

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:

N/A

Duplicates/Relates to Appropriation in the General Appropriation Act

N/A

SECTION III: NARRATIVE

This analysis is neither a formal Opinion nor an Advisory Letter issued by the New Mexico Department of Justice. This is a staff analysis in response to a committee or legislator's request. The analysis does not represent any official policy or legal position of the NM Department of Justice.

BILL SUMMARY

Synopsis:

This bill removes the Arch Hurley Conservancy District from the local election act, it provides timing and other procedures for the Arch Hurley Conservancy District's elections, it restores election provisions for the district that were repealed by the local election act, and it amends and enacts Sections of the NMSA 1978.

Section 1 adds language to the definition of local government, to expressly exempt from the definition a conservancy district subject to the provisions of Sections 73-18-25 through 73-18-43 NMSA 1978.

Section 2 replaces the language Local Election Act, and includes language to state provisions of Section 73-18-25 through 73-18-43 NMSA 1978, and it adds language about how elections shall be held through a process determined by the board of directors who also determine how much judges shall be paid.

Section 3 removes the language that notes that the conservancy district shall compile and deliver a qualified elector list to the appropriate county clerk no later than on hundred eighty days before an election and update the list, and Section 4 adds language detailing when the candidate shall file to become a candidate for the office of director, removing the language of Local Election Act.

Section 5 includes language about General Election Laws instead of the Local Election Act and expressly provides that Sections 73-18-25 through 73-18-43 NMSA 1978 are outside of the general election laws.

Section 6 adds language about how notice of elections will issue for the conservancy district elections.

Section 7 provides that the board of directors shall by resolution adopt all forms necessary to the

operation of Sections 73-18-25 to 73-18-43 and shall make reasonable rules to govern the administration of its elections as the board may deem proper. It provides the time requirements for completion of the forms and rules, to be not less than thirty days prior to an election, and it details where and how they must be kept.

Section 8 adds language about the board of directors being required to canvass the certified returns of election judges and when that should take place. This section further establishes how the board of directors shall be elected.

FISCAL IMPLICATIONS

N/A

SIGNIFICANT ISSUES

Section 2 provides that Judges of the election shall be paid an amount to be determined by the board of directors for service. However, the language does not clarify what limitations there are for such payment.

PERFORMANCE IMPLICATIONS

N/A

ADMINISTRATIVE IMPLICATIONS

N/A

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

HB 308 relates to conservancy district elections, removing the middle Rio Grande conservancy district from the local election act.

TECHNICAL ISSUES

N/A

OTHER SUBSTANTIVE ISSUES

N/A

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS

N/A