

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE BILL 1313

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

INTRODUCED BY

EDWARD C. SANDOVAL

AN ACT

RELATING TO ELECTIONS; ENACTING THE CENTRALIZED VOTER
REGISTRATION SYSTEM ACT; REPEALING THE AUTOMATED VOTER RECORDS
SYSTEM ACT; MAKING AN APPROPRIATION.

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

Section 1. Effective July 1, 1998, Section 1-5-1 NMSA 1978
(being Laws 1969, Chapter 240, Section 103, as amended) is
repealed and a new Section 1-5-1 NMSA 1978 is enacted to read:

"1-5-1. [NEW MATERIAL] SHORT TITLE. --Chapter 1, Article 5
NMSA 1978 may be cited as the "Centralized Voter Registration
System Act". "

Section 2. Effective July 1, 1998, Section 1-5-2 NMSA 1978
(being Laws 1969, Chapter 240, Section 104, as amended) is
repealed and a new Section 1-5-2 NMSA 1978 is enacted to read:

"1-5-2. [NEW MATERIAL] DEFINITIONS. --As used in the

Underscored material = new
[bracketed material] = delete

1 Centralized Voter Registration System Act:

2 A. "county" means any county in this state;

3 B. "county register" means an official file of
4 original certificates of registration of the county arranged in
5 alphabetical order by voter surname;

6 C. "duplicate master record" means an exact
7 duplicate of all data stored on the centralized voter
8 registration system database;

9 D. "voter list" means a list of registered voters
10 prepared by the county clerk for purposes of an election;

11 E. "signature roster" means a voter list with space
12 provided opposite each voter's name for the voter's signature or
13 witnessed mark;

14 F. "centralized voter registration system" means the
15 computers and computer data maintained and operated by the
16 secretary of state and the county clerk in each county;

17 G. "voter record" means all information extracted
18 from a voter's certificate of registration and transferred to
19 the central voter registration system database by the county
20 clerk and any additional information pertaining to that voter
21 included by the county clerk in the system's database;

22 H. "mailing labels" means printed labels used for
23 mailing purposes of selected voters arranged in the order in
24 which requested providing the names and addresses of voters from
25 the centralized voter registration system;

Underscored material = new
[bracketed material] = delete

1 I. "special voter list" means a list of selected
2 voters arranged in the order in which requested from the
3 centralized voter registration system;

4 J. "statistical data" means information derived from
5 the centralized voter registration system;

6 K. "voter data" means selected information derived
7 from the centralized voter registration system;

8 L. "file maintenance list" means a list that
9 reflects additions, deletions or changes to any voter record in
10 the centralized voter registration system;

11 M "precinct voter list" means a list of voters
12 arranged in alphabetical order by voter surname within and for a
13 precinct; and

14 N. "county voter list" means a list of voters
15 arranged in alphabetical order by voter surname within and for a
16 county. "

17 Section 3. Effective July 1, 1998, Section 1-5-3 NMSA 1978
18 (being Laws 1969, Chapter 240, Section 105, as amended) is
19 repealed and a new Section 1-5-3 NMSA 1978 is enacted to read:

20 "1-5-3. [NEW MATERIAL] MANDATORY COMPLIANCE--SECRETARY OF
21 STATE TO ADMINISTER. --

22 A. Compliance with the Centralized Voter
23 Registration System Act is mandatory and supplemental to the
24 provisions of the Election Code.

25 B. The secretary of state shall administer the

Underscored material = new
[bracketed material] = delete

1 Centralized Voter Registration System Act and shall prescribe
2 any regulations, forms, procedures and instructions necessary
3 for the orderly transition to and the efficient implementation
4 of the provisions of the Centralized Voter Registration System
5 Act.

6 C. The secretary of state and each county clerk
7 shall maintain records containing all requests by the public for
8 special voter lists, mailing labels, statistical data, voter
9 data, precinct voter lists and county voter lists. The records
10 shall indicate the requesting party, the date of the request,
11 the date of fulfilling the request, charges made and any other
12 information required by the secretary of state. Requests for
13 registration lists shall be fulfilled within a period of ten
14 working days.

15 D. All registration records required by the Election
16 Code shall be included as part of and maintained by the
17 centralized voter registration system."

18 Section 4. Effective July 1, 1998, Section 1-5-4 NMSA 1978
19 (being Laws 1969, Chapter 240, Section 106) is repealed and a
20 new Section 1-5-4 NMSA 1978 is enacted to read:

21 "1-5-4. [NEW MATERIAL] COUNTY REGISTER--ESTABLISHMENT.--
22 The county clerk shall establish and maintain a county register.
23 The county register shall be filed in fire-resistant files and
24 maintained in a secure manner in the office of the county clerk.
25 The files containing the county register shall be arranged to

Underscored material = new
[bracketed material] = delete

1 provide ready and convenient access and shall be kept locked
2 except when being used by authorized persons in accordance with
3 the Election Code. "

4 Section 5. Effective July 1, 1998, Section 1-5-5 NMSA 1978
5 (being Laws 1969, Chapter 240, Section 107, as amended) is
6 repealed and a new Section 1-5-5 NMSA 1978 is enacted to read:

7 "1-5-5. [NEW MATERIAL] ENTRY OF DATA INTO CENTRALIZED
8 VOTER REGISTRATION SYSTEM --

9 A. The county clerk, upon receipt and acceptance of
10 a properly completed certificate of registration within the
11 period prescribed for registration, shall immediately enter in
12 the proper space thereon the precinct of the voter.

13 B. The county clerk shall cause the registration
14 information of every registered voter in the county to be
15 entered into the centralized voter registration system in
16 accordance with any rules or procedures prescribed by the
17 secretary of state.

18 C. After entry of data into the centralized voter
19 registration system, the county clerk shall file the original
20 certificate of registration alphabetically in the county
21 register.

22 D. A certificate of registration shall not be
23 removed from the county register pursuant to a cancellation of
24 registration until the county clerk has entered into the
25 centralized voter registration system all deletions and

Underscored material = new
[bracketed material] = delete

1 changes. "

2 Section 6. Effective July 1, 1998, Section 1-5-6 NMSA 1978
3 (being Laws 1969, Chapter 240, Section 108, as amended) is
4 repealed and a new Section 1-5-6 NMSA 1978 is enacted to read:

5 "1-5-6. [NEW MATERIAL] VOTER LISTS--SIGNATURE ROSTERS.--
6 The county clerk shall provide for computer generated voter
7 lists and signature rosters for all precincts within the county
8 from the centralized voter registration system. The voter lists
9 and signature rosters shall be used at any election for which
10 registration of voters is required. "

11 Section 7. Effective July 1, 1998, Section 1-5-7 NMSA 1978
12 (being Laws 1969, Chapter 240, Section 109, as amended) is
13 repealed and a new Section 1-5-7 NMSA 1978 is enacted to read:

14 "1-5-7. [NEW MATERIAL] VOTER LISTS--SIGNATURE ROSTERS--
15 CONTENT.--

16 A. The voter lists and signature rosters for any
17 precinct shall contain for each voter, as shown on his
18 certificate of registration:

- 19 (1) his name;
- 20 (2) his gender;
- 21 (3) his residence address;
- 22 (4) his mailing address;
- 23 (5) his social security number;
- 24 (6) his year of birth;
- 25 (7) his party affiliation, if any; and

Underscored material = new
[bracketed material] = delete

1 (8) his precinct of residence.

2 B. In addition, the names on each voter list and
3 signature roster shall be numbered consecutively beginning with
4 the number "1".

5 C. On each page of each voter list and on each
6 signature roster there shall be printed the page number and the
7 date and name of the election for which they are to be used."

8 Section 8. Effective July 1, 1998, Section 1-5-8 NMSA 1978
9 (being Laws 1969, Chapter 240, Section 110, as amended) is
10 repealed and a new Section 1-5-8 NMSA 1978 is enacted to read:

11 "1-5-8. [NEW MATERIAL] SIGNATURE ROSTER--VOTER LISTS--
12 DISTRIBUTION.--

13 A. One copy of the signature roster shall be
14 prepared for each precinct. On the cover of the signature
15 roster shall be printed the words, "Copy for the County Clerk".
16 Upon its preparation and certification as to its accuracy and
17 completeness, the county clerk shall deliver the copy of the
18 signature roster to the precinct board.

19 B. The county clerk shall prepare three copies of
20 the voter list for each precinct. Of the three copies prepared,
21 one copy shall not include voter social security numbers. He
22 shall deliver two of the copies to each precinct board. One
23 copy of the voter list shall be retained by the county clerk for
24 verification purposes on election day and one copy for the
25 secretary of state shall be marked to verify those voters on the

Underscored material = new
[bracketed material] = delete

1 list who voted.

2 C. Two copies of the county voter list, arranged in
3 alphabetical order, shall be prepared for election day for
4 verification purposes only. "

5 Section 9. Effective July 1, 1998, Section 1-5-9 NMSA 1978
6 (being Laws 1969, Chapter 240, Section 111) is repealed and a
7 new Section 1-5-9 NMSA 1978 is enacted to read:

8 "1-5-9. [NEW MATERIAL] SIGNATURE ROSTERS--CERTIFICATE. --
9 Any certificate required by the Election Code for poll books
10 shall be similarly required for signature rosters in
11 substantially the same form to the extent it serves the same
12 purpose. "

13 Section 10. Effective July 1, 1998, Section 1-5-10 NMSA
14 1978 (being Laws 1969, Chapter 240, Section 112, as amended) is
15 repealed and a new Section 1-5-10 NMSA 1978 is enacted to read:

16 "1-5-10. [NEW MATERIAL] VOTER LISTS--SIGNATURE ROSTERS--
17 USE DURING ELECTION. --

18 A. Each precinct board using voter lists shall post
19 securely at or near the entrance of the polling place one copy
20 of the voter list for use of the voters prior to voting. The
21 posted copy shall not contain a listing of voter social security
22 numbers.

23 B. The presiding judge of the precinct board shall
24 assign one election judge of the board to be in charge of one
25 copy of the voter list which shall be used to confirm the

Underscored material = new
[bracketed material] = delete

1 registration and voting of each person offering to vote.

2 C. The presiding judge of the precinct board shall
3 assign one election clerk to be in charge of the signature
4 roster.

5 D. The judge assigned to the voter list used for
6 confirmation of registration and voting shall determine that
7 each person offering to vote is registered and, in the case of a
8 primary election, that such voter is registered in a party
9 designated on the primary election ballot. If the person's
10 registration is confirmed by the presence of his name on the
11 voter list or if the person presents a certificate under the
12 seal and signature of the county clerk showing that he is
13 entitled to vote in the election and to vote in that precinct,
14 then the judge shall announce to the election clerks the list
15 number and the name of the voter as shown on the voter list.

16 E. The election clerk shall locate that list number
17 and name on the signature roster and shall require the voter to
18 sign his usual signature or, if unable to write, to make his
19 mark opposite his printed name. If the voter makes his mark, it
20 shall be witnessed by one of the judges of the precinct board.

21 F. No voter shall be permitted to vote until he has
22 properly signed his usual signature or made his mark in the
23 signature roster.

24 G. After the poll is closed, the election clerk in
25 charge of a signature roster shall draw a single horizontal line

Underscored material = new
[bracketed material] = delete

1 in ink through each signature space in the signature roster
2 where no signature or mark appears. "

3 Section 11. Effective July 1, 1998, Section 1-5-11 NMSA
4 1978 (being Laws 1969, Chapter 240, Section 113, as amended) is
5 repealed and a new Section 1-5-11 NMSA 1978 is enacted to read:

6 "1-5-11. [NEW MATERIAL] VOTER LISTS--SIGNATURE ROSTERS--
7 DISPOSITION AFTER ELECTION. --

8 A. After the polls are closed, the signature roster
9 shall be properly certified by the precinct board and returned
10 to the county clerk with the election returns destined for the
11 county clerk. The voter list marked for the secretary of state
12 shall be returned to the secretary of state with the election
13 returns destined for the secretary of state.

14 B. The signed and certified signature rosters used
15 in any election shall be considered a part of the election
16 returns and treated accordingly. They shall be preserved and
17 finally disposed of in the same manner as provided in the
18 Election Code for election returns.

19 C. The punishment for willful destruction,
20 defacement, unauthorized alteration or improper disposition of
21 signature rosters used in an election shall be the same as for
22 similar treatment of election returns. "

23 Section 12. Effective July 1, 1998, Section 1-5-12 NMSA
24 1978 (being Laws 1969, Chapter 240, Section 114, as amended) is
25 repealed and a new Section 1-5-12 NMSA is enacted to read:

Underscored material = new
[bracketed material] = delete

1 "1-5-12. [NEW MATERIAL] VOTER'S NAME NOT ON LIST OR
2 ROSTER. --

3 A. If a voter's name does not appear on the voter
4 list and signature roster for the precinct in which he offers to
5 vote, the voter shall be permitted to vote in such precinct
6 provided the voter meets the requirements specified in the
7 Election Code and otherwise meets the fail-safe voting
8 provisions of the National Voter Registration Act.

9 B. The election clerks in charge of the signature
10 rosters shall add the voter's name and address in ink to the
11 signature roster on the line immediately following the last
12 entered voter's name, and the voter shall be allowed to cast his
13 ballot provided he has first signed or marked both rosters.

14 C. The voting machine public counter number or the
15 ballot number for the voter shall be entered on his certificate
16 of eligibility or copy of his certificate of registration. The
17 certificate of eligibility or voter's copy of his certificate of
18 registration shall be retained by the precinct board and
19 returned to the county clerk with the election returns.

20 D. Such certificate of eligibility shall be valid
21 for use only in the precinct and for the election and date
22 specified thereon.

23 E. In a primary election, a voter whose party
24 affiliation is not shown on the certificate of eligibility or
25 copy of his certificate of registration shall not be permitted

. 117299. 1

Underscored material = new
[bracketed material] = delete

1 to receive or cast a ballot. No voter shall be permitted to
2 vote for a candidate of a party different from the party
3 designation shown on his certificate of eligibility or the copy
4 of his certificate of registration.

5 F. No verbal authorization from the county clerk to
6 allow a person to vote under this section shall be permitted."

7 Section 13. Effective July 1, 1998, Section 1-5-14 NMSA
8 1978 (being Laws 1969, Chapter 240, Section 118, as amended) is
9 repealed and a new Section 1-5-14 NMSA 1978 is enacted to read:

10 "1-5-14. [NEW MATERIAL] FILE MAINTENANCE LIST.--

11 A. On the first regular working day of each month
12 the county clerk shall prepare a file maintenance list showing
13 all additions, deletions or other changes for the preceding
14 month.

15 B. One copy of the list shall be stored by the
16 county clerk for at least six years.

17 C. The county clerk shall provide one copy of the
18 file maintenance list to the county chairman of each of the
19 major political parties in the county. The file maintenance
20 list shall not include the voter's social security number, codes
21 used to identify the agency where the voter registered, voter's
22 day and month of birth or voter's telephone number, if
23 prohibited by the voter."

24 Section 14. Effective July 1, 1998, Section 1-5-15 NMSA
25 1978 (being Laws 1969, Chapter 240, Section 120, as amended) is

Underscored material = new
[bracketed material] = delete

1 repealed and a new Section 1-5-15 NMSA 1978 is enacted to read:

2 "1-5-15. [NEW MATERIAL] VOTER REGISTRATION SYSTEM

3 DATABASE-- DUPLICATE. --

4 A. The secretary of state shall provide by rule for
5 the timely back-up of the centralized voter registration
6 system's database and the production of a duplicate master
7 record.

8 B. In case of loss or damage to the centralized
9 voter registration system, or any portion thereof, the duplicate
10 master record shall be used to duplicate the system's database,
11 or any portion thereof. No other use shall be made of the
12 duplicate master record.

13 C. The secretary of state and the county clerk shall
14 ensure that the centralized voter records system and any
15 duplicate master record thereof is protected against loss,
16 damage, unauthorized access and unauthorized alteration.

17 D. Any duplicate master record shall be stored in a
18 fire-resistant safe or vault located at a place remote from, and
19 which is considered a separate damage risk from, the place of
20 storage or use of the centralized voter registration system.

21 E. No information or data derived from the
22 centralized voter registration system, or any portion thereof,
23 or any duplicate master record, or any portion thereof, shall be
24 stored or transported in any manner that will subject either or
25 both to possible loss or damage from common or related perils. "

. 117299. 1

Underscored material = new
[bracketed material] = delete

1 Section 15. Effective July 1, 1998, Section 1-5-19 NMSA
2 1978 (being Laws 1969, Chapter 240, Section 125, as amended) is
3 repealed and a new Section 1-5-19 NMSA 1978 is enacted to read:

4 "1-5-19. [NEW MATERIAL] REGISTRATION--INFORMATION
5 REQUIRED. --

6 A. The certificate of registration form shall
7 require the following elements of information concerning the
8 applicant for registration: name, gender, residence address,
9 municipality, mailing address, county of former registration,
10 social security number, date of birth, political party
11 affiliation, if any, zip code, telephone number at the
12 applicant's option and statement of qualification for voting.

13 B. Provision shall be made for the usual signature
14 or mark of the applicant, the signature of the county clerk, and
15 for the dates of such signatures.

16 C. The certificate of registration form may indicate
17 whether it is completed by the applicant as a new registration,
18 a change to the existing registration or a cancellation of an
19 existing registration.

20 D. The certificate of registration forms shall be
21 serially numbered and shall be furnished promptly and in
22 adequate supply by the secretary of state upon request by the
23 county clerk. "

24 Section 16. Effective July 1, 1998, Section 1-5-20 NMSA
25 1978 (being Laws 1977, Chapter 222, Section 11, as amended) is

Underscored material = new
[bracketed material] = delete

1 repealed and a new Section 1-5-20 NMSA 1978 is enacted to read:

2 "1-5-20. [NEW MATERIAL] FILING--REGISTRATION. --The
3 secretary of state shall prescribe the method of filing and
4 maintaining certificates of registration in any county. "

5 Section 17. Effective July 1, 1998, Section 1-5-22 NMSA
6 1978 (being Laws 1975, Chapter 255, Section 76) is repealed and
7 a new Section 1-5-22 NMSA 1978 is enacted to read:

8 "1-5-22. [NEW MATERIAL] UNLAWFUL DISPOSITION OF
9 INFORMATION OR DATA--PENALTY. --

10 A. Unlawful disposition of information or data
11 derived from the centralized voter registration system consists
12 of the willful selling, loaning or otherwise surrendering of any
13 data derived from the centralized voter registration system or
14 any duplicate master record, or a portion thereof, by any person
15 for any purpose not authorized by the Centralized Voter
16 Registration System Act or to any person not authorized by that
17 act to have possession of data derived from the centralized
18 voter registration system.

19 B. Any person authorized by the Centralized Voter
20 Registration System Act or any other provision of law to access
21 or possess data derived from the centralized voter registration
22 system who commits unlawful disposition of data derived from the
23 centralized voter registration system database or duplicate
24 master record, or any portion thereof, is guilty of a fourth
25 degree felony. "

Underscored material = new
[bracketed material] = delete

1 Section 18. Effective July 1, 1998, Section 1-5-23 NMSA
2 1978 (being Laws 1975, Chapter 255, Section 77) is repealed and
3 a new Section 1-5-23 NMSA 1978 is enacted to read:

4 "1-5-23. [NEW MATERIAL] UNLAWFUL DESTRUCTION OR
5 ALTERATION OF VOTER REGISTRATION SYSTEM - PENALTY. --

6 A. Unlawful destruction or alteration of the
7 centralized voter registration system or duplicate master
8 record, or any portion thereof, or file maintenance list, or any
9 portion thereof, consists of the unauthorized destruction of, or
10 the unauthorized alteration of, or the erasure of information
11 from, or the rendering unusable, or any portion thereof, for
12 their lawfully intended purpose by any person.

13 B. Any person who commits unlawful destruction or
14 alteration of the centralized voter registration system or
15 duplicate master record, or any portion thereof, or file
16 maintenance list, or any portion thereof, is guilty of a fourth
17 degree felony. "

18 Section 19. Effective July 1, 1998, Section 1-5-24 NMSA
19 1978 (being Laws 1975, Chapter 255, Section 78, as amended) is
20 repealed and a new Section 1-5-24 NMSA 1978 is enacted to read:

21 "1-5-24. [NEW MATERIAL] REQUESTS FOR STATISTICAL DATA,
22 VOTER DATA, MAILING LABELS OR SPECIAL VOTER LISTS. --

23 A. The county clerk and secretary of state shall
24 permit the release of any voter data, statistical data, mailing
25 labels, special voter lists, precinct voter lists or county

Underscored material = new
[bracketed material] = delete

1 voter lists only upon written request by the requester of the
2 data, labels or lists as provided in this section. All
3 requesters shall be treated equally in regard to the charges and
4 the furnishing of the requested data, labels or lists.

5 B. In furnishing voter data or special voter lists,
6 precinct voter lists and county voter lists, the county clerk
7 and the secretary of state are prohibited from providing data or
8 lists that include a voter's social security number, a code used
9 to identify the agency where the voter registered, a voter's day
10 and month of birth or the voter's telephone number, if release
11 was not authorized by the voter.

12 C. Each requester of voter data, mailing labels or
13 special voter lists, precinct voter lists and county voter lists
14 shall sign an affidavit that information contained in the voter
15 data, mailing labels and special voter lists, precinct voter
16 lists and county voter lists shall be used for governmental or
17 election and election campaign purposes only and shall not be
18 made available or used for commercial or any unlawful purposes.

19 D. Each requester of statistical data shall sign an
20 affidavit that such statistical data shall be used for
21 information or research purposes only and shall not be made
22 available or used for commercial or any unlawful purposes.

23 E. The secretary of state shall prescribe the form
24 of the affidavit. "

25 Section 20. Effective July 1, 1998, Section 1-5-25 NMSA

Underscored material = new
[bracketed material] = delete

1 1978 (being Laws 1975, Chapter 255, Section 79) is repealed and
2 a new Section 1-5-25 NMSA 1978 is enacted to read:

3 "1-5-25. [NEW MATERIAL] UNLAWFUL USE OF STATISTICAL
4 DATA--UNLAWFUL USE OF VOTER DATA, MAILING LABELS OR SPECIAL
5 VOTER LISTS--PENALTIES. --

6 A. Unlawful use of statistical data consists of the
7 use of statistical data in such a manner as to derive
8 information, the use or possession of which would be otherwise
9 prohibited under the Centralized Voter Registration System Act.

10 B. Unlawful use of voter data, mailing labels or
11 special voter lists consists of the knowing and willful use of
12 such information for purposes prohibited by the Centralized
13 Voter Registration System Act.

14 C. Any person or entity, or agent thereof, who
15 commits unlawful use of statistical data, voter data, mailing
16 labels or special voter lists is guilty of a fourth degree
17 felony and upon conviction shall be fined ten dollars (\$10.00)
18 for each and every line of voter information that was unlawfully
19 used.

20 D. Each and every unlawful use of statistical data,
21 voter data, mailing labels or special voter lists constitutes a
22 separate offense. "

23 Section 21. Effective July 1, 1998, Section 1-5-27 NMSA
24 1978 (being Laws 1975, Chapter 255, Section 81, as amended) is
25 repealed and a new Section 1-5-27 NMSA 1978 is enacted to read:

. 117299. 1

Underscored material = new
[bracketed material] = delete

1 "1-5-27. [NEW MATERIAL] CREATION OF CENTRALIZED VOTER
2 REGISTRATION SYSTEM ADVISORY COMMITTEE. --

3 A. There is created the "centralized voter
4 registration system advisory committee" consisting of the
5 director of the bureau of elections, the information systems
6 manager from the office of the secretary of state and six
7 members appointed by the secretary of state, as follows:

8 (1) four county clerks selected from a list
9 submitted by the recognized state association of county clerks;
10 and

11 (2) two registered voters.

12 B. The director of the bureau of elections shall
13 serve as chair of the advisory committee. No more than four of
14 the eight appointed members shall be registered from the same
15 political party. "

16 Section 22. Effective July 1, 1998, Section 1-5-28 NMSA
17 1978 (being Laws 1975, Chapter 255, Section 82) is repealed and
18 a new Section 1-5-28 NMSA 1978 is enacted to read:

19 "1-5-28. [NEW MATERIAL] DUTIES OF CENTRALIZED VOTER
20 REGISTRATION SYSTEM ADVISORY COMMITTEE. --The centralized voter
21 registration system advisory committee shall:

22 A. recommend procedures for the orderly and timely
23 conversion of voter registration data in the existing county
24 database to the centralized voter registration system;

25 B. review any uniform procedures proposed by the

Underscored material = new
[bracketed material] = delete

1 secretary of state for the implementation, maintenance and
2 operation of the centralized voter registration system; and

3 C. recommend changes or modifications to any uniform
4 procedures or rules adopted by the secretary of state for the
5 implementation, maintenance and operation of the centralized
6 voter registration system."

7 Section 23. Effective July 1, 1998, Section 1-5-29 NMSA
8 1978 (being Laws 1975, Chapter 255, Section 83, as amended) is
9 repealed and a new Section 1-5-29 NMSA 1978 is enacted to read:

10 "1-5-29. [NEW MATERIAL] CENTRALIZED VOTER REGISTRATION
11 SYSTEM ADVISORY COMMITTEE--COMPENSATION--MEETINGS.--

12 A. Members of the centralized voter registration
13 system advisory committee, except the director of the bureau of
14 elections and the information systems manager, shall be paid per
15 diem and mileage as provided in the Per Diem and Mileage Act for
16 nonsalaried state officers.

17 B. No less than two meetings shall be called
18 annually by the secretary of state."

19 Section 24. Effective July 1, 1998, Section 1-5-30 NMSA
20 1978 (being Laws 1989, Chapter 298, Section 1) is repealed and a
21 new Section 1-5-30 NMSA 1978 is enacted to read:

22 "1-5-30. [NEW MATERIAL] SECRETARY OF STATE--ESTABLISHMENT
23 OF CENTRALIZED VOTER REGISTRATION SYSTEM --

24 A. The secretary of state shall enter into a
25 contract for the purchase of any hardware, software and

Underscored material = new
[bracketed material] = delete

1 consulting services necessary to establish and implement the
2 centralized voter registration system on a statewide basis
3 consistent with the provisions of the Procurement Code. The
4 secretary of state shall supervise the implementation of the
5 centralized voter registration system in each county.

6 B. The secretary of state shall ensure that the
7 centralized voter registration system includes all generally
8 accepted industry standards for security and protection of the
9 system's database. The secretary of state shall also ensure
10 that any centralized voter registration system implemented
11 provides the means for accurately converting the existing voter
12 registration databases maintained by the county clerks to the
13 centralized voter registration system.

14 C. The centralized voter registration system shall:

15 (1) link the secretary of state and all county
16 clerks to a fully computerized centralized voter registration
17 database;

18 (2) permit a county clerk to add a voter's
19 record to the centralized voter registration system database,
20 change information in a voter record or delete a duplicate voter
21 record or a voter record from the system's database upon the
22 cancellation of a certificate of registration as provided by the
23 Election Code;

24 (3) permit a county clerk and the bureau of
25 elections to access the system's database for review and search

Underscored material = new
[bracketed material] = delete

1 capabilities for any lawful purpose and the preparation of
2 mailing labels, special voter lists, precinct voter lists and
3 county voter lists; and

4 (4) provide a means by which a county clerk may
5 automatically assign a voter to his precinct for voting purposes
6 when a street index exists for the entire county or any part
7 thereof. "

8 Section 25. Section 1-5-31 NMSA 1978 (being Laws 1989,
9 Chapter 298, Section 2) is repealed and a new Section 1-5-31
10 NMSA 1978 is enacted to read:

11 "1-5-31. [NEW MATERIAL] SECRETARY OF STATE--UNIFORM
12 PROCEDURES FOR COUNTIES.--The secretary of state shall:

13 A. adopt uniform rules and procedures for the
14 implementation, maintenance and operation of the centralized
15 voter registration system;

16 B. prescribe forms compatible with the statewide
17 centralized voter registration system; and

18 C. ensure that training opportunities are available
19 to each county clerk in the maintenance and operation of the
20 centralized voter registration system. "

21 Section 26. APPROPRIATION.--Two million seven hundred
22 fifty thousand dollars (\$2,750,000) is appropriated from the
23 general fund to the office of the secretary of state for
24 expenditure in fiscal year 1998 for the purpose of implementing
25 a statewide centralized voter registration system. Any

Underscored material = new
~~[bracketed material] = delete~~

1 unexpended or unencumbered balance remaining at the end of
2 fiscal year 1998 shall revert to the general fund.

3 Section 27. REPEAL. -- Effective July 1, 1998, Sections
4 1-5-13, 1-5-16 through 1-5-18, 1-5-21 and 1-5-26 NMSA 1978
5 (being Laws 1969, Chapter 240, Sections 115, 121, 122 and 124
6 and Laws 1975, Chapter 255, Sections 75 and 80, as amended) are
7 repealed.

8 - 23 -
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

State of New Mexico House of Representatives

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

March 4, 1997

Mr. Speaker:

Your VOTERS AND ELECTIONS COMMITTEE, to whom has
been referred

HOUSE BILL 1313

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

Respectfully submitted,

Edward C. Sandoval, Chairman

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

HVEC/HB 1313

Page 25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 7 For 0 Against

Yes: 7

Excused: Buffett, Coll, Lujan, Sanchez, J. P. Taylor

Absent: None

M \H1313

Underscored material = new
[bracketed material] = delete