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HOUSE BILL 1228

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

EDWARD C. SANDOVAL

AN ACT

RELATING TO ELECTIONS; CREATING A POLLING PLACE FOR MAIL BALLOT
ELECTIONS; AMENDING SECTIONS OF THE MAIL BALLOT ELECTION ACT.

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

Section 1. Section 1-23-5 NMSA 1978 (being Laws 1987,
Chapter 160, Section 5, as amended) is amended to read:

"1-23-5. [NØ] MAILING AND FORM OF BALLOTS--PRECINCT
BOARD--VOTING IN PERSON AT DESIGNATED POLLING PLACE.--

A. Upon the adoption of a resolution by the
governing body to conduct an election by ~~[an all-mailed]~~ mail
ballot, each registered voter of the local government shall be
mailed an absentee ballot ~~[along with a statement that there
will be no polling place]~~ for ~~[the]~~ that election. The voter
shall not be required to file an application for the absentee
ballot. The ballot shall be mailed to each voter no earlier

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1 than the thirty-fifth day prior to the election, and the mailing
2 shall be completed by the fifth day before the election.

3 B. The local government election official shall
4 prescribe the form of the ballot and the number of envelopes
5 used in returning the ballot to the designated election office.
6 The ballot shall be returned in a sealed security envelope.

7 C. The precinct board may convene no earlier than
8 five days prior to the election to remove the sealed security
9 envelopes from the outer envelopes and place the security sealed
10 envelopes containing the ballots into a locked ballot box.

11 D. A registered voter who does not receive a mailed
12 absentee ballot shall be allowed to vote in the designated
13 election office of the local government election official until
14 7:00 p.m. on election day. If the voter votes in person, the
15 voter shall sign an affidavit affirming that he did not receive
16 his ballot and will not vote by mail if the ballot is received
17 after he has voted at the designated election office.

18 E. At 7:00 p.m. on election day, the local
19 government election official shall record the numbers of the
20 unused ballots and shall publicly destroy all those unused
21 ballots. The local government election official shall execute a
22 certificate of destruction, which shall include the numbers on
23 the destroyed ballots. The certificate shall be placed with the
24 checklist of registered voters."

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

.116622.1

1 Chapter 105, Section 43) is amended to read:

2 "1-23-6. 1. CHECKLIST OF REGISTERED VOTERS FOR MAIL BALLOT
3 ELECTION. --The [~~local government official~~] county clerk 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 [~~at~~] mail ballot immediately upon receipt or
8 returned it to the designated election office where he voted in
9 person. "

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State of New Mexico
House of Representatives

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

February 25, 1997

Mr. Speaker:

Your VOTERS AND ELECTIONS COMMITTEE, to whom has
been referred

HOUSE BILL 1228

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

HVEC/HB 1228

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Respectfully submitted,

Edward C. Sandoval, Chairman

Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 9 For 0 Against

Yes: 9

Excused: Lujan, Nicely, Sanchez

Absent: None

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**State of New Mexico
House of Representatives**

**FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997**

March 6, 1997

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7 Mr. Speaker:

8 Your APPROPRIATIONS AND FINANCE COMMITTEE, to
9 whom has been referred

10
11 HOUSE BILL 1228

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13 has had it under consideration and reports same with
14 recommendation that it DO PASS.

15 Respectfully submitted,

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19 _____
20 Max Coll, Chairman
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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 11 For 0 Against

Yes: 11

Excused: Heaton, Marquardt, Pearce, Picraux, Varela, Wallace

Absent: None

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

March 15, 1997

Mr. President:

Your RULES COMMITTEE, to whom has been referred

HOUSE BILL 1228

has had it under consideration and reports same with
recommendation that it DO PASS, and thence referred to the
PUBLIC AFFAIRS COMMITTEE.

Respectfully submitted,

Gloria Howes, Chairman

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 6 For 0 Against

Yes: 6

No: 0

Excused: Aragon, Rodarte

Absent: None

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

March 17, 1997

Mr. President:

Your PUBLIC AFFAIRS COMMITTEE, to whom has been
referred

HOUSE BILL 1228

has had it under consideration and reports same with
recommendation that it DO PASS.

Respectfully submitted,

Shannon Robinson, Chairman

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 5 For 0 Against

Yes: 5

No: 0

Excused: Rodarte, Smith, Ingle, Vernon

Absent: None

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