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HOUSE BILL 280

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

Jeff Steinborn

AN ACT

RELATING TO ELECTIONS; ALLOWING THE APPOINTMENT OF QUALIFIED
MINORS TO PRECINCT BOARDS.

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

Section 1. Section 1-2-7 NMSA 1978 (being Laws 1969,
Chapter 270, Section 29, as amended) is amended to read:

"1-2-7. PRECINCT BOARD--QUALIFICATION OF MEMBERS--
QUALIFICATION OF PRESIDING JUDGES--QUALIFICATION OF MINORS---

A. In order to qualify as a member of the precinct
board, a person shall:

(1) be a resident of the representative
district and county in which the precinct where ~~he~~ the person
is a voter is located;

(2) be able to read and write;

(3) have the necessary capacity to carry out

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1 [his] a precinct board member's functions with acceptable skill
2 and dispatch; and

3 (4) execute the precinct board member's oath
4 of office.

5 B. Before serving as a presiding judge of a
6 precinct board, a person shall receive training in the duties
7 of that position and be certified for the position by the
8 county clerk.

9 C. No person shall be qualified for appointment or
10 service on a precinct board:

11 (1) who is a candidate for any federal, state,
12 district or county office;

13 (2) who is a spouse, parent, child, brother or
14 sister of any candidate to be voted for at the election; or

15 (3) who is a sheriff, deputy sheriff, marshal,
16 deputy marshal or state or municipal ~~policeman~~ police
17 officer.

18 D. A county clerk may appoint not more than two
19 minors to serve on a precinct board under the direct
20 supervision of the presiding judge of a precinct designated by
21 the county clerk. A minor appointed by the county clerk shall:

22 (1) meet the qualifications set forth in
23 Subsection A of this section, except the minor need not be
24 eligible to vote;

25 (2) be sixteen or seventeen years of age at

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1 the time of the election in which the minor is serving as a
2 member of a precinct board;

3 (3) be a citizen at the time of the election
4 for which the minor will be serving as a member of a precinct
5 board;

6 (4) have the approval of the minor's parent or
7 legal guardian, unless emancipated;

8 (5) attend at least one school of instruction
9 in accordance with the provisions of Section 1-2-17 NMSA 1978;
10 and

11 (6) be appointed to the board of the precinct
12 in which the minor's parent or legal guardian resides, unless
13 the county clerk determines there is a shortage or absence of
14 precinct board members in certain precincts in accordance with
15 the provisions of Section 1-2-11 NMSA 1978.

16 E. A minor appointed to a precinct board shall not:

17 (1) serve as the presiding judge; or

18 (2) be involved in any decision affecting the
19 legitimacy of a ballot."

20 Section 2. Section 1-2-10 NMSA 1978 (being Laws 1975,
21 Chapter 255, Section 16) is amended to read:

22 "1-2-10. PRECINCT BOARD--APPOINTMENT BY COUNTY CLERK.--
23 The county clerk shall appoint the precinct board for each
24 precinct in the following order:

25 A. from the list submitted by the major party

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1 county [~~chairmen~~] chairs in the order stated thereon;

2 B. from the list of minors who qualify to be
3 precinct board members;

4 [~~B.~~] C. from the standby list; and

5 [~~C.~~] D. from any other list of voters who have the
6 same qualifications and comply with the same requirements as
7 provided for precinct board members."

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