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SENATE BILL 201

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

INTRODUCED BY

DEDE FELDMAN

AN ACT

RELATING TO ELECTIONS; REQUIRING COUNTY CLERKS OF CLASS A COUNTIES TO PREPARE, PUBLISH AND MAIL A BALLOT PAMPHLET TO EVERY HOUSEHOLD IN THE COUNTY WHERE A REGISTERED VOTER RESIDES; CREATING A FUND; MAKING AN APPROPRIATION.

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

Section 1. BALLOT PAMPHLET-- PUBLICATION-- CONTENTS-- MAILING. --

A. The county clerk of each class A county shall publish a ballot pamphlet for general elections, in both English and Spanish, containing the following information:

(1) the date of the election, the hours the polling place will be open and instructions regarding how to receive an absentee ballot;

(2) the full text of each statewide and local

Underscored material = new  
[bracketed material] = delete

1 measure on the ballot. The text of the measure shall contain  
2 the provisions of the proposed measure and any existing  
3 provisions of law to be repealed or revised;

4 (3) a copy of an impartial analysis of each  
5 statewide and local measure, describing the measure and  
6 including a fiscal analysis showing the amount of any increase  
7 or decrease in revenue or cost to state or local government;

8 (4) arguments for and against each statewide  
9 and local measure. The argument section of the pamphlet shall  
10 contain the following statement: "These arguments are those that  
11 can or may be used. They are not necessarily valid or  
12 consistent. Their logic may depend upon their reference to a  
13 particular time or circumstance. No weight should be ascribed  
14 to the fact that more arguments may be presented for one side of  
15 the question than are presented for the other side."; and

16 (5) background statements prepared by  
17 candidates pursuant to the provisions of Subsection C of this  
18 section.

19 B. The legislative council service shall write and  
20 furnish to the county clerk of each class A county in a timely  
21 fashion the analyses and arguments for and against each  
22 statewide measure referred to in Paragraphs (3) and (4) of  
23 Subsection A of this section. The county attorney of each class  
24 A county shall write and furnish to the county clerk of each  
25 class A county in a timely fashion the analyses and arguments

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1 for and against each local measure referred to in Paragraphs (3)  
2 and (4) of Subsection A of this section.

3 C. The county clerk of each class A county shall  
4 allow all candidates for president, vice president, United  
5 States senator, United States representative, all state elective  
6 offices, all legislative offices, all county offices and all  
7 elective judicial offices, including judicial retention  
8 elections, to prepare a background statement of one hundred  
9 words or less for general elections. The background statements  
10 shall be included, free of charge, in the ballot pamphlet. A  
11 background statement shall describe the candidate in his own  
12 words and shall not include any references to a candidate's  
13 opponent or opponents.

14 D. The county clerk of each class A county shall  
15 mail one copy of the ballot pamphlet to every household in the  
16 county where a registered voter resides. The ballot pamphlet  
17 mailed to each household shall contain a sticker, label or  
18 insert indicating the specific state and local districts in  
19 which the household is located, as well as the location of the  
20 polling place for that household. The mailing shall begin at  
21 least twenty-five days before the election and shall be  
22 completed no later than eighteen days prior to the election.

23 Section 2. FUND CREATION. --

24 A. The "ballot pamphlet expense fund" is created in  
25 the state treasury. The fund shall consist of appropriations,

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[bracketed material] = delete

1 gifts, grants and donations. The fund shall be administered by  
2 the local government division of the department of finance and  
3 administration. Money in the fund is appropriated to the local  
4 government division of the department of finance and  
5 administration and shall not revert at the end of the fiscal  
6 year.

7 B. The purpose of the ballot pamphlet expense fund  
8 is to provide funds to reimburse the clerks of class A counties  
9 for the costs associated with the printing and mailing of ballot  
10 pamphlets.

11 C. Money in the ballot pamphlet expense fund shall  
12 be expended only on warrants drawn by the secretary of finance  
13 and administration pursuant to vouchers signed by the director  
14 of the local government division of the department of finance  
15 and administration or his designee.

16 Section 3. APPROPRIATION. -- Two hundred fifty thousand  
17 dollars (\$250,000) is appropriated from the general fund to the  
18 ballot pamphlet expense fund for expenditure in fiscal years  
19 1998 and 1999 for the purpose of reimbursing county clerks of  
20 class A counties for the costs of preparing, publishing and  
21 mailing ballot pamphlets pursuant to the provisions of this act.  
22 Any unexpended or unencumbered balance remaining at the end of  
23 fiscal year 1999 shall not revert to the general fund.

1 FORTY-THIRD LEGISLATURE  
2 FIRST SESSION, 1997

3  
4  
5 February 11, 1997

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7 Mr. President:

8  
9 Your RULES COMMITTEE, to whom has been referred

10  
11 SENATE BILL 201

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

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17 Respectfully submitted,

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22 Gloria Howes, Chairman  
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Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

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Date \_\_\_\_\_

The roll call vote was 6 For 2 Against

Yes: 6

No: Adair, Gorham

Excused: None

Absent: None

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