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HOUSE BILL 502

46TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2004

INTRODUCED BY

Edward C. Sandoval

AN ACT

RELATING TO ELECTIONS; CREATING THE LEGISLATIVE INTERIM
ELECTION CODE REVIEW COMMITTEE; REQUIRING A REVIEW OF THE
ELECTION CODE TO CREATE INTERNAL CONSISTENCY IN ACCORDANCE WITH
RECOMMENDATIONS OF THE ELECTION REFORM TASK FORCE.

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

Section 1. ELECTION CODE REVIEW COMMITTEE--CREATION--
TERMINATION.--The "Election Code review committee" is created.
The committee shall function from the date of its appointment
until December 1 prior to the first session of the forty-
seventh legislature.

Section 2. MEMBERSHIP--APPOINTMENT--VACANCIES.--

A. The Election Code review committee shall be
composed of six members. The New Mexico legislative council
shall appoint three members from the house of representatives

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1 and three members from the senate. At the time of making the
2 appointments, the legislative council shall designate the
3 chairman and vice chairman of the committee.

4 B. Members shall be appointed from each house so as
5 to give the two major political parties in each house the same
6 proportionate representation on the committee as prevails in
7 each house; provided, however, that in no event shall either
8 party have less than one member from each house on the
9 committee.

10 C. At the request of the committee chairman,
11 members may be removed from the committee by the legislative
12 council for nonattendance according to legislative council
13 policy. Vacancies on the committee, however caused, may be
14 filled by the legislative council or the legislative council
15 may reduce the size of the committee by not making replacement
16 appointments. If the legislative council reduces the size of
17 the committee, it need not readjust party representation unless
18 a party has less than one member on the committee.

19 D. No action shall be taken by the committee if a
20 majority of the total membership from either house on the
21 committee rejects the action.

22 Section 3. DUTIES--REPORT.--

23 A. After its appointment, the Election Code review
24 committee shall hold one organizational meeting to develop a
25 work plan, budget and schedule for up to two meetings during

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1 the ensuing interim. The work plan and budget shall be
2 submitted to the New Mexico legislative council for approval.

3 B. The work plan shall provide that:

4 (1) the legislative council service, in
5 cooperation with the secretary of state, review the Election
6 Code for inconsistencies in language and procedures and draft
7 language for the committee to review for incorporation into
8 legislation for the first session of the forty-seventh
9 legislature;

10 (2) in reviewing the Election Code, the
11 recommendations of the election reform task force be
12 considered, including:

13 (a) making definitions and standards
14 consistent for all elections under the jurisdiction of the
15 secretary of state;

16 (b) requiring absentee voting
17 requirements to be the same on both state and local levels;

18 (c) requiring that consolidated
19 precincts and polling places be used consistently and changed
20 only in an emergency or after redistricting;

21 (d) standardizing the handling and
22 counting of ballots at all levels of government; and

23 (e) deciding on how to promote
24 consistency between state, county and municipal campaign
25 reporting requirements; and

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(3) the secretary of state report to the committee on the impact of expanding the secretary of state's jurisdiction to oversee elections in municipalities and other jurisdictions.

C. The committee shall review the proposed changes in the Election Code as completed and report its findings and any proposed legislation to the first session of the forty-seventh legislature. The report and proposed legislation shall be made available to the New Mexico legislative council on or before December 15 preceding the session.

Section 4. STAFF.--The staff for the Election Code review committee shall be provided by the legislative council service.