

1 A MEMORIAL

2 REQUESTING THE BOARD OF DIRECTORS OF THE MIDDLE RIO GRANDE
3 CONSERVANCY DISTRICT TO CONVENE A TASK FORCE CHARGED WITH
4 STUDYING THE ELECTORAL PROCESS FOR THE DISTRICT AND
5 RECOMMENDING ANY NECESSARY CHANGES IN THE PROCESS TO THE
6 BOARD, THE GOVERNOR, THE APPROPRIATE INTERIM LEGISLATIVE
7 COMMITTEE AND THE FIRST SESSION OF THE FIFTIETH LEGISLATURE.
8

9 WHEREAS, the middle Rio Grande conservancy district was
10 created in the 1920s and encompasses two hundred
11 seventy-seven thousand seven hundred sixty acres within four
12 counties and six Indian pueblos; and

13 WHEREAS, the district levies property taxes on
14 approximately one hundred thousand properties; and

15 WHEREAS, the district is governed by a board of
16 directors composed of seven members serving staggered terms
17 of four years; and

18 WHEREAS, pursuant to the current statutes, rules and
19 procedures governing the election of district board members:

20 A. the elections are held in June of odd-numbered
21 years and are not held in conjunction with any other
22 elections;

23 B. only persons who own property within the
24 benefited area of the district and who have provided proof of
25 property ownership or who reside on or own legal or equitable

1 title in tribal lands have the right to vote;

2 C. clarification is needed on whether the district
3 should use paper ballots or voting machines;

4 D. clarification is needed as to the requirements
5 and procedures for reporting campaign contributions or
6 expenditures;

7 E. procedures for ensuring the integrity of
8 absentee and early voting may restrict the participation of
9 senior citizen, homebound or other potential voters; and

10 F. the district contracts with an independent
11 election contractor and election services are not provided by
12 the secretary of state or county clerks; and

13 WHEREAS, there has been a history of low voter
14 participation in district elections, just as there has been
15 in other special district elections; and

16 WHEREAS, the goals of the district electoral process
17 should be to educate potential voters using as much
18 transparency, information and credibility as is possible and
19 to enable as many of those educated voters as possible to
20 become involved; and

21 WHEREAS, the district board of directors has been
22 working toward achieving these goals and toward improved
23 efficiency in its elections by undertaking amendment of its
24 election rules and procedures and holding numerous public
25 meetings and workshops, involving the public and the six

1 middle Rio Grande pueblos, on improving its election
2 procedures; and

3 WHEREAS, an independent task force should be created to
4 study the current electoral process for the district and to
5 recommend any changes that will better achieve those goals;

6 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE
7 STATE OF NEW MEXICO that the board of directors of the middle
8 Rio Grande conservancy district be requested to convene a
9 task force to study the electoral process of the district;
10 and

11 BE IT FURTHER RESOLVED that the task force be composed
12 of the following nineteen members:

13 A. three members of the board of directors of the
14 district or their designees, including the member elected at-
15 large, one member appointed by the board who represents
16 Bernalillo county and one member appointed by the board who
17 represents a county other than Bernalillo county;

18 B. one representative of each of the six Indian
19 pueblos containing land within the district;

20 C. the elected county clerk from each of the four
21 counties containing land within the district or the clerk's
22 designee;

23 D. a representative of the secretary of state;

24 E. a representative of the attorney general;

25 F. a representative of the league of women voters

1 of New Mexico;

2 G. a representative from common cause New Mexico;

3 H. a representative of the county clerks affiliate
4 of the New Mexico association of counties; and

5 I. a representative of the six middle Rio Grande
6 pueblos water coalition; and

7 BE IT FURTHER RESOLVED that the task force elect one of
8 its members as chair, and meet at the call of the chair but
9 no fewer than three times; and

10 BE IT FURTHER RESOLVED that the task force advertise its
11 meetings in a newspaper of general circulation within the
12 district and that its meetings be open to the public; and

13 BE IT FURTHER RESOLVED that meetings be held at times
14 and places that shall encourage public participation; and

15 BE IT FURTHER RESOLVED that all meetings take testimony
16 from election experts and include a public comment period;
17 and

18 BE IT FURTHER RESOLVED that the task force hold hearings
19 to address issues relating to the electoral process and their
20 effects upon educating voters and increasing voter
21 participation, including but not limited to:

22 A. federal and state constitutional issues
23 concerning the limitation of the right to vote to property
24 owners;

25 B. procedures for reporting campaign contributions

1 and expenditures and the recipients of such reports;

2 C. election dates and options that will improve
3 voter turnouts;

4 D. the requirements for absentee and early voting;

5 E. the feasibility of using mail-in ballots as a
6 means to increase voter participation;

7 F. the roles of the county clerks and the
8 secretary of state in assisting and overseeing district
9 elections; and

10 G. the potential use of voter registration; and

11 BE IT FURTHER RESOLVED that the task force be staffed by
12 district employees; and

13 BE IT FURTHER RESOLVED that, no later than April 15,
14 2010, the task force report its preliminary findings and
15 recommendations to the board of directors of the middle Rio
16 Grande conservancy district for its consideration and
17 comment, and that, no later than December 15, 2010, the task
18 force submit its findings and recommendations to the board of
19 directors for consideration and comment, thence to the
20 governor, the appropriate legislative interim committee and
21 the first session of the fiftieth legislature; and

22 BE IT FURTHER RESOLVED that copies of this memorial be
23 transmitted to the board of directors of the middle Rio
24 Grande conservancy district and to each individual or
25 organization with appointing authority over one or more

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members of the task force. _____