1	HOUSE BILL 1228
2	43rd legislature - STATE OF NEW MEXICO - FIRST SESSION, 1997
3	INTRODUCED BY
4	EDWARD C. SANDOVAL
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9	
10	AN ACT
11	RELATING TO ELECTIONS; CREATING A POLLING PLACE FOR MAIL BALLOT
12	ELECTIONS; AMENDING SECTIONS OF THE MAIL BALLOT ELECTION ACT.
13	
14	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:
15	Section 1. Section 1-23-5 NMSA 1978 (being Laws 1987,
16	Chapter 160, Section 5, as amended) is amended to read:
17	"1-23-5. [NO] <u>MAILING AND FORM OF BALLOTSPRECINCT</u>
18	BOARDVOTING IN PERSON AT DESIGNATED POLLING PLACE
19	<u>A.</u> Upon the adoption of a resolution by the
20	governing body to conduct an election by [an all-mailed] <u>mail</u>
21	ballot, each registered voter of the local government shall be
22	mailed an absentee ballot [along with a statement that there
23	will be no polling place] for [the] <u>that</u> election. The voter
24	shall not be required to file an application for the absentee
25	ballot. The ballot shall be mailed to each voter no earlier
	.116622.1

B. The local government election official shall 3 prescribe the form of the ballot and the number of envelopes 4 used in returning the ballot to the designated election office. 5 The ballot shall be returned in a sealed security envelope. 6 C. The precinct board may convene no earlier than 7 five days prior to the election to remove the sealed security 8 envelopes from the outer envelopes and place the security sealed 9 envelopes containing the ballots into a locked ballot box. 10 D. A registered voter who does not receive a mailed 11 absentee ballot shall be allowed to vote in the designated 12 election office of the local government election official until 13 7:00 p.m. on election day. If the voter votes in person, the 14 voter shall sign an affidavit affirming that he did not receive 15 his ballot and will not vote by mail if the ballot is received 16 after he has voted at the designated election office. 17 E. At 7:00 p.m. on election day, the local 18 government election official shall record the numbers of the 19 unused ballots and shall publicly destroy all those unused 20

than the thirty-fifth day prior to the election, and the mailing

shall be completed by the fifth day before the election.

ballots. The local government election official shall execute a certificate of destruction, which shall include the numbers on the destroyed ballots. The certificate shall be placed with the checklist of registered voters."

Section 2. Section 1-23-6.1 NMSA 1978 (being Laws 1991,

- 2 -

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<u>Underscored material = new</u> [bracketed material] = delete

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Chapter 105, Section 43) is amended to read:

T	chapter 100, beerfon 40, 15 anchueu to read.
2	"1-23-6.1. CHECKLIST OF REGISTERED VOTERS FOR MAIL BALLOT
3	<u>ELECTION</u> The [local government official] <u>county clerk</u> shall
4	prepare a checklist of registered voters [in the county]
5	eligible to vote in the mail ballot election The checklist of
6	registered voters shall be marked, indicating that the voter has
7	returned his [all] mail ballot immediately upon receipt <u>or</u>
8	returned it to the designated election office where he voted in
9	<u>person</u> . "
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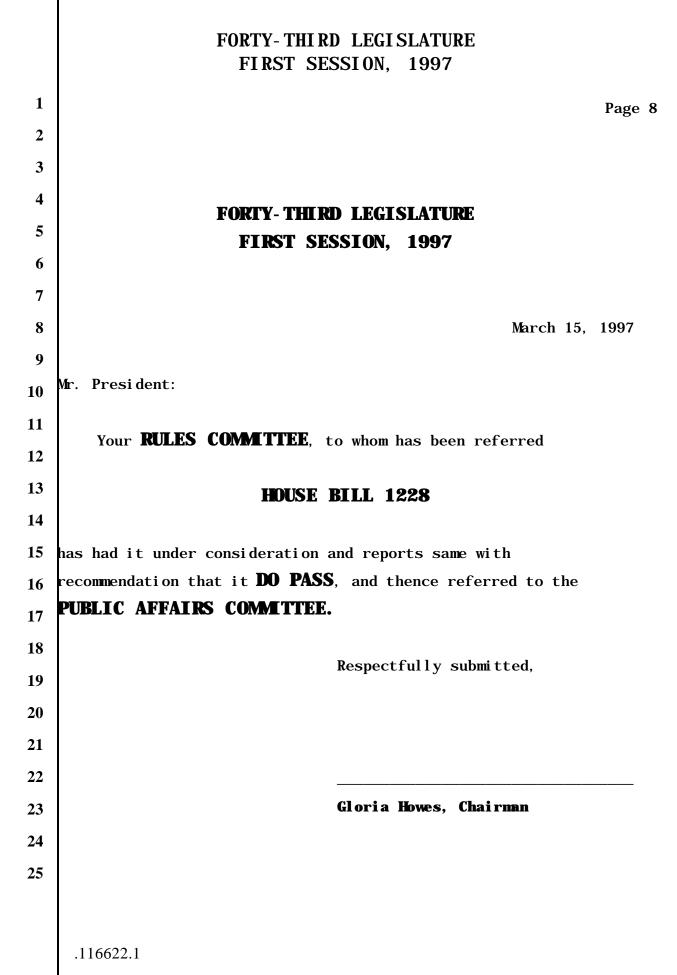
	State of New Mexico
	House of Representatives
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3	FORTY- THI RD LEGI SLATURE
4	FURIT-THIRD LEGISLATURE
5	FIRST SESSION, 1997
6	
7	
8	February 25, 1997
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10	
11	Mr. Speaker:
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13	Your VOTERS AND ELECTIONS COMMITTEE , to whom has
14	been referred
15	HOUSE BILL 1228
16	
	has had it under consideration and reports same with
	recommendation that it DO PASS , and thence referred to the
	APPROPRIATIONS AND FINANCE COMMITTEE.
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FORTY-THIRD LEGISLATURE FIRST SESSION, 1997

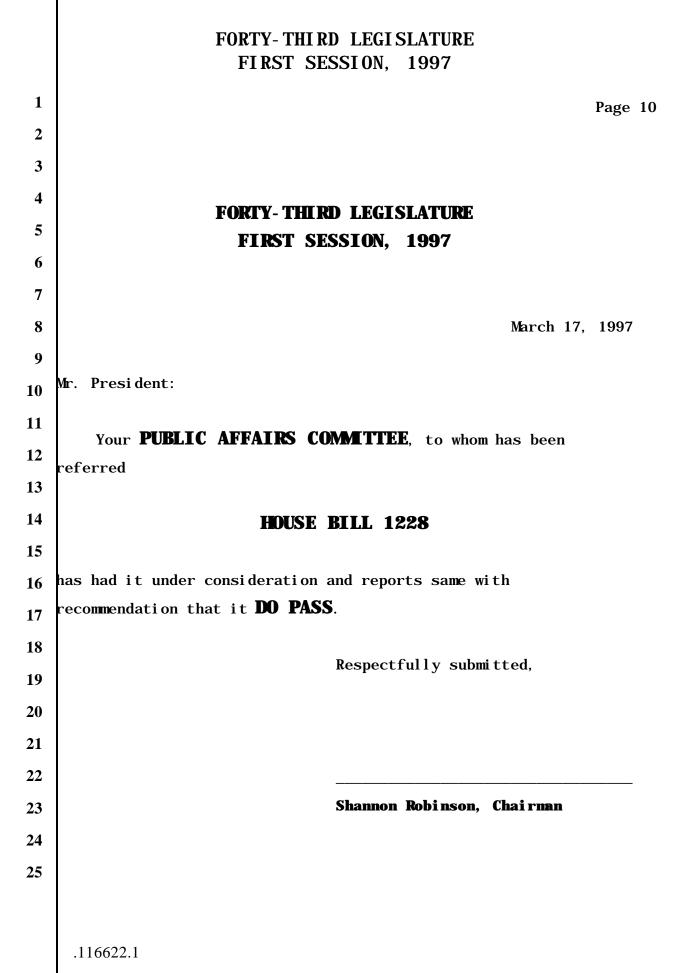
HV	C/HB 1228	Page 5
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2		Respectfully submitted,
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6		Edward C. Sandoval, Chairman
7		
8	A 1 / 1	N . A 1 . J
	Adopted	Not Adopted
10	(Chief Clerk)	(Chi ef Cl erk)
11	(chief of of k)	
12	Date	
13		
14	The roll call vote was <u>9</u> For	<u> 0 </u>
15	Yes: 9	
16	Excused: Luj an, Ni cel y, Sai	nchez
17	Absent: None	
18		
19		
20	M: \H1228	
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	State of New Mexico House of Representatives
	FORTY- THI RD LEGI SLATURE
1	FIRST SESSION, 1997
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3	
4	March 6, 1997
5	
6	Mr. Speaker:
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8	Your APPROPRIATIONS AND FINANCE COMMITTEE, to
9	whom has been referred
10	
11	HOUSE BILL 1228
12 13	has had it under consideration and reports same with
13	recommendation that it DO PASS.
14	
15	Respectfully submitted,
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20	Max Coll, Chairman
20 21	
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		FORTY-THI FIRST S			RE
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1			N. A		
2	Adopted		Not A	Adopted _	
3	(Chi	ief Clerk)			(Chief Clerk)
4					
5		Date			
6					
7		vote was <u>11</u> Fo	or <u>0</u> Ag	gai nst	
8	Yes: 11	t	Deserves	D:	Varia Walless
9	Absent: None		Pearce,	Picraux,	Varela, Wallace
10	Absent. None	C			
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12	M: ∖H1228				
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		RD LEGISLATURE SESSION, 1997		
1 2 3 4 5 6 7 8 9 10 11 12 13 14	FIRST S Adopted (Chief Clerk)	SESSION, 1997 _ Not Adopted	(Chief Clerk)	Page 9
 15 16 17 18 19 20 21 22 23 24 25 	H1228RU1			
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1				Pa	nge 1
2					.80 1
3	Adopted		Not Adopted		
4		(Chief Clerk)		(Chief Clerk)	
5					
6		Date			
7				_	
8					
9	The roll c	all vote was <u>5</u>	5 For <u>0</u> Against		
10	Yes: 5				
1	No: O				
12		odarte, Smith,	Ingle, Vernon		
13	Absent: N	one			
14					
15	H1228PA1				
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