-5. CONDUCT OF ELECTION--NOTICE--BALLOT.--

20 A. An election on the question of imposing a tax
21 under the Public School Capital Improvements Act may be held in
22 conjunction with a regular school district election [~~or may be~~
23 ~~conducted as or held in conjunction with a special school~~
24 ~~district election, but the election shall be held prior to July~~
25 ~~1 of the property tax year in which the tax is proposed to be~~

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1 ~~imposed~~]. Conduct of the election shall be as prescribed in
2 the School Election Law for regular ~~[and special]~~ school
3 district elections.

4 B. The proclamation required to be published as
5 notice of the election under Section 1-22-4 or 1-22-5 NMSA 1978
6 shall include as the question to be submitted to the voters
7 whether a property tax at a rate not to exceed the rate
8 specified in the authorizing resolution should be imposed for
9 the specified number of property tax years not exceeding six
10 years upon the net taxable value of all property allocated to
11 the school district for the capital improvements specified in
12 the authorizing resolution.

13 C. The ballot shall include the information
14 specified in Subsection B of this section and shall present the
15 voter the choice of voting "for the public school capital
16 improvements tax" or "against the public school capital
17 improvements tax".

18 SECTION 17. Section 22-26-5 NMSA 1978 (being Laws 1983,
19 Chapter 163, Section 5, as amended) is amended to read:

20 "22-26-5. CONDUCT OF ELECTION--NOTICE--BALLOT.--

21 A. An election on the question of imposing a tax
22 under the Public School Buildings Act may be held in
23 conjunction with a regular school district election ~~[or may be
24 conducted as or held in conjunction with a special school
25 district election, but the election shall be held prior to July~~

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1 ~~of the property tax year in which the tax is proposed to be~~
2 ~~imposed].~~ Conduct of the election shall be as prescribed in
3 the School Election Law for regular ~~[and special]~~ school
4 district elections.

5 B. The resolution required to be published as
6 notice of the election under Section 1-22-4 or 1-22-5 NMSA 1978
7 shall include as the question to be submitted to the voters
8 whether a property tax at a rate not to exceed the rate
9 specified in the authorizing resolution should be imposed for
10 the specified number of property tax years not exceeding six
11 years upon the net taxable value of all property allocated to
12 the school district for capital improvements.

13 C. The ballot shall include the information
14 specified in Subsection B of this section and shall present the
15 voter the choice of voting "for the public school buildings
16 tax" or "against the public school buildings tax".

17 SECTION 18. Section 22-26A-10 NMSA 1978 (being Laws 2007,
18 Chapter 173, Section 10, as amended) is amended to read:

19 "22-26A-10. CONDUCT OF ELECTION--NOTICE--BALLOT.--

20 A. An election on the question of imposing a tax
21 under Sections 22-26A-8 through 22-26A-12 NMSA 1978 may be held
22 in conjunction with a regular school district election ~~[or may~~
23 ~~be conducted as or held in conjunction with a special school~~
24 ~~district election, but the election shall be held prior to July~~
25 ~~of the property tax year in which the tax is proposed to be~~

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1 ~~imposed~~]. Conduct of the election shall be as prescribed in
2 the School Election Law for regular ~~[and special]~~ school
3 district elections.

4 B. The resolution required to be published as
5 notice of the election under Section 1-22-4 or 1-22-5 NMSA 1978
6 shall include as the question to be submitted to the voters
7 whether a property tax at a rate not to exceed the rate
8 specified in the authorizing resolution should be imposed for
9 the specified number of property tax years not exceeding thirty
10 years upon the net taxable value of all property allocated to
11 the school district for payments due under lease purchase
12 arrangements.

13 C. The ballot shall include the information
14 specified in Subsection B of this section and shall present the
15 voter the choice of voting "for the lease purchase tax" or
16 "against the lease purchase tax".

17 SECTION 19. Section 72-16-8 NMSA 1978 (being Laws 1963,
18 Chapter 311, Section 8) is amended to read:

19 "72-16-8. BOARD OF DIRECTORS.--The governing body of the
20 authority ~~[hereby created]~~ is a board of directors consisting
21 of five qualified electors of the authority. All powers,
22 rights, privileges and duties vested in or imposed upon the
23 authority are exercised and performed by and through the board
24 of directors; provided that the exercise of any ~~[and all]~~
25 executive, administrative and ministerial powers may be, by the

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1 board, delegated and redelegated to officers and employees of
2 the authority. Except for the first directors appointed as
3 ~~[hereinafter]~~ provided for in Section 72-16-9 NMSA 1978, and
4 except for any director chosen to fill an unexpired term, the
5 term of each director commences on the first day of January
6 ~~[next]~~ following ~~[a general]~~ election ~~[in the state]~~ and runs
7 for six years. Each director, subject to ~~[said]~~ such
8 exceptions, shall serve ~~[such]~~ a six-year term ending on the
9 first day of January ~~[next]~~ following ~~[a general]~~ election, and
10 each director shall serve until ~~[his]~~ a successor has been duly
11 chosen and qualified."

12 SECTION 20. Section 72-16-10 NMSA 1978 (being Laws 1963,
13 Chapter 311, Section 10, as amended) is amended to read:

14 "72-16-10. ELECTION OF DIRECTORS.--

15 A. ~~[At each general election]~~ On the first Tuesday
16 after the first Monday in November of each odd-numbered year,
17 directors shall be elected from single-member districts in
18 which they reside. The board shall ensure that the districts
19 remain contiguous, compact and as equal in population as is
20 practicable, assessing the existing districts following each
21 federal decennial census to accomplish that objective. A
22 redistricting shall be effective at the following regular board
23 election. Incumbent board members whose residences are
24 redistricted out of their districts may serve out their term of
25 office.

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1 B. The qualified electors of the authority shall
2 elect similarly one or two qualified electors as directors to
3 serve six-year terms as directors and as successors to the
4 directors whose terms end on the first day of January [~~next~~]
5 following each election. Nothing [~~herein~~] may be construed as
6 preventing [~~a~~] qualified [~~elector~~] electors of the authority
7 from [~~any~~] single-member [~~district~~] districts from being
8 elected or reelected as [~~a director~~] directors to succeed
9 [~~himself~~] themselves."

10 SECTION 21. Section 72-16-11 NMSA 1978 (being Laws 1963,
11 Chapter 311, Section 11, as amended) is amended to read:

12 "72-16-11. NOMINATION OF DIRECTORS.--Not later than
13 [~~forty-five days before a proposal to incur debt is first~~
14 ~~submitted to the taxpaying electors or at the first general~~
15 ~~election next following the effective date of the Arroyo Flood~~
16 ~~Control Act, whichever occurs first]~~ forty-nine days before an
17 election, written nominations of any candidate as director may
18 be filed with the secretary of the board. Each nomination of
19 any candidate shall be signed by not less than fifty taxpaying
20 electors who reside within the district for which the candidate
21 has been nominated, shall designate [~~therein~~] the name of the
22 [~~candidates thereby~~] candidate nominated and shall recite that
23 the subscribers are taxpaying electors of the district for
24 which the candidate is nominated and that the candidate [~~or~~
25 ~~candidates~~] designated [~~therein are~~] is a qualified [~~electors~~]

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1 elector of the authority and [~~reside~~] resides within the
2 district for which [~~they are~~] the candidate is nominated. No
3 taxpaying elector may nominate more than one candidate for any
4 vacancy. If a candidate does not withdraw [~~his~~] the
5 candidate's name before the time established by the county for
6 purposes of absentee ballots or as set forth in the Election
7 Code, whichever is earlier, [~~his~~] the candidate's name shall be
8 placed on the ballot. [~~For any election held after November 6,~~
9 ~~1984, nominations shall be made by qualified electors in~~
10 ~~accordance with the procedures and limitations of this section,~~
11 ~~except that such nominations shall be filed with the secretary~~
12 ~~of the board not later than the fourth Tuesday in June~~
13 ~~preceding the general election.]"~~

14 SECTION 22. Section 72-16-13 NMSA 1978 (being Laws 1963,
15 Chapter 311, Section 13) is amended to read:

16 "72-16-13. ORGANIZATIONAL MEETINGS.--Except for the first
17 board, each board shall meet on the first business day [~~next~~]
18 following the first day of January in each [~~odd-numbered~~] even-
19 numbered year at the office of the board within the authority.
20 Each member of the board, before entering upon [~~his~~] the
21 member's official duties, shall take and subscribe on oath
22 [~~that he will~~] to support the constitution of the United States
23 and the constitution and laws of New Mexico and [~~that he will~~]
24 to discharge faithfully and impartially [~~discharge~~] the duties
25 of [~~his~~] office to the best of [~~his~~] the member's ability,

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1 which oath shall be filed in the office of the secretary of
2 state. Each director shall, before entering upon [~~his~~] the
3 director's official duties, give a bond to the authority in the
4 sum of ten thousand dollars (\$10,000) with good and sufficient
5 surety, conditioned for the faithful performance of [~~each and~~]
6 all of the duties of [~~his~~] office, without fraud, deceit or
7 oppression, and the accounting for all [~~moneys~~] money and
8 property coming into [~~his~~] the director's hands and the prompt
9 and faithful payment of all [~~moneys~~] money and the delivering
10 of all property coming into [~~his~~] the director's custody or
11 control belonging to the authority to [~~his~~] the director's
12 successors in office. Premiums on all bonds provided for in
13 this section shall be paid by the authority and all such bonds
14 shall be kept on file in the office of the secretary of state."

15 SECTION 23. Section 72-16-28 NMSA 1978 (being Laws 1963,
16 Chapter 311, Section 28, as amended) is amended to read:

17 "72-16-28. ELECTIONS.--Each biennial election of
18 directors, each election proposition to issue bonds and all
19 other elections shall be conducted [~~at the time of the general~~
20 ~~election~~] on the first Tuesday after the first Monday in
21 November of an odd-numbered year under the direction of the
22 Bernalillo county clerk and in accordance with the election
23 laws of New Mexico."

24 SECTION 24. Section 72-16-29 NMSA 1978 (being Laws 1963,
25 Chapter 311, Section 29, as amended) is amended to read:

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1 "72-16-29. ELECTION RESOLUTION.--The board shall call any
2 election by resolution adopted at least [~~one hundred eighty~~
3 seventy days prior to the election. [~~Such~~] The resolution
4 shall recite the objects and purposes of the election and the
5 date upon which [~~such~~] the election shall be held."

6 SECTION 25. Section 72-16-34 NMSA 1978 (being Laws 1963,
7 Chapter 311, Section 34, as amended) is amended to read:

8 "72-16-34. ELECTION RETURNS.--In those polling places
9 where the county precincts coincide with the boundaries of the
10 authority, the regular [~~general election~~] precinct board shall
11 certify the results of the authority election to the county
12 canvassing board. The county canvassing board shall certify
13 directly to the secretary of the authority that portion of the
14 returns pertaining to the authority election. In those polling
15 places where the precincts are partly within and partly without
16 the authority's district, the authority shall appoint a
17 separate authority precinct board at the authority's expense,
18 which shall be provided space in the polling places where the
19 general election is being conducted. Paper ballots shall be
20 used in the conduct of the election, and the authority precinct
21 board shall conduct the election as provided in the Election
22 Code where paper ballots are used. The separate authority
23 precinct board shall certify the results of the election in
24 that precinct to the secretary of the authority within twelve
25 hours after the close of the polls. The secretary of the

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1 authority shall canvass the results of the authority election
2 as certified by the county canvassing board and as certified by
3 each of the separate authority precinct boards and shall
4 declare the results of the election at any regular or special
5 meeting held not less than five days following the date of the
6 election. Except as ~~herein~~ otherwise provided, any proposal
7 submitted at any election ~~hereunder~~ held pursuant to the
8 Arroyo Flood Control Act shall not carry unless the proposal
9 has been approved by a majority of the qualified electors of
10 the district voting ~~thereon~~ on the proposal."

11 SECTION 26. Section 72-17-8 NMSA 1978 (being Laws 1967,
12 Chapter 156, Section 8) is amended to read:

13 "72-17-8. BOARD OF DIRECTORS.--The governing body of the
14 authority hereby created is a board of directors consisting of
15 five qualified electors of the authority. All powers, rights,
16 privileges and duties vested in or imposed upon the authority
17 are exercised and performed by and through the board of
18 directors; provided that the exercise of any ~~and all~~
19 executive, administrative and ministerial powers may be, by the
20 board, delegated and redelegated to officers and employees of
21 the authority. Except for the first directors appointed as
22 ~~hereinafter~~ provided and except for any director chosen to
23 fill an unexpired term, the term of each director commences on
24 the first day of January next following ~~a general~~ the
25 director's election ~~in the state~~ and runs for six years.

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1 Each director, subject to ~~[said]~~ such exceptions, shall serve
2 such a six-year term ending on the first day of January next
3 following ~~[a general]~~ the director's election and each director
4 shall serve until ~~[his]~~ a successor has been duly chosen and
5 qualified."

6 SECTION 27. Section 72-17-10 NMSA 1978 (being Laws 1967,
7 Chapter 156, Section 10) is amended to read:

8 "72-17-10. ELECTION OF DIRECTORS.--At the time that a
9 proposal to incur debt ~~[shall be]~~ is first submitted to the
10 taxpaying electors or at the first general election next
11 following the effective date of the Las Cruces Arroyo Flood
12 Control Act, whichever occurs first, the qualified electors of
13 the authority shall elect five qualified directors, two to
14 serve a term ending January 1, 1969, two to serve a term ending
15 January 1, 1971 and one to serve a term ending January 1, 1973.
16 At the first election, the five candidates receiving the
17 highest number of votes shall be elected as directors. The
18 terms of the directors shall be determined by lot at their
19 organizational meeting. At each ~~[general]~~ election thereafter,
20 the qualified electors of the authority shall elect similarly
21 one or two qualified electors as directors to serve six-year
22 terms as directors and as successors to the directors whose
23 terms end on the first day of January next following each
24 ~~[such]~~ election. After January 1, 2016, elections shall be
25 held on the first Tuesday after the first Monday in November of

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1 each odd-numbered year. Nothing [~~herein~~] in this section may
2 be construed as preventing [~~a~~] qualified [~~elector~~] electors of
3 the authority from being elected or reelected as [~~a director~~]
4 directors to succeed [~~himself~~] themselves. If there [~~be~~] is
5 only one vacancy on the board, the candidate receiving the
6 highest number of votes shall be elected as director. If there
7 [~~be~~] are two vacancies on the board, the candidate receiving
8 the highest number of votes and the candidate receiving the
9 next highest number of votes shall be elected as directors."

10 SECTION 28. Section 72-17-11 NMSA 1978 (being Laws 1967,
11 Chapter 156, Section 11) is amended to read:

12 "72-17-11. NOMINATION OF DIRECTORS.--Not later than
13 [~~forty-five days before a proposal to incur debt shall be first~~
14 ~~submitted to the taxpaying electors or at the first general~~
15 ~~election next following the effective date of the Las Cruces~~
16 ~~Arroyo Flood Control Act, whichever occurs first]~~ forty-nine
17 days before an election, written nominations of any candidate
18 as director may be filed with the secretary of the board. Each
19 nomination of any candidate shall be signed by not less than
20 fifty taxpaying electors regardless of whether or not nominated
21 [~~therein~~]; shall designate [~~therein~~] the name of the candidates
22 [~~thereby nominated~~]; and shall recite that the subscribers
23 [~~thereto~~] are taxpaying electors and that the [~~candidate or~~]
24 candidates designated [~~therein~~] are qualified electors of the
25 authority. No written nomination may designate more qualified

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1 electors as candidates than there are vacancies. No taxpaying
2 elector may nominate more than one candidate for any vacancy.
3 If a candidate does not withdraw [~~his~~] the candidate's name
4 before the first publication of the notice of election, [~~his~~]
5 the candidate's name shall be placed on the ballot."

6 SECTION 29. Section 72-17-13 NMSA 1978 (being Laws 1967,
7 Chapter 156, Section 13) is amended to read:

8 "72-17-13. ORGANIZATIONAL MEETINGS.--Except for the first
9 board, each board shall meet on the first business day next
10 following the first day of January in each [~~odd-numbered~~] even-
11 numbered year at the office of the board within the authority.
12 Each member of the board, before entering upon [~~his~~] the
13 member's official duties, shall take and subscribe an oath that
14 [~~he~~] the member will support the constitution of the United
15 States and the constitution and laws of New Mexico and that
16 [~~he~~] the member will faithfully and impartially discharge the
17 duties of [~~his~~] office to the best of [~~his~~] the member's
18 ability, which oath shall be filed in the office of the
19 secretary of state. Each director shall, before entering upon
20 [~~his~~] the director's official duties, give a bond to the
21 authority in the sum of ten thousand dollars (\$10,000) with
22 good and sufficient surety, conditioned for the faithful
23 performance of each [~~and all~~] of the duties of [~~his~~] office,
24 without fraud, deceit or oppression, and the accounting for all
25 [~~moneys~~] money and property coming into [~~his~~] the director's

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1 hands, and the prompt and faithful payment of all [~~moneys~~
2 money and the delivering of all property coming into [~~his~~] the
3 director's custody or control belonging to the authority of
4 [~~his~~] the director's successors in office. Premiums on all
5 bonds provided for in this section shall be paid by the
6 authority, and all such bonds shall be kept on file in the
7 office of the secretary of state."

8 SECTION 30. Section 72-17-28 NMSA 1978 (being Laws 1967,
9 Chapter 156, Section 28) is amended to read:

10 "72-17-28. ELECTIONS.--Wherever in [~~this~~] the Las Cruces
11 Arroyo Flood Control Act an election of the qualified electors
12 or taxpaying electors of the authority is permitted or
13 required, [~~said~~] the election [~~may be held separately at a~~
14 ~~special election or may be held concurrently with any primary~~
15 ~~or general election held under the laws of the state; provided,~~
16 ~~however:~~

17 A. ~~each biennial election of directors shall be~~
18 ~~held concurrently with the general election in the state;~~

19 B. ~~no election shall be held at the same time as~~
20 ~~any regular election of a municipality or school district, any~~
21 ~~part of the area of which is located within the boundaries of~~
22 ~~the authority]~~ shall be held on the first Tuesday after the
23 first Monday in November of an odd-numbered year."

24 SECTION 31. Section 72-17-29 NMSA 1978 (being Laws 1967,
25 Chapter 156, Section 29) is amended to read:

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1 "72-17-29. ELECTION RESOLUTION.--The board shall call any
2 election by resolution adopted at least [~~sixty~~] seventy days
3 prior to the election. Such resolution shall recite the
4 objects and purposes of the election, the date upon which such
5 election shall be held and the form of the ballot. [~~In the~~
6 ~~case of any election not to be held concurrently with a primary~~
7 ~~or general election, the board shall provide in said election~~
8 ~~resolution or by supplemental resolution for the appointment of~~
9 ~~sufficient judges and clerks of the election, who shall be~~
10 ~~qualified electors of the authority, and in such event shall~~
11 ~~set their compensation. The election resolution shall also~~
12 ~~then designate the precincts and polling places. The~~
13 ~~description of precincts may be made by reference to any order~~
14 ~~of the governing body of any county, municipality or other~~
15 ~~public body in which the authority or any part thereof is~~
16 ~~situated or by reference to any previous order or by other~~
17 ~~instrument of such a governing body or by detailed description~~
18 ~~of such precincts or by other sufficient description.~~
19 ~~Precincts established by any such governing body may be~~
20 ~~consolidated in the election resolution by the board for any~~
21 ~~election not to be held concurrently with a primary or general~~
22 ~~election. If] The election shall be held [~~concurrently with a~~
23 ~~primary or general election held under the laws of the state,~~
24 ~~the judges of election for such primary or general election~~
25 ~~shall be designated as the judges of election for the election~~~~

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1 ~~held pursuant to this act, and they shall receive such~~
2 ~~additional compensation, if any, as the board shall set by the~~
3 ~~election resolution] on the first Tuesday after the first~~
4 ~~Monday in an odd-numbered year."~~

5 SECTION 32. Section 72-17-32 NMSA 1978 (being Laws 1967,
6 Chapter 156, Section 32) is amended to read:

7 "72-17-32. POLLING PLACES.--All polling places designated
8 by the election resolution shall be within the area included
9 within the authority [~~and if the election shall not be held~~
10 ~~concurrently with a primary or general election held under the~~
11 ~~laws of the state, there shall be one polling place in each of~~
12 ~~the election precincts which are used in the primary and~~
13 ~~general elections or in each of the consolidated election~~
14 ~~precincts fixed by the board]."~~

15 SECTION 33. Section 72-17-34 NMSA 1978 (being Laws 1967,
16 Chapter 156, Section 34) is amended to read:

17 "72-17-34. ELECTION RETURNS.--In the case of any election
18 held [~~hereunder which is not held concurrently with a primary~~
19 ~~or general election, the election officials shall make their~~
20 ~~returns directly to the secretary of the authority for the~~
21 ~~board. In the case of any election held hereunder which]~~
22 pursuant to the Las Cruces Arroyo Flood Control Act that is
23 consolidated with any [~~primary or general~~] other election, the
24 returns thereof shall be made and canvassed at the time and in
25 the manner provided by law for the canvass of the returns of

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1 ~~[such primary or general]~~ that election. It ~~[shall be]~~ is the
2 duty of ~~[such]~~ the canvassing body to certify promptly and to
3 transmit to the secretary of the authority for the board a
4 statement of the result of the vote upon any candidates or any
5 proposition submitted ~~[hereunder]~~ pursuant to that act. Upon
6 receipt of election returns from election officials or upon
7 receipt of such certificate from any such canvassing body, it
8 ~~[shall be]~~ is the duty of the board to tabulate and declare the
9 results of the election held ~~[hereunder]~~ pursuant to that act
10 at any regular or special meeting held not earlier than five
11 days following the date of the election. Except as ~~[herein]~~
12 otherwise provided in this section, any proposal submitted at
13 any election ~~[hereunder]~~ pursuant to that act shall not have
14 carried unless the proposal ~~[shall have]~~ has been approved by a
15 majority of the qualified electors ~~[of]~~ or the taxpaying
16 electors of the district voting thereon, as the case may be."

17 SECTION 34. Section 72-18-13 NMSA 1978 (being Laws 1981,
18 Chapter 377, Section 13) is amended to read:

19 "72-18-13. ORGANIZATION OF BOARD--INITIAL TERMS OF
20 DIRECTORS.--

21 A. After taking oath and filing bonds, the board
22 shall choose one of its members as ~~[chairman]~~ chair of the
23 board and shall choose a secretary and a treasurer of the board
24 and of the district. The secretary and treasurer may be one
25 person.

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1 B. The terms of the members of the initial board of
2 directors shall be determined by lot at their organizational
3 meeting. Two members shall serve until January 1 following the
4 first ~~[general]~~ election ~~[in the state]~~ following organization
5 of the district, two members shall serve until January 1
6 following the second ~~[general]~~ election ~~[in the state]~~
7 following organization of the district and one member shall
8 serve until January 1 following the third ~~[general]~~ election
9 ~~[in the state]~~ following organization of the district."

10 SECTION 35. Section 72-18-14 NMSA 1978 (being Laws 1981,
11 Chapter 377, Section 14) is amended to read:

12 "72-18-14. ELECTION OF DIRECTORS--NOMINATIONS.--

13 A. Flood control district elections shall be held
14 on the first Tuesday after the first Monday of November of each
15 odd-numbered year. At each ~~[general]~~ election ~~[in the state]~~
16 after organization of the district, there shall be elected by
17 the qualified registered electors of the district one or two
18 members of the board to serve for a term of six years. Except
19 for the initial board of directors and except for any director
20 chosen to fill an unexpired term, the term of each director
21 commences on January 1 following the ~~[general]~~ election ~~[in the~~
22 ~~state]~~ and runs for six years. Each director, subject to such
23 exceptions, shall serve a six-year term ending on January 1
24 next following ~~[a general]~~ election. Each director shall serve
25 until ~~[his]~~ a successor has been duly chosen and qualified.

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1 B. Not later than [~~thirty~~] forty-nine days before
2 any election, nominations may be filed with the secretary, and,
3 if a nominee does not withdraw [~~his~~] the nominee's name before
4 the first publication of the notice of election, [~~his~~] the
5 nominee's name shall be placed on the ballot."

6 **SECTION 36.** Section 72-18-15 NMSA 1978 (being Laws 1981,
7 Chapter 377, Section 15) is amended to read:

8 "72-18-15. VACANCIES ON THE BOARD.--Any vacancy on the
9 board shall be filled by appointment by a majority of the
10 remaining members of the board. The appointee shall serve
11 until the next [~~general~~] election when the vacancy shall be
12 filled by election. If the board fails to fill any vacancy
13 within thirty days after it occurs, the court declaring the
14 organization of the district shall fill the vacancy."

15 **SECTION 37.** Section 72-18-35 NMSA 1978 (being Laws 1981,
16 Chapter 377, Section 35) is amended to read:

17 "72-18-35. ELECTION.--Wherever in the Flood Control
18 District Act an election of the qualified registered electors
19 of a district is permitted or required, the election [~~may be~~
20 ~~held separately at a special election or may be held~~
21 ~~concurrently with any primary or general election held under~~
22 ~~the laws of the state; provided, however:~~

23 A. ~~each biennial election of directors shall be~~
24 ~~held concurrently with the general election in the state; and~~

25 B. ~~no election shall be held at the same time as~~

1 ~~any regular election of a municipality or school district any~~
2 ~~part of the area of which is located within the boundaries of~~
3 ~~the district]~~ shall be held on the first Tuesday after the
4 first Monday of an odd-numbered year."

5 SECTION 38. Section 72-18-35.1 NMSA 1978 (being Laws
6 1985, Chapter 177, Section 2) is amended to read:

7 "72-18-35.1. ELECTION OF DIRECTORS--ESTABLISHED
8 DISTRICT.--

9 A. In a district established pursuant to the Flood
10 Control District Act whose boundaries are coterminous with the
11 voting precincts of the county, the election of directors shall
12 be conducted by the county clerk in the same manner [~~and at the~~
13 ~~same time~~] as the general election in the state and the same
14 election officials shall preside. The returns of the election
15 shall be filed with the county clerk, who shall submit them to
16 the board of the district for the purposes of canvassing the
17 election of the district. The nominees for offices of
18 directors shall be determined in accordance with the resolution
19 of the board calling for the election, which shall provide that
20 nominees shall file for the office of director in the same
21 manner and form as for municipal offices, and a list of the
22 nominees shall be provided to the county clerk [~~not later than~~
23 ~~three days following the primary election~~]. All costs for
24 materials and supplies incurred by the county clerk on behalf
25 of the district shall be paid by the district to the clerk's

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1 office.

2 B. The district may provide for the cost of one
3 additional clerk of election to assist the county clerk
4 specifically in the conduct of the district election."

5 SECTION 39. Section 72-18-36 NMSA 1978 (being Laws 1981,
6 Chapter 377, Section 36) is amended to read:

7 "72-18-36. ELECTION RESOLUTION.--The board shall call any
8 election by resolution adopted at least [~~sixty~~] seventy days
9 before the election. The resolution shall recite the objects
10 and purposes of the election, the date on which the election
11 shall be held and the form of the ballot. [~~In the case of any~~
12 ~~election not held concurrently with a primary or general~~
13 ~~election, the board shall provide in the election resolution or~~
14 ~~by supplemental resolution for the appointment of sufficient~~
15 ~~judges and clerks of the election who shall be qualified~~
16 ~~registered electors of the district and shall set their~~
17 ~~compensation. In a special election, the election resolution~~
18 ~~shall also designate the precincts and polling places. The~~
19 ~~description of precincts may be made by reference to any order~~
20 ~~of the governing body of any county, municipality or other~~
21 ~~public body in which the district or any part thereof is~~
22 ~~situated, by reference to any previous order or by other~~
23 ~~instrument of such governing body, by detailed description of~~
24 ~~the precincts or by other sufficient description. Precincts~~
25 ~~established by a governing body may be consolidated in the~~

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1 ~~election resolution by the board for any election not to be~~
2 ~~held concurrently with a primary or general election. If the~~
3 ~~election is held concurrently with a primary or general~~
4 ~~election under the laws of the state, the judges of election~~
5 ~~for the election shall be designated as the judges of election~~
6 ~~held pursuant to the Flood Control District Act, and they shall~~
7 ~~receive such additional compensation, if any, as the board~~
8 ~~shall set by the election resolution.] All elections shall be~~
9 ~~held on the first Tuesday after the first Monday in November of~~
10 ~~an odd-numbered year."~~

11 SECTION 40. Section 72-18-41 NMSA 1978 (being Laws 1981,
12 Chapter 377, Section 41) is amended to read:

13 "72-18-41. ELECTION RETURNS.--In the case of an election
14 held under the Flood Control District Act [~~which~~] that is [~~not~~
15 ~~held concurrently with a primary or general election, the~~
16 ~~election officials shall make their returns directly to the~~
17 ~~secretary. In the case of any election held under that act~~
18 ~~which is]~~ consolidated with any [~~primary or general~~] other
19 election, the returns shall be made and canvassed at the time
20 and in the manner provided by law for the canvass of the
21 returns of [~~the general~~] that election. It shall be the duty
22 of the canvassing body to certify promptly and to transmit to
23 the secretary a statement of the result of the vote upon any
24 candidates or any proposition submitted under that act. Upon
25 receipt of election returns from election officials or upon

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1 receipt of the certificate of election from the canvassing
2 body, it shall be the duty of the board to tabulate and declare
3 the results of the election at any regular or special meeting
4 held not later than ten days following the date of the
5 election. Any proposal submitted at any election under the
6 Flood Control District Act shall not have carried unless the
7 proposal has been approved by a majority of the qualified
8 registered electors of the district voting on the proposal."

9 SECTION 41. Section 72-19-8 NMSA 1978 (being Laws 1990,
10 Chapter 14, Section 8, as amended) is amended to read:

11 "72-19-8. BOARD OF DIRECTORS.--The governing body of the
12 authority is a board of directors consisting of five qualified
13 electors of the authority. All powers, rights, privileges and
14 duties vested in or imposed upon the authority are exercised
15 and performed by and through the board of directors; provided
16 that the exercise of any executive, administrative and
17 ministerial powers may be, by the board, delegated and
18 redelegated to officers and employees of the authority. Except
19 for the first directors appointed as provided for in Section
20 72-19-9 NMSA 1978 or elected as provided for in Section
21 72-19-10 NMSA 1978 and except for any director chosen to fill
22 an unexpired term, the term of each director commences on the
23 first day of January [~~next~~] following [~~a general~~] the
24 director's election [~~in the state~~] and runs for six years.
25 Each director, subject to such exceptions, shall serve a six-

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1 year term ending on the first day of January next following [~~a~~
2 ~~general~~] election, and each director shall serve until [~~his~~] a
3 successor has been duly chosen and qualified."

4 SECTION 42. Section 72-19-10 NMSA 1978 (being Laws 1990,
5 Chapter 14, Section 10, as amended) is amended to read:

6 "72-19-10. ELECTION OF DIRECTORS.--At the time that a
7 proposal to incur debt is first submitted to the qualified
8 electors or at the first general election next following the
9 effective date of the Southern Sandoval County Arroyo Flood
10 Control Act, whichever occurs first, the qualified electors of
11 the authority shall elect five qualified directors, two to
12 serve a term ending January 1, 1993, two to serve a term ending
13 January 1, 1995 and one to serve a term ending January 1, 1997.
14 At the first election, the five candidates receiving the
15 highest number of votes shall be elected as directors. The
16 terms of the directors shall be determined by lot at their
17 organizational meeting. At each [~~general~~] election thereafter,
18 the qualified electors of the authority shall elect similarly
19 one or two qualified electors as directors to serve six-year
20 terms as directors and as successors to the directors whose
21 terms end on the first day of January next following each such
22 election. After January 1, 2016, elections shall be held on
23 the first Tuesday after the first Monday of November of each
24 odd-numbered year. Nothing in the Southern Sandoval County
25 Arroyo Flood Control Act shall be construed as preventing [~~a~~]

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1 qualified ~~[elector]~~ electors of the authority from being
2 elected or reelected as ~~[a director]~~ directors to succeed
3 ~~[himself]~~ themselves. If there is only one vacancy on the
4 board, the candidate receiving the highest number of votes
5 shall be elected as director. If there are two vacancies on
6 the board, the candidate receiving the highest number of votes
7 and the candidate receiving the next highest number of votes
8 shall be elected as directors."

9 SECTION 43. Section 72-19-11 NMSA 1978 (being Laws 1990,
10 Chapter 14, Section 11, as amended) is amended to read:

11 "72-19-11. NOMINATION OF DIRECTORS.--Not later than
12 ~~[forty-five days before a proposal to incur debt is first~~
13 ~~submitted to the qualified electors or at the first general~~
14 ~~election next following the effective date of the Southern~~
15 ~~Sandoval County Arroyo Flood Control Act, whichever occurs~~
16 ~~first]~~ forty-nine days before an election, written nominations
17 of any candidate as director may be filed with the secretary of
18 the board. Each nomination of any candidate shall be signed by
19 not less than fifty qualified electors, regardless of whether
20 or not nominated ~~[therein]~~, shall designate ~~[therein]~~ the name
21 of the candidates ~~[thereby]~~ nominated and shall recite that the
22 subscribers ~~[thereto]~~ are qualified electors and that the
23 ~~[candidate or]~~ candidates designated ~~[therein]~~ are qualified
24 electors of the authority. No written nomination may designate
25 more qualified electors as candidates than there are vacancies.

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1 No qualified elector may nominate more than one candidate for
2 any vacancy. If a candidate does not withdraw [~~his~~] the
3 candidate's name before the first publication of the notice of
4 election, [~~his~~] the candidate's name shall be placed on the
5 ballot. [~~For any election held after November 1990,~~
6 ~~nominations shall be made by qualified electors in accordance~~
7 ~~with the procedures and limitations of this section, except~~
8 ~~that such nominations shall be filed with the secretary of the~~
9 ~~board not later than the fourth Tuesday in June preceding the~~
10 ~~general election.]"~~

11 SECTION 44. Section 72-19-13 NMSA 1978 (being Laws 1990,
12 Chapter 14, Section 13) is amended to read:

13 "72-19-13. ORGANIZATIONAL MEETINGS.--Except for the first
14 board, each board shall meet on the first business day [~~next~~]
15 following the first day of January in each [~~odd-numbered~~] even-
16 numbered year at the office of the board within the authority.
17 Each member of the board, before entering upon [~~his~~] official
18 duties, shall take and subscribe on oath that [~~he~~] the member
19 will support the constitution of the United States and the
20 constitution and laws of New Mexico and [~~that he will~~]
21 faithfully and impartially discharge the duties of [~~his~~] office
22 to the best of [~~his~~] the member's ability, which oath shall be
23 filed in the office of the secretary of state. Each director
24 shall, before entering upon [~~his~~] official duties, give a bond
25 to the authority in the sum of ten thousand dollars (\$10,000)

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1 with good and sufficient surety, conditioned for the faithful
2 performance of all of the duties of [~~his~~] office, without
3 fraud, deceit or oppression, and the accounting for all money
4 and property coming into [~~his~~] the director's hands, and the
5 prompt and faithful payment of all money and the delivering of
6 all property coming into [~~his~~] the director's custody or
7 control belonging to the authority, to [~~his~~] the director's
8 successors in office. Premiums on all bonds provided for in
9 this section shall be paid by the authority, and all such bonds
10 shall be kept on file in the office of the secretary of state."

11 SECTION 45. Section 72-19-28 NMSA 1978 (being Laws 1990,
12 Chapter 14, Section 28, as amended) is amended to read:

13 "72-19-28. ELECTIONS.--Each biennial election of
14 directors shall be conducted [~~at the time of the general~~
15 ~~election]~~ on the first Tuesday after the first Monday in
16 November in each odd-numbered year under the direction of the
17 Sandoval county clerk and in accordance with the election laws
18 of New Mexico. Any other election of the authority, including
19 an election to seek approval for the issuance of bonds, shall
20 be conducted at [~~any time approved by the board in accordance~~
21 ~~with the election laws of New Mexico]~~ the same time. Elections
22 for the issuance of bonds may be by mail-in ballot pursuant to
23 the procedures set forth in the Mail Ballot Election Act."

24 SECTION 46. Section 72-19-34 NMSA 1978 (being Laws 1990,
25 Chapter 14, Section 34, as amended) is amended to read:

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1 "72-19-34. ELECTION RETURNS.--For authority elections
2 ~~[held at the time of the general election]~~, the regular
3 ~~[general]~~ election precinct board shall certify the results of
4 the authority election to the county canvassing board. The
5 county canvassing board shall certify directly to the secretary
6 of the authority that portion of the returns pertaining to the
7 authority election. Electronic voting machines shall be used
8 in the conduct of any authority election. ~~[For authority~~
9 ~~elections held at a different time than the general election,~~
10 ~~the authority shall appoint an authority precinct board at the~~
11 ~~authority's expense for each polling place. The authority~~
12 ~~precinct board shall conduct the election as provided in the~~
13 ~~Election Code. The separate authority precinct board shall~~
14 ~~certify the results of the election in that precinct to the~~
15 ~~secretary within twelve hours after the close of the polls.]~~
16 The secretary ~~[shall canvass the results of the authority~~
17 ~~election as certified by each of the separate authority~~
18 ~~precinct boards and]~~ shall declare the results of the election
19 at any regular or special meeting held not less than five days
20 following the date of the election. Except as otherwise
21 provided, any proposal submitted at any election held pursuant
22 to the Southern Sandoval County Arroyo Flood Control Act shall
23 not carry unless the proposal has been approved by a majority
24 of the qualified electors of the district voting on the
25 proposal."

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1 SECTION 47. Section 72-20-8 NMSA 1978 (being Laws 2007,
2 Chapter 99, Section 8, as amended) is amended to read:

3 "72-20-8. BOARD OF DIRECTORS.--

4 A. The governing body of the authority is a board
5 of directors consisting of three qualified electors of the
6 authority; provided that, after single-member districts are
7 created pursuant to Subsection B of Section 72-20-10 NMSA 1978
8 and after the expiration of the terms of any directors-at-large
9 who are serving at the time that single-member districts are
10 created:

11 (1) each director shall reside within and
12 represent a specified district; and

13 (2) if a director no longer resides within the
14 district that the director represents, the director's position
15 shall be deemed vacant and a successor shall be appointed to
16 serve the unexpired term pursuant to Section 72-20-12 NMSA
17 1978.

18 B. All powers, rights, privileges and duties vested
19 in or imposed upon the authority are exercised and performed by
20 and through the board of directors; provided that the exercise
21 of any executive, administrative and ministerial powers may be,
22 by the board, delegated and redelegated to officers and
23 employees of the authority or to any officer or employee
24 contracted by agreement to manage and administer the operations
25 of the authority. Except for the first directors appointed as

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1 provided for in Section 72-20-9 NMSA 1978 or elected as
2 provided in Section 72-20-10 NMSA 1978 and except for any
3 director chosen to fill an unexpired term, and except for the
4 first directors serving after the authority is divided into
5 single-member districts, the term of each director commences on
6 the first day of January next following [~~a general~~] the
7 director's election in the state and runs for six years. Each
8 director, subject to such exceptions, shall serve a six-year
9 term ending on the first day of January next following [~~a~~
10 ~~general~~] election, and each director shall serve until a
11 successor has been duly chosen and qualified."

12 SECTION 48. Section 72-20-10 NMSA 1978 (being Laws 2007,
13 Chapter 99, Section 10, as amended) is amended to read:

14 "72-20-10. ELECTION OF DIRECTORS--SINGLE-MEMBER
15 DISTRICTS.--

16 A. At the time that a proposal to incur debt is
17 first submitted to the qualified electors or at the first
18 general election following March 30, 2007, whichever occurs
19 first, the qualified electors of the authority shall elect five
20 qualified directors, two to serve a term ending January 1,
21 2011, two to serve a term ending January 1, 2013 and one to
22 serve a term ending January 1, 2015. At the first election,
23 the five candidates receiving the highest number of votes shall
24 be elected as directors. The terms of the directors shall be
25 determined by lot at their organizational meeting.

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1 B. Upon the exclusion of land pursuant to
2 Subsection C of Section 72-20-6 NMSA 1978, the two directors
3 elected in the 2010 general election shall be deemed to have
4 resigned, and, notwithstanding the provisions of Section
5 72-20-12 NMSA 1978, their positions shall not be filled.
6 Thereafter, the board shall consist of three directors. The
7 board shall divide the authority into three single-member
8 districts. The following provisions shall govern the procedure
9 for converting to single-member districts:

10 (1) the districts shall be as contiguous,
11 compact and as equal in population as is practicable;

12 (2) remaining terms for the three incumbent
13 directors shall be chosen by lot so that one term expires on
14 January 1, 2013, one term expires on January 1, 2015 and one
15 term expires on January 1, 2017;

16 (3) if, as a result of the division of the
17 authority into districts, two or more incumbent directors
18 reside within the same district, the board shall determine, by
19 lot, one of the directors to represent the district, and the
20 other directors residing within that district shall represent
21 the authority at large until their terms expire;

22 (4) if, as a result of the exclusion of land
23 pursuant to Subsection C of Section 72-20-6 NMSA 1978, one or
24 more incumbent directors reside outside of any district, the
25 directors shall represent the authority at large until their

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1 terms expire; and

2 (5) if more than one director represents the
3 authority at large pursuant to Paragraph (3) or (4) of this
4 subsection, the board shall determine by lot the district that
5 will elect a resident to succeed a director-at-large as the
6 term of each director-at-large expires.

7 C. ~~[At the 2012 and each subsequent general~~
8 ~~election, for the single-member district in which the term of~~
9 ~~the incumbent director or the term of a director-at-large~~
10 ~~assigned by lot pursuant to Paragraph (2) of Subsection B of~~
11 ~~this section will expire on the first day of the January~~
12 ~~immediately following the election]~~ A director who is a
13 qualified elector and a resident of the district shall be
14 elected by the qualified electors who are residents of that
15 district to serve a six-year term. Elections for directors
16 shall be held on the first Tuesday after the first Monday in
17 November of each odd-numbered year for staggered six-year
18 terms.

19 D. Nothing in this section shall be construed as
20 preventing qualified electors of the authority from being
21 elected or reelected as directors to succeed themselves;
22 provided that they reside in the district from which they are
23 elected.

24 E. As soon as feasible after each federal decennial
25 census, the board shall assess the existing districts to

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1 determine if the districts remain as equal in population as is
2 practicable and, if necessary, shall redistrict the authority
3 into districts that remain contiguous, compact and as equal in
4 population as is practicable; provided that:

5 (1) a redistricting shall be effective at the
6 next following general election; and

7 (2) an incumbent director whose residence is
8 redistricted out of the district represented by the director
9 shall serve until the next general election, at which a
10 qualified elector who resides within the district shall be
11 elected to fill the unexpired term."

12 SECTION 49. Section 72-20-11 NMSA 1978 (being Laws 2007,
13 Chapter 99, Section 11, as amended) is amended to read:

14 "72-20-11. NOMINATION OF DIRECTORS.--Not later than
15 ~~[forty-five days before a proposal to incur debt is first~~
16 ~~submitted to the qualified electors or at the first general~~
17 ~~election following March 30, 2007, whichever occurs~~
18 ~~first]~~ forty-nine days before an election, written nominations
19 of any candidate as director may be filed with the secretary of
20 the board. Each nomination of any candidate shall be signed by
21 not less than fifty qualified electors, regardless of whether
22 or not nominated therein, shall designate therein the name of
23 the candidates thereby nominated and shall recite that the
24 subscribers thereto are qualified electors and that the
25 candidate or candidates designated therein are qualified

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1 electors of the authority. No written nomination may designate
2 more qualified electors as candidates than there are vacancies.
3 No qualified elector may nominate more than one candidate for
4 any vacancy. If a candidate does not withdraw the candidate's
5 name before the first publication of the notice of election,
6 the candidate's name shall be placed on the ballot. For any
7 election held after November 2010, nominations shall be made by
8 qualified electors in accordance with the procedures and
9 limitations of this section, except that:

10 A. such nominations shall be filed with the
11 secretary of the board not later than [~~the fourth Tuesday in~~
12 ~~June~~] forty-nine days preceding the [~~general~~] election;

13 B. each nomination shall designate only one
14 candidate;

15 C. all of the qualified electors signing each
16 nomination and the person nominated shall reside within the
17 district for which the candidate has been nominated; and

18 D. each nomination shall recite that the
19 subscribers thereto are qualified electors who reside in the
20 district for which the candidate is nominated and that the
21 person nominated is a qualified elector who resides in the
22 district for which the person is nominated."

23 **SECTION 50.** Section 72-20-13 NMSA 1978 (being Laws 2007,
24 Chapter 99, Section 13) is amended to read:

25 "72-20-13. ORGANIZATIONAL MEETINGS.--Except for the first

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1 board, each board shall meet on the first business day next
2 following the first day of January in each [~~odd-numbered~~] even-
3 numbered year, at the office of the board within the authority.

4 Each member of the board, before entering upon the member's
5 official duties, shall take and subscribe on oath that the
6 member will support the constitution of the United States and
7 the constitution and laws of New Mexico and that the member
8 will faithfully and impartially discharge the duties of the
9 office to the best of the member's ability, which oath shall be
10 filed in the office of the secretary of state. Each director
11 shall, before entering upon the director's official duties,
12 give a bond to the authority in the sum of ten thousand dollars
13 (\$10,000) with good and sufficient surety, conditioned for the
14 faithful performance of all of the duties of the director's
15 office, without fraud, deceit or oppression, and the accounting
16 for all money and property coming into the director's hands and
17 the prompt and faithful payment of all money and the delivering
18 of all property coming into the director's custody or control
19 belonging to the authority to the director's successors in
20 office. Premiums on all bonds provided for in this section
21 shall be paid by the authority and all such bonds shall be kept
22 on file in the office of the secretary of state."

23 SECTION 51. Section 72-20-28 NMSA 1978 (being Laws 2007,
24 Chapter 99, Section 28) is amended to read:

25 "72-20-28. ELECTIONS.--Each biennial election of

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1 directors shall be conducted [~~at the time of the general~~
2 ~~election~~] on the first Tuesday after the first Monday in
3 November in each odd-numbered year under the direction of the
4 Sandoval county clerk and in accordance with the election laws
5 of New Mexico. Any other election of the authority, including
6 an election to seek approval for the issuance of bonds, shall
7 be conducted at [~~any time approved by the board in accordance~~
8 ~~with the election laws of New Mexico~~] that time. Elections for
9 the issuance of bonds may be by mail-in ballot pursuant to the
10 procedures set forth in the Mail Ballot Election Act."

11 SECTION 52. Section 72-20-29 NMSA 1978 (being Laws 2007,
12 Chapter 99, Section 29) is amended to read:

13 "72-20-29. ELECTION RESOLUTION.--The board shall call any
14 election by resolution adopted at least [~~fifty~~] seventy days
15 prior to the election. The resolution shall recite the objects
16 and purposes of the election and the date upon which the
17 election shall be held."

18 SECTION 53. Section 72-20-34 NMSA 1978 (being Laws 2007,
19 Chapter 99, Section 34) is amended to read:

20 "72-20-34. ELECTION RETURNS.--For authority elections
21 [~~held at the time of the general election~~], the regular general
22 election precinct board shall certify the results of the
23 authority election to the county canvassing board. The county
24 canvassing board shall certify directly to the secretary that
25 portion of the returns pertaining to the authority election.

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1 ~~[For authority elections held at a different time than the~~
2 ~~general election, the authority shall appoint an authority~~
3 ~~precinct board at the authority's expense for each polling~~
4 ~~place. The authority precinct board shall conduct the election~~
5 ~~as provided in the Election Code. The separate authority~~
6 ~~precinct board shall certify the results of the election in~~
7 ~~that precinct to the secretary within twelve hours after the~~
8 ~~close of the polls.] The secretary shall [canvass the results~~
9 ~~of the authority election as certified by each of the separate~~
10 ~~authority precinct boards and shall]~~ declare the results of the
11 election at any regular or special meeting held not less than
12 five days following the date of the election. Except as
13 otherwise provided, any proposal submitted at any election held
14 pursuant to the Eastern Sandoval County Arroyo Flood Control
15 Act shall not carry unless the proposal has been approved by a
16 majority of the qualified electors of the district voting on
17 the proposal."

18 SECTION 54. Section 73-14-20.1 NMSA 1978 (being Laws
19 1990, Chapter 48, Section 1, as amended) is amended to read:

20 "73-14-20.1. QUALIFIED ELECTOR LIST.--

21 A. The board of directors of the conservancy
22 district may contract for a list compiler before each election
23 to compile and produce a qualified elector's list for the
24 district. The list compiler shall deliver the completed list
25 to the election director no later than forty-five days prior to

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1 a district election. An individual who purchases property
2 ninety days prior to an election and whose name does not appear
3 on the qualified elector's list shall not vote in that
4 election. The individual may become certified to vote in a
5 future election by filing [~~his~~] a deed of title with the
6 appropriate county clerk at least ninety days before the next
7 conservancy district election.

8 B. Names of qualified electors shall be obtained
9 from the records of the county clerk of the appropriate county,
10 the appropriate county assessor of the appropriate county,
11 records of the conservancy district or from the census bureau
12 and enrollment records provided by the pueblos. The county
13 assessor of the appropriate county, the county clerk of the
14 appropriate county and the tribal representatives of the
15 appropriate pueblos shall deliver to the election director all
16 records regarding qualified electors of the benefited area no
17 later than the last day of each [~~March~~] July before a district
18 election.

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

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1 D. Proof of ownership of land within the benefited
2 area requires one of the following:

3 (1) a recorded deed or real estate contract
4 indicating current ownership of land within the benefited area;

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

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

12 (4) a current property tax bill indicating
13 ownership of land within the benefited area.

14 E. The election officer or the election director
15 shall distribute to each polling place a current qualified
16 elector's list for the appropriate county. The election
17 officer or the election director shall distribute the qualified
18 elector's list to each polling place within a pueblo located
19 within the benefited area. A qualified elector may vote at any
20 one polling place in the pueblo or county where ~~[he]~~ the
21 elector owns land. An individual who seeks to cast ~~[his]~~ a
22 vote but ~~[finds his]~~ whose name is not on the qualified
23 elector's list shall not be allowed to vote in that election."

24 SECTION 55. Section 73-14-24 NMSA 1978 (being Laws 1975,
25 Chapter 262, Section 7, as amended) is amended to read:

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1 "73-14-24. TIME AND PROCEDURE FOR ELECTION.--

2 A. On the [~~first~~] last Tuesday [~~after the first~~
3 ~~Monday in January~~] in August prior to the middle Rio Grande
4 conservancy district election, an election proclamation shall
5 be published that includes a list of the offices for which a
6 candidate may file, the date and place at which declarations of
7 candidacy shall be filed and the date of the election. The
8 election proclamation shall be published once in a newspaper of
9 general circulation in the counties in which the election shall
10 be held.

11 B. The members of the boards of directors created
12 pursuant to provisions of Sections 73-14-18 through [~~73-14-32~~]
13 73-14-31.3 and 73-14-89 through 73-14-92 NMSA 1978 shall be
14 elected at an election held on the first Tuesday after the
15 first Monday in [~~June in 2001~~] November in 2017 and in each
16 odd-numbered year thereafter.

17 C. The elections for the members of the board of
18 directors of the conservancy district shall be conducted,
19 counted and canvassed as provided in Sections 73-14-18 through
20 [~~73-14-32~~] 73-14-31.3 and 73-14-84 through [~~73-14-86~~] 73-14-92
21 NMSA 1978. The polls may be opened and closed in the same
22 manner as provided for the general election under the Election
23 Code.

24 D. If only one candidate has filed a declaration of
25 candidacy for a position to be filled at an election, no

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1 declared write-in candidate has filed for a position and there
2 are no questions or bond issues on the ballot, only one polling
3 place for the election may be designated. The one polling
4 place may be located in the office of the election director or
5 in the office of the middle Rio Grande conservancy district."

6 SECTION 56. Section 73-14-25 NMSA 1978 (being Laws 1975,
7 Chapter 262, Section 8, as amended) is amended to read:

8 "73-14-25. DECLARATION OF CANDIDACY--SIGNATURES OF
9 ELECTORS.--

10 A. [~~Any~~] A person who desires to become a candidate
11 for election as a member of the conservancy district board of
12 directors shall file [~~his~~] a written declaration of candidacy
13 with the election director or with the election officer at
14 least [~~sixty~~] forty-nine days before the election. The
15 election officer or the election director shall certify the
16 candidates to the board of directors.

17 B. The declaration of candidacy shall contain:

18 (1) a statement that the candidate is a
19 qualified elector of the district and meets the qualifications
20 of a director as required by law;

21 (2) the candidate's name, address, county of
22 residence and date of declaration of candidacy;

23 (3) the numerical designation of the position
24 on the board of directors for which [~~he~~] the candidate desires
25 to be a candidate;

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1 (4) if a candidate for a position representing
2 a county in the conservancy district, a petition signed by at
3 least seventy-five qualified electors of the district who
4 reside in that county;

5 (5) if a candidate for the position at large
6 in the conservancy district, a petition signed by at least one
7 hundred twenty-five qualified electors; and

8 (6) a statement that the candidate resides
9 within the conservancy district and in the county for which
10 ~~[he]~~ the candidate desires to be a candidate on the board of
11 directors."

12 SECTION 57. Section 73-14-61 NMSA 1978 (being Laws 1943,
13 Chapter 126, Section 8, as amended) is amended to read:

14 "73-14-61. NOTICE OF CANDIDACY--SIGNATURES OF ELECTORS.--
15 Any qualified elector, as ~~[herein]~~ defined in Section 73-14-57
16 NMSA 1978, who desires to become a candidate for election as a
17 director shall, at least ~~[forty]~~ forty-nine days prior to the
18 election, file with the secretary of the board of directors
19 then in office ~~[his]~~ a written notice of candidacy, which shall
20 state ~~[his]~~ the candidate's name and residence and the term for
21 which ~~[he]~~ the candidate is a candidate for election within the
22 conservancy district. If ~~[he]~~ the candidate is a candidate at
23 large, ~~[his]~~ the candidate's notice of candidacy ~~[must]~~ shall
24 be signed by twenty qualified electors resident within the
25 district. If ~~[he]~~ the candidate is a candidate only from that

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1 portion of the district [~~which~~] that lies within one county,
2 [~~his~~] the candidate's notice of candidacy [~~must~~] shall be
3 signed by ten qualified electors who reside within that
4 particular portion of the district and county from which the
5 candidate seeks to be elected. No person who has not filed
6 [~~his~~] a notice of candidacy as and within the time required in
7 this section shall be placed on the ballot."

8 SECTION 58. Section 73-14-62 NMSA 1978 (being Laws 1943,
9 Chapter 126, Section 9, as amended) is amended to read:

10 "73-14-62. TIME, PLACE AND PROCEDURE FOR ELECTION.--

11 A. The five director-members of the board of
12 directors [~~by this act~~] created by Sections 73-14-54 through
13 73-14-69 NMSA 1978 shall be elected on the first Tuesday of
14 October [~~of the year~~] 1943, and [~~of~~] each succeeding sixth year
15 thereafter at general election for districts having less than
16 one hundred thousand acres. The five director-members of the
17 boards of directors of conservancy districts formed after July
18 1, 1952 shall be elected on the first Tuesday of October, 1959,
19 and [~~of~~] each succeeding sixth year thereafter at general
20 election.

21 B. Not less than [~~thirty~~] seventy days prior to
22 [~~said~~] the election, the board of directors then in office
23 shall meet and by written resolution, which shall be preserved
24 among the permanent records of the board, shall select a voting
25 place within each voting precinct or voting division [~~thereof~~]

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1 within the conservancy district and shall select three judges
2 of election to conduct the election at the place [~~so~~] selected.
3 [~~Said~~] The judges shall be qualified electors, as [~~herein~~]
4 defined in Section 73-14-57 NMSA 1978, and residents of the
5 precinct within which they are appointed to act and shall serve
6 without pay. The resolution shall appoint one of [~~said~~] the
7 judges to receive the ballots and post [~~its~~] a notice of
8 election. Not less than five days thereafter, the secretary of
9 [~~said~~] the board shall notify each judge [~~so~~] selected of [~~his~~]
10 the judge's appointment [~~as such~~] and send to the judge
11 selected to receive the ballots four copies of a notice of
12 election [~~which~~] that shall state the time and purpose
13 [~~thereof~~] of the election, the place where held within the
14 precinct and the names of the judges selected for [~~such~~] the
15 precinct [~~and said~~]. The notices shall be posted at the four
16 most prominent places within the precinct as soon as received.

17 C. Elections held after July 1, 2016 shall be held
18 on the first Tuesday after the first Monday in November in odd-
19 numbered years."

20 SECTION 59. Section 73-14-64 NMSA 1978 (being Laws 1943,
21 Chapter 126, Section 11) is amended to read:

22 "73-14-64. CONDUCT OF ELECTION--PROCEDURE.--

23 A. The judges of election shall select one of their
24 number to act as clerk of election and shall open the polls at
25 [~~9:00 o'clock~~] 7:00 a.m. and close the polls at [~~6:00~~] 7:00

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1 p.m. on the day of election.

2 B. If, within one-half hour after the time [~~so~~] set
3 for the opening of the polls, it [~~shall appear~~] appears that
4 any of the judges so appointed is unable to serve as such,
5 those qualified electors then present at the polls may select
6 another judge to fill the vacancy.

7 C. Immediately after the closing of the polls, the
8 judges of election shall proceed to open the ballot boxes,
9 count the total votes cast and those cast for each candidate
10 and by triplicate copies, each to be signed by all three
11 judges, certify the [~~same~~] copies to the board of directors
12 then in office. One of [~~said~~] the certificates, together with
13 all ballots cast, shall be placed in the ballot box, which
14 shall be securely locked and sealed and [~~shall be~~] delivered to
15 the secretary of the board of directors then in office by one
16 or more of [~~said~~] the judges of election in person, not less
17 than twenty-four hours after the closing of the polls. One of
18 [~~said~~] the certificates shall be mailed to [~~said~~] the secretary
19 of the board, and the third shall be filed with the county
20 clerk of the county in which [~~said~~] the precinct is situate,
21 likewise within twenty-four hours after [~~said~~] the polls are
22 closed."

23 **SECTION 60.** Section 73-14-73 NMSA 1978 (being Laws 1961,
24 Chapter 67, Section 5) is amended to read:

25 "73-14-73. ELECTIONS--WHEN HELD.--

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1 A. The first election for conservancy districts
2 existing on July 1, 1961 and eligible under the provisions of
3 Section ~~[75-28-53 New Mexico Statutes Annotated, 1953~~
4 ~~Compilation]~~ 73-14-74 NMSA 1978 to have an elected board of
5 directors shall be held on the first Tuesday in October 1961.

6 B. Subsequent elections shall be held every two
7 years following the year 1961 and shall be held on the first
8 Tuesday ~~[of October]~~ after the first Monday in November in odd-
9 numbered years.

10 C. Conservancy districts formed after July 1, 1961
11 shall hold their first election as provided in Section
12 ~~[75-28-53 New Mexico Statutes Annotated, 1953 Compilation]~~
13 73-14-74 NMSA 1978."

14 SECTION 61. Section 73-14-78 NMSA 1978 (being Laws 1961,
15 Chapter 67, Section 10) is amended to read:

16 "73-14-78. NOTICE OF CANDIDACY--SIGNATURES OF ELECTORS.--

17 A. Any qualified elector who desires to become a
18 candidate for election as a member of a conservancy district
19 board of directors shall file ~~[his]~~ a written notice of
20 candidacy with the secretary of the existing appointed or
21 elected board at least ~~[twenty]~~ forty-nine days before the
22 election.

23 B. A notice for candidacy shall state:

- 24 (1) the candidate's name and address; and
25 (2) the numerical designation of the office

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1 position on the board for which [~~he~~] the candidate desires to
2 be a candidate.

3 C. In addition to the requirements of Subsection B
4 of this section, a notice for candidacy shall be signed by at
5 least ten qualified electors within the conservancy district."

6 SECTION 62. Section 73-14-83 NMSA 1978 (being Laws 1961,
7 Chapter 67, Section 15) is amended to read:

8 "73-14-83. ELECTION--POLLS--OPENING AND CLOSING TIMES.--
9 The polls shall open at [~~nine o'clock~~] 7:00 a.m. and close
10 promptly at [~~six o'clock~~] 7:00 p.m. on election day."

11 SECTION 63. Section 73-20-37 NMSA 1978 (being Laws 1965,
12 Chapter 137, Section 11, as amended) is amended to read:

13 "73-20-37. DISTRICT SUPERVISORS--ELECTION AND
14 APPOINTMENT--NEW DISTRICTS.--

15 A. The governing body of a district shall be
16 composed of five supervisors who shall be residents of the
17 district and shall be elected; provided, however, two
18 additional supervisors may be appointed to the governing body
19 of each district by the commission in accordance with the
20 provisions of the Soil and Water Conservation District Act.
21 Four elected supervisor positions of each district shall be
22 filled by landowners within the defined geographical area of
23 their district. One elected supervisor position shall be
24 designated supervisor-at-large and the supervisor filling that
25 position may serve the district without landowner

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1 qualification.

2 B. Unless a different time is prescribed by the
3 commission, within thirty days following the issuance of a
4 certificate of organization to the two interim supervisors of a
5 district, declarations of candidacy for supervisors of the
6 district may be filed with the commission. The commission
7 shall give due notice of election for the offices of five
8 district supervisors. All registered voters residing within
9 the district shall be eligible to vote. The commission shall
10 adopt and prescribe regulations governing the conduct of the
11 election, shall determine voter eligibility and shall supervise
12 the election and publish its results. The districts shall bear
13 the expenses of elections; however, the commission shall bear
14 the expenses of the first election of a newly organized
15 district.

16 C. In the first election of supervisors to serve a
17 newly organized district, two supervisors shall be elected for
18 terms of four years and three supervisors shall be elected for
19 terms of two years. Thereafter, each elected supervisor shall
20 serve a term of four years and shall continue in office until
21 [~~his~~] a successor has been elected or appointed and has
22 completed an oath of office. Oaths of office may not be
23 completed prior to [~~July 1~~] January 1 after an election. A
24 vacant unexpired term of the office of an elected supervisor
25 shall be filled by appointment by the remaining supervisors of

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1 the district. Two or more vacant unexpired terms occurring
2 simultaneously in the same district shall be filled by
3 appointment by the commission.

4 D. Appointed interim supervisors may continue to
5 serve as appointed supervisors at the pleasure of the
6 commission or until their successors are otherwise appointed."

7 SECTION 64. Section 73-20-38 NMSA 1978 (being Laws 1965,
8 Chapter 137, Section 12, as amended) is amended to read:

9 "73-20-38. DISTRICT SUPERVISORS--ELECTION AND
10 APPOINTMENT--ORGANIZED DISTRICTS.--

11 A. Successors to supervisors whose terms end in a
12 calendar year shall be elected on the first Tuesday [~~in May of~~
13 ~~that year~~] after the first Monday in November in odd-numbered
14 years. Elections shall be called, conducted and returned in
15 accordance with rules adopted and prescribed by the commission.

16 B. A canvassing board appointed by the commission
17 shall determine the results of a district election, shall
18 certify and publish the results and shall give the commission
19 notice of its canvass within seven days of its completion. A
20 canvass is considered complete when all challenges have been
21 resolved to the satisfaction of the canvassing board.

22 C. Rules adopted and published by the commission
23 and the election provisions of the Soil and Water Conservation
24 District Act shall be exclusive in the conduct of district
25 elections. The commission may adopt and publish rules to carry

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1 out the provisions of the Soil and Water Conservation District
2 Act.

3 D. By June 15 of each year, the district
4 supervisors may submit to the commission a list of persons
5 interested in the district and who by experience or training
6 are qualified to serve as supervisors. The commission may
7 appoint from the list submitted, or at will, two persons to
8 serve as supervisors if it is the determination of the
9 commission that the appointments are necessary or desirable and
10 would benefit or facilitate the work and functions of the
11 district. In the event a list is not submitted to the
12 commission by the supervisors by June 15, the commission may
13 appoint at will two supervisors qualified to serve by training
14 or experience. Appointed supervisors shall serve at the
15 pleasure of the commission and shall have the same powers and
16 perform the same duties as elected supervisors. Successors to
17 appointed supervisors, or replacement-appointed supervisors in
18 the event of vacancy, shall be appointed by the commission from
19 a list of candidates or at will in accordance with the
20 provisions of this subsection."

21 SECTION 65. Section 73-20-46 NMSA 1978 (being Laws 1965,
22 Chapter 137, Section 20, as amended) is amended to read:

23 "73-20-46. DISTRICT ASSESSMENTS.--

24 A. In the event a district is unable to meet or
25 bear the expense of the duties imposed upon it by the Soil and

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1 Water Conservation District Act, the supervisors may adopt a
2 resolution that, to be effective, shall be approved by
3 referendum in the district and that shall provide for an annual
4 levy for a stated period of up to ten years in a stated amount
5 not exceeding one dollar (\$1.00) on each one thousand dollars
6 (\$1,000) of net taxable value, as that term is defined in the
7 Property Tax Code, of real property within the district, except
8 that real property within incorporated cities and towns in the
9 district may be excluded. The referendum held to approve or
10 reject the resolution of the supervisors shall be conducted
11 with appropriate ballot and ~~[in substantially the same manner~~
12 ~~as a referendum adopting and approving the creation of a~~
13 ~~proposed district]~~ held at the same time as elections for
14 supervisors. After the initial authorization is approved by
15 referendum, the supervisors shall adopt a resolution in each
16 following year authorizing the levy. To extend an assessment
17 beyond the period of time originally authorized and approved by
18 referendum, the supervisors shall adopt a new resolution and
19 the district voters shall approve it in a referendum. The
20 extension shall be for the same period of time as originally
21 approved, but the rate of the tax may be different as long as
22 it does not exceed one dollar (\$1.00) on each one thousand
23 dollars (\$1,000) of net taxable value of real property within
24 the district, except that real property within incorporated
25 municipalities in the district may be excluded. If the

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1 district is indebted to the United States or the state or any
2 of their respective agencies or instrumentalities, including
3 the New Mexico finance authority, at the time of the expiration
4 of the original authorization, the supervisors may renew the
5 assessment by resolution for a period not to exceed the
6 maturity date of the indebtedness, and no referendum for that
7 renewal is necessary.

8 B. A resolution authorized under Subsection A of
9 this section shall not be effective, and neither a referendum
10 nor a levy is authorized, unless the resolution is submitted to
11 and approved in writing by the commission.

12 C. In the event a resolution of the supervisors is
13 adopted and approved in accordance with the provisions of
14 Subsection A of this section, the supervisors of the district
15 shall certify by the fifteenth of July of each year to the
16 county assessor of each county in which there is situate land
17 subject to the district assessment:

18 (1) a copy of the resolution of the
19 supervisors;

20 (2) the results of any referendum held in the
21 year the certification is made; and

22 (3) a list of landowners of the district and a
23 description of the land owned by each that is subject to
24 assessment.

25 D. A county assessor shall indicate the information

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1 on the tax schedules, compute the assessment and present the
2 district assessment by regular tax bill.

3 E. The district assessment shall be collected by
4 the county treasurer of each county in which taxable district
5 land is situate in the same manner and at the same time that
6 county ad valorem taxes are levied. The conditions, penalties
7 and rates of interest applicable to county ad valorem taxation
8 apply to the levy and collection of district assessments. A
9 county treasurer shall be entitled to a collection fee equal to
10 the actual costs of collection or four percent of the money
11 collected from the levy of the district assessment, whichever
12 is the lesser.

13 F. District funds, regardless of origin, shall be
14 transferred to and held by the supervisors and shall be
15 expended for district obligations and functions. The
16 supervisors shall prepare an annual budget and submit it for
17 approval to the commission and to the local government division
18 of the department of finance and administration. All district
19 funds shall be expended in accordance with the approved
20 budgets.

21 G. In the event the supervisors of a district
22 determine that there are or will be sufficient funds available
23 for the operation of the district for any year for which an
24 assessment is to be levied, they shall, by resolution, direct
25 the assessor of each county in which taxable district land is

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1 situate, by July 15 of each year, to decrease the district
2 assessment or to delete the district assessment reflected on
3 the tax schedules.

4 H. Any levy authorized by the Soil and Water
5 Conservation District Act and any loan or other indebtedness
6 authorized by that act that will require a levy shall be based
7 exclusively on or levied exclusively on the real property in
8 the district, except that real property within incorporated
9 cities and towns may be excluded."

10 SECTION 66. Section 73-21-14 NMSA 1978 (being Laws 1943,
11 Chapter 80, Section 13, as amended) is amended to read:

12 "73-21-14. ELECTIONS.--

13 A. In any district, except a district created
14 pursuant to a petition signed by the chair of the board of
15 county commissioners of a county, on the [~~second Tuesday of~~
16 ~~January~~] first Tuesday after the first Monday in November in
17 the [~~second calendar~~] odd-numbered year after the organization
18 of the district and on the [~~second Tuesday of January~~] first
19 Tuesday after the first Monday in November every second year
20 thereafter, there shall be elected by the taxpaying electors of
21 the district one member of the board to serve for a term of six
22 years, except that if the district elects to adopt four-year
23 terms, the member shall serve for a term of four years.

24 B. In any district created pursuant to a petition
25 signed by the chair of the board of county commissioners of a

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1 county, [~~one~~] in the odd-numbered year after the organization
2 of the district and every second year thereafter, there shall
3 be elected by the taxpaying electors of the district at least
4 two, but no more than three, members of the board to serve for
5 a term of two years. The election shall be held on the first
6 Tuesday after the first Monday in November.

7 C. Not later than [~~thirty~~] forty-nine days before
8 any election pursuant to Subsection A or B of this section,
9 nominations may be filed with the secretary of the board, and,
10 if a nominee does not withdraw the nominee's name before the
11 first publication of the notice of election, the name shall be
12 placed on the ballot. The board shall provide for holding such
13 election and shall appoint judges to conduct it. The secretary
14 of the district shall give notice of election by publication
15 and shall arrange such other details in connection with the
16 election as the board may direct. If within ninety days prior
17 to a board election, the district publishes materials that
18 describe the qualifications, experience and accomplishments of
19 incumbents, equal space shall be made available without charge
20 for similar information provided by opponents seeking a
21 position on the board. The returns of the election shall be
22 certified to and shall be canvassed and declared by the board.
23 The candidate receiving the most votes shall be elected. Any
24 new member of the board shall qualify in the same manner as
25 members of the first board qualify."

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1 SECTION 67. Section 73-21-28 NMSA 1978 (being Laws 1943,
2 Chapter 80, Section 25, as amended) is amended to read:

3 "73-21-28. BOARD RESOLUTION--INDEBTEDNESS--ELECTION.--

4 Whenever the board shall, by resolution, determine that the
5 interest of the district and the public interest or necessity
6 demand the acquisition, construction, installation or
7 completion of any works or other improvements or facilities, or
8 the making of any contract with the United States or other
9 persons or corporations, to carry out the objects or purposes
10 of the district, requiring the creation of a general obligation
11 indebtedness of five thousand dollars (\$5,000) or more, secured
12 by property tax revenue from within the district, the board
13 shall order the submission of the proposition of issuing the
14 obligations or bonds or creating other indebtedness to the
15 qualified taxpaying electors of the district at ~~[an]~~ a regular
16 district election ~~[held for that purpose. Any such election~~
17 ~~may be held separately or may be consolidated or held~~
18 ~~concurrently with any other election authorized by the Water~~
19 ~~and Sanitation District Act]~~. The declaration of public
20 interest or necessity required in this section and the
21 provision for the holding of the election may be included
22 within one and the same resolution. The resolution, in
23 addition to the declaration of public interest or necessity,
24 shall recite the objects and purposes for which the
25 indebtedness is proposed to be incurred, the estimated cost of

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1 the works or improvements, as the case may be, the amount of
2 principal of the indebtedness to be incurred and the maximum
3 rate of interest to be paid on the indebtedness. The
4 resolution shall also [~~fix~~] announce the date upon which the
5 election shall be held and the manner of holding it and the
6 method of voting for or against the incurring of the proposed
7 indebtedness. The resolution shall also fix the compensation
8 to be paid the officers of the election and shall designate the
9 polling place and shall appoint, for each polling place, from
10 the electors of the district, the officers of the election
11 consisting of three judges, one of whom shall act as clerk."

12 SECTION 68. TEMPORARY PROVISION.--Officers in the
13 affected offices serving in office as of, and that were elected
14 to office prior to, the effective date of this act shall serve
15 the remainder of their unexpired terms for which they were
16 elected and shall serve until the officer's successor has been
17 elected and qualified following the 2017 election.

18 SECTION 69. REPEAL.--Section 21-16-21 NMSA 1978 (being
19 Laws 1964 (1st S.S.), Chapter 12, Section 6) is repealed.

20 SECTION 70. EFFECTIVE DATE.--The effective date of the
21 provisions of this act is July 1, 2016.