

2008 GENERAL ELECTION CALENDAR

MARY HERRERA SECRETARY OF STATE

Compiled by the Secretary of State Office
Bureau of Elections

This calendar is intended only to be a SUMMARY of statutory deadlines for the convenience of election officers. In all cases, the relevant sections of law should be consulted to verify dates and for a full statement of election officers=duties. Unless otherwise indicated, all references are to New Mexico Statutes Annotated, 1978 Compilation.

June 4, 2008 (Wednesday)

FILING DAY FOR INDEPENDENT CANDIDATES

Independent party nominees shall file a nominating petition and declaration of candidacy with the proper filing officer during the period commencing at 9:00 a.m. and ending at 5:00 p.m. (1-8-52A NMSA 1978)

FILING DAY FOR INDEPENDENT CANDIDATES FOR PRESIDENT OF THE UNITED STATES

Declaration of independent candidacy and nominating petitions shall be filed with the proper filing officer beginning at 9:00 a.m. and ending at 5:00 p.m. (1-8-52B NMSA 1978)

No person shall become a candidate for nomination as an independent candidate for any office, and the person's name shall not be printed on the General Election ballot, unless the person's record of voter registration shows (1-8-52.1A NMSA 1978):

- No affiliation with a political party on the date of the governor's proclamation for the Primary Election; and
- Residence in the district of the office for which the person is a candidate on the date of the governor's proclamation for the Primary Election.

June 24, 2008 (Tuesday)

FILING DAY FOR MINOR PARTY CANDIDATES

Minor party nominees shall file a nominating petition and declaration of candidacy with the proper filing officer during the period commencing at 9:00 a.m. and ending at 5:00 p.m. (1-8-2 NMSA 1978)

FILING DAY FOR MINOR PARTY CANDIDATES FOR PRESIDENT OF THE UNITED STATES Declaration of minor party candidacy and nominating petitions shall be filed with the proper filing officer beginning at 9:00 a.m. and ending at 5:00 p.m. (1-8-2 NMSA 1978)

July 3, 2008 (Thursday)

LAST DAY TO CREATE PRECINCTS

No precinct shall be created, divided, abolished or consolidated, or the boundaries or polling place therein changed less than four (4) months prior to each election, except by order of the district court. (1-3-5 NMSA 1978)

THIRD CAMPAIGN REPORT DUE FROM PRIMARY ELECTION

ALL MUST FILE (including unopposed candidates) a report of expenditures and contributions **EXCEPT** those candidates who filed a Statement of Exception on May 12, 2008. (1-19-29 NMSA 1978)

July 7, 2008 (Monday)

LAST DAY TO AMEND PARTY RULES

No party amendments shall be made less than one hundred twenty (120) days prior to any General Election, nor shall any amendments be effective until thirty (30) days after being filed. Amendments shall be filed in the same manner as original party rules and regulations are filed. *(1-7-5 NMSA 1978)*

August 20, 2008 (Wednesday)

LAST DAY FOR SECRETARY OF STATE TO NOTIFY CHAIR OF ELIGIBLE POLITICAL PARTIES OF DRAWING BY LOT

Notice shall be sent to each chair of a qualified political party by certified mail, return receipt requested, of the time for drawing by lot for political party ballot position on September 3, 2008. *(1.10.6.8, B NMAC)*

September 2, 2008 (Tuesday)

LAST DAY FOR CANDIDATES TO WITHDRAW FROM GENERAL ELECTION

No candidate shall withdraw from a General Election unless done at least sixty-three (63) days prior to that election. *(1-8-9 NMSA 1978)*

September 3, 2008 (Wednesday)

DRAWING BY LOT FOR BALLOT POSITION FOR POLITICAL PARTIES

Drawing by lot for ballot position for political parties by the party chair or designated representative in the Office of the Secretary of State. *(1-10-8.1A & G NMSA 1978 and 1.10.6.8 NMAC)*

September 4, 2008 (Thursday)

LAST DAY TO DISTRIBUTE VOTER INFORMATION

Between sixty (60) and seventy-five (75) days before each General Election, the Secretary of State shall send to each active registered voter in each county, voter information indicating the voter's name, address and voting precinct and the name of the current County Clerk in that county, provided however, that a registrant shall still be sent voter information upon filing of the registrant's certificate of registration with the County Clerk as provided in Section *(1-11-12.1 NMSA 1978)*.

September 9, 2008 (Tuesday)

LAST DAY TO FILL VACANCY ON BALLOT

Appointments to fill vacancies in the list of a party's nominees shall be made and filed at least fifty-six (56) days prior to the General Election. If the vacancy is caused by the death of a nominee, the central committee may in like manner file the name of its nominee to fill the vacancy up until five (5) days prior to the General Election (November 4, 2008). *(1-8-8C NMSA 1978)*

LAST DAY TO CERTIFY PROPOSED CONSTITUTIONAL AMENDMENTS

Whenever a proposed constitutional amendment or other question is to be submitted to the voters of the entire state, the Secretary of State, not less than fifty-six (56) days before the election, at which it is to be submitted, shall certify the proposed constitutional amendment or question to the County Clerk of each county.

(1-16-3 NMSA 1978)

NOTE: Upon receipt of the certified proposed constitutional amendment or other question, the County Clerk shall include it in the proclamation to be issued and shall publish the full text of each proposed constitutional amendment or other question in accordance with the Constitution of New Mexico. *(1-16-4 NMSA 1978)*

LAST DAY TO CERTIFY PRESIDENTIAL ELECTORS

Any qualified party in New Mexico desiring to have candidates for President and Vice President on the General Election ballot in a Presidential Election year shall, at a State Party Convention held in the year of such election, choose from the voters of such party, the number of Presidential electors required by law and no more.

(1-15-3 NMSA 1978)

September 9, 2008 (Tuesday) continued

Upon the nomination of Presidential electors, the chair and secretary of the convention shall certify the names and addresses of such nominees not less than fifty-six (56) days prior to the election to the Secretary of State. *(1-15-3A & C NMSA 1978)*

The names of the Presidential Elector nominees shall not be placed upon the General Election ballot; instead, the Secretary of State shall certify to the County Clerks the names of persons nominated by each qualified political party for the offices of President and Vice President of the United States. *(1-15-4A NMSA 1978)*

September 12, 2008 (Friday)

LAST DAY TO PREPARE THE GENERAL ELECTION BALLOT IN WRITING TO THE PRINTER

Not less than fifty-three (53) days before the General Election, the County Clerk shall prepare in writing the ballot containing the name of each candidate which has been certified and filed as the nominee of his/her party and any constitutional amendments, questions or other propositions that are to be voted on, and certify all such information to the ballot printer. A copy of the certification shall be transmitted to the Secretary of State. *(1-10-4B NMSA 1978)*

NOTE: The County Clerk shall furnish to the county chairs of a major political party upon their request, proof sheets or a copy of the proof sheets of the ballot as soon as they become available. *(1-10-4C NMSA 1978)*

September 16, 2008 (Tuesday)

DEADLINE FOR DELIVERY OF ABSENTEE BALLOTS

Absentee ballots shall be printed and delivered to the County Clerk by this date. *(1-6-7 NMSA 1978)*

NOTE: County Clerks shall mail absentee ballots or rejections to persons whose applications have been received to date. County Clerks shall mail either the ballot or rejection within twenty-four (24) hours after receipt of each application. *(1-6-6B NMSA 1978)*

September 23, 2008 (Tuesday)

LAST DAY TO HOLD MUNICIPAL, SCHOOL, AND SPECIAL DISTRICT ELECTIONS

No Municipal, School or Special District Election shall be held within forty-two (42) days prior to any Statewide Election. *(1-4-10 NMSA 1978)*

October 2, 2008 (Thursday)

SUGGESTED LAST DAY TO NOTIFY PARTY CHAIR OF MACHINE PREPARATION

Five (5) days before an electronic voting machine is issued for absentee voting, the County Clerk may begin to prepare, inspect and seal the voting machine in accordance with the specifications for electronic voting machines adopted by the Secretary of State. *(1-6-9.2A NMSA 1978)*

October 3, 2008 (Friday)

CERTIFICATION OF VOTING MACHINES

The County Clerks shall certify to the Secretary of State and all county party chairs the type and serial number of each voting machine intended to be used in each precinct, by precinct number, and prepare, in the presence of those persons entitled to be present, the electronic voting machines for the election. *(1-11-6 NMSA 1978)*

Preparation, inspection and sealing shall continue until all voting machines are prepared, inspected and sealed. *(1-11-5 and 1-11-6 NMSA 1978)*

LAST DAY FOR DELIVERY OF BALLOT LABELS

Ballot labels shall be printed and in the hands of the County Clerk at least thirty (30) days before the election. *(1-10-5 NMSA 1978)*

October 7, 2008 (Tuesday)

INSPECTION AND SEALING OF VOTING MACHINES

Five (5) days before an electronic voting machine is issued for absentee voting, the County Clerk may begin to prepare, inspect and seal the voting machine in accordance with the specifications for electronic voting machines adopted by the Secretary of State. *(1-6-9.2A NMSA 1978)*

VOTER REGISTRATION CLOSES AT 5:00 PM (1-4-8A NMSA 1978)

The County Clerk shall accept for filing any mailed certificate of registration postmarked not less than twenty-eight (28) days prior to any election referred to in this section and received by 5:00 p.m. on the Friday immediately following the close of registration. The County Clerk shall accept for filing any certificate of registration accepted at a state agency designated pursuant to Section *(1-4-5.2 NMSA 1978)* not later than twenty-eight (28) days prior to any election.

NOTE: During the period when registration is closed, the County Clerk shall receive certificates of registration and other documents pertaining thereto but shall not file the certificate of registration in the registration book until the Monday following the election. *(1-4-8.4 NMSA 1978)*

ABSENTEE VOTING BEGINS

First day that a voter may vote by absentee paper ballot. Absentee ballots may be cast in person during regular hours and days of business at the County Clerks' offices from 8:00 a.m. on the twenty-eighth (28th) day preceding the election up until 6:00 p.m. on the Saturday (November 1, 2008) immediately prior to the date of the election. *(1-6-5E & F NMSA 1978)*

NOTE: County Clerks shall mail absentee ballots or rejections to persons whose applications have been received to date. County Clerks shall mail either the ballot or rejection within twenty-four (24) hours after receipt of each application. *(1-6-6B NMSA 1978)*

October 13, 2008 (Monday)

PROVIDE FIRST COPY OF ABSENTEE REGISTER TO SECRETARY OF STATE AND COUNTY PARTY CHAIR

The County Clerk shall transmit to the Secretary of State and to the county chairs of each of the major political parties in the county a complete copy of entries made in the absentee ballot register. **Such transmissions shall be made once each week beginning four (4) weeks immediately prior to the election. A final copy shall be transmitted on the Saturday immediately following the election.** *(1-6-6E NMSA 1978)*

FIRST CAMPAIGN REPORT OR STATEMENT OF EXCEPTION

ALL MUST FILE, EXCEPT for the following candidates: Unopposed candidates in the General Election, Retention Judges, and those candidates who filed a Statement of Exception on October 13, 2008. *(1-19-29 NMSA 1978)*

SUPPLEMENTAL FILING

Any contribution or pledge to contribute that is received after 5:00 p.m. on the Tuesday before the election (**May 27, 2008 for the Primary Election and October 28, 2008 for the General Election**) and that is for five hundred dollars (\$500) or more in a legislative or non-statewide judicial election, or two thousand five hundred dollars (\$2,500) or more in a statewide election shall be reported electronically either in a supplemental report on a prescribed electronic form within twenty-four hours of receipt or in the report to be filed by 5:00 p.m. on the Thursday (**May 29, 2008 for the Primary Election and October 30, 2008 for the General Election**) before a primary, general or statewide special election except that any such contribution or pledge to contribute that is received after 5:00 p.m. on the Friday (**For the Primary on May 30, 2008 and the General on October 31, 2008**) before the election may be reported by 12:00 noon on the Monday (**June 2, 2008 for the Primary Election and November 3, 2008 for the General Election**) before the election.

October 14, 2008 (Tuesday)

EARLIEST DAY TO SEND CERTIFIED VOTER INFORMATION INDEX

Not more than twenty (20) nor less than ten days before a General or Primary Election, the County Clerk shall send an alphabetical index, by precinct, of all voters, their party affiliation and their addresses to the Secretary of State and to the county chairs of each of the major political parties. *(1-11-13 NMSA 1978)*

October 14, 2008 (Tuesday) continued

LAST DAY TO COMPARE CERTIFICATES OF REGISTRATION

At least twenty (20) days before a Statewide Election, General Election or Primary Election, the County Clerk shall certify the county voter file as representing the county register. *(1-11-12A NMSA 1978)*

October 18, 2008 (Saturday)

EARLY VOTING BEGINS AT ALTERNATE SITES

Early voting may be done in person on an electronic voting machine at alternate sites from 12:00 p.m. until 8:00 p.m. Tuesday through Friday and 10:00 a.m. until 6:00 p.m. Saturday until the Saturday before the election. *(1-6-5.7 NMSA 1978)*

October 20, 2008 (Monday)

MAIL SECOND COPY OF ABSENTEE REGISTER TO SECRETARY OF STATE AND COUNTY CHAIR

The County Clerk shall transmit to the Secretary of State and to the county chairs of each of the major political parties in the county a complete copy of entries made in the absentee ballot register. Such transmissions shall be made once each week. *(1-6-6E NMSA 1978)*

October 21, 2008 (Tuesday)

LAST DAY TO CERTIFY NAMES OF DECLARED WRITE-IN CANDIDATES TO COUNTY CLERK

The Secretary of State shall, not less than ten (10) days before the General Election, certify the names of the declared write-in candidates to the County Clerks of every county affected by such candidacy. *(1-12-19.ID NMSA)*

October 22, 2008 (Wednesday)

NOTICE OF ELECTION BY PROCLAMATION

The County Clerk shall, at least twelve (12) days prior to any County or Statewide Election, give notice of the election by proclamation. *(1-11-1 NMSA 1978)*

FIRST DAY COUNTY CLERKS MAY PUBLISH GENERAL ELECTION PROCLAMATION

The proclamation shall be published at least once, not more than twelve (12) nor less than seven (7) days before Election Day. *(1-11-3A NMSA 1978)*

October 24, 2008 (Friday)

LAST DAY TO SEND CERTIFIED VOTER INFORMATION INDEX

Not more than twenty (20) nor less than ten (10) days before a General or Primary Election, the County Clerk shall send an alphabetical index, by precinct, of all voters, their party affiliation and their addresses to the Secretary of State and to the county chairs of each of the major political parties. Each alphabetical index shall be certified by the County Clerk as being an accurate listing of all voters in the county by precinct, party and address. *(1-11-13 NMSA 1978)*

TEST PROGRAMS OF ALL ELECTRONIC VOTING MACHINES

The County Clerk shall ensure that all electronic voting machine programs are tested not later than ten (10) days prior to the election. The tests shall be conducted by the County Clerk in the presence of the county chairs of each major political party and any interested candidate or representative of the candidate. *(1-11-6.1A NMSA 1978)*

October 27, 2008 (Monday)

LAST DAY FOR NOTIFICATION OF GENERAL SCHOOL OF INSTRUCTION

Last day for County Clerks to notify precinct board members and alternates, by mail, of the General Election school of instruction, if it is held on Tuesday, October 31, 2008. *(1-2-17 NMSA 1978)*

NOTE: One school shall be held not less than seven (7) days before the General Election. Should the County Clerk schedule the school of instruction for precinct board members on a date other than one week from this date then the notification deadline shall be adjusted accordingly. Notice must be mailed to precinct members at least seven (7) days prior to the school, and notice of the school shall be given to the public press at least four (4) days before the school is to be held. *(1-2-17 NMSA 1978)*

October 27, 2008 (Monday) continued

LAST DAY COUNTY CLERKS CAN PUBLISH GENERAL ELECTION PROCLAMATION

The proclamation shall be published at least once, not more than twelve (12) nor less than seven (7) days before Election Day. *(1-11-3A NMSA 1978)*

MAIL THIRD COPY OF ABSENTEE REGISTER TO SECRETARY OF STATE AND COUNTY CHAIR

The County Clerk shall transmit to the Secretary of State and to the county chairs of each of the major political parties in the county a complete copy of entries made in the absentee ballot register. Such transmissions shall be made once each week. *(1-6-6E NMSA 1978)*

October 28, 2008 (Tuesday)

LAST DAY TO HOLD SCHOOL OF INSTRUCTION

The schools for instruction shall be held no less than seven (7) days before the General Election. *(1-2-17B NMSA 1978)*

October 30, 2008 (Thursday)

DELIVERY OF ABSENTEE BALLOTS TO ABSENT VOTER PRECINCTS

Beginning this day, the County Clerk may deliver to the special Deputy County Clerk for delivery to the absent voter precinct board the absentee ballots received prior to the delivery day. *(1-6-11 NMSA 1978)*

SECOND CAMPAIGN REPORT OR STATEMENT OF NO ACTIVITY

ALL MUST FILE, EXCEPT for the following candidates: Unopposed candidates, including Retention Judges, in the General Election and those candidates who filed a Statement of Exception on October 13, 2008. *(1-19-29 NMSA 1978)*

SUPPLEMENTAL FILING (see page 4)

October 31, 2008 (Friday)

LAST DAY COUNTY CLERK MAY SEND ABSENTEE BALLOT

No absentee ballot shall be sent to an absentee voter after this date. *(1-6-5G NMSA 1978)*

LAST DAY COUNTY CLERK TO ACCEPT FEDERAL QUALIFIED ELECTORS AND OVERSEAS VOTERS CERTIFICATE OF REGISTRATION

Last day the County Clerk shall accept a certificate of registration by electronic transmission from a voter qualified to apply for and vote by absentee ballot in the county if the transmission is received before 5:00 p.m. on the Friday immediately preceding the election. *(1-4-8B NMSA 1978)*

November 1, 2008 (Saturday)

ABSENTEE VOTING ENDS *(1-6-5F NMSA 1978)*

EARLY VOTING ENDS *(1-6-5.7 NMSA 1978)*

LAST DAY TO DELIVER VOTING MACHINES TO POLLS

Voting machines shall be delivered to the assigned precinct polling place at least three (3) days before the polls are required to be opened. *(1-11-11A NMSA 1978)*

LAST DAY TO CERTIFY MACHINE DELIVERY & INSPECTION

Last day for County Clerks of any county to certify to the Secretary of State, on forms provided by the Secretary of State, that each voting machine has been inspected after delivery but before the date of the election and has found each machine to have been correctly labeled, that there has been no obvious external damage in delivery and that each machine has been delivered to the proper polling place in each precinct. *(1-11-11A & B NMSA 1978)*

November 3, 2008 (Monday)

MAIL FOURTH COPY OF ABSENTEE REGISTER TO SECRETARY OF STATE AND COUNTY CHAIR

The County Clerk shall transmit to the Secretary of State and to the county chairs of each of the major political parties in the county a complete copy of entries made in the absentee ballot register. Such transmissions shall be made once each week. *(1-6-6E NMSA 1978)*

LAST DAY TO CAST A REPLACEMENT ABSENTEE BALLOT

At any time prior to 5:00 p.m. on the Monday immediately preceding the date of the election, a person whose absentee ballot application has been accepted and who was mailed an absentee ballot but who has not received the absentee ballot may execute, in the office of the County Clerk of the county where the voter is registered to vote, a sworn affidavit stating that the voter did not receive or vote his absentee ballot. Upon receipt of the sworn affidavit, the County Clerk shall issue the voter a replacement absentee ballot. *(1-6-16B NMSA 1978)*

DESTROY ALL UNUSED ABSENTEE BALLOTS

At 5:00 p.m., the County Clerk shall record the numbers of the unused absentee ballots and shall publicly destroy in the County Clerk's office all such unused absentee ballots. The County Clerk shall execute a Certificate of Destruction, which shall include the numbers on the absentee ballots destroyed. A copy of the Certificate of Destruction shall be sent to the Secretary of State. *(1-6-10C NMSA 1978)*

SUPPLEMENTAL FILING (see page 4)

November 4, 2008 (Tuesday)

GENERAL ELECTION DAY *(New Mexico Constitution, Article XX, Section 6)*

PRECINCT BOARD MEMBERS ARRIVE AT POLLING PLACE

Precinct board members shall be present at polling place no later than 6:00 a.m. *(1-12-2 NMSA 1978)*

DELIVERY OF ELECTION SUPPLIES AND MACHINE KEYS

The election supplies and the keys of voting machines shall be delivered to the presiding judge at least one (1) hour before the polls are required to be opened. *(1-11-11A NMSA 1978)*

HOURS POLLS ARE OPEN

Polls shall opened at 7:00 a.m. on the date required by law for the election and shall be closed at 7:00 p.m. on the same day. *(1-12-1 NMSA 1978)*

ABSENTEE SIGNATURE ROSTER DELIVERED

The County Clerk shall deliver to the absent voter precinct on Election Day a complete list of all absentee ballot applicants with applicable information shown in the absentee ballot register for each applicant up to 6:00 p.m. on the Saturday (November 1, 2008) preceding the election. The County Clerk shall deliver a signature roster containing the same information as the lists to the absent voter precinct board. *(1-6-6D NMSA 1978)*

LAST DAY TO ACCEPT ABSENTEE BALLOTS

The County Clerk shall accept completed official mailing envelopes until 7:00 p.m. on Election Day. On Election Day, the County Clerk shall deliver the absentee ballots received prior to 7:00 p.m. on Election Day to the special Deputy County Clerks for delivery to the absent voter precinct boards. *(1-6-10B and 1-6-11 NMSA 1978)*

ABSENTEE VOTING PRECINCT OPEN

The County Clerk or statutorily appointed supervisor of the election shall determine the hours during which the absent voter precinct shall be open for delivery and registering of absentee ballots on the five (5) days preceding Election Day and the delivery, registering and counting of ballots on Election Day and subsequent days until all ballots are counted. *(1-6-23 NMSA 1978)*

November 4, 2008 (Tuesday) continued

ABSENTEE BALLOT; WHEN NOT TIMELY RECEIVED

A voter who applies for an absentee ballot but has not received the absentee ballot by mail as of the date of the election may present himself at his assigned polling place and, after executing an affidavit of non-receipt of absentee ballot, shall be permitted to vote on an emergency paper ballot. *(1-6-16.1A NMSA 1978)*

PROVISIONAL BALLOTS; VOTER WHOSE NAME IS NOT ON LIST OR ROSTER

A voter whose name does not appear on the voter list and signature roster for the precinct in which he offers to vote shall be permitted to vote in the precinct pursuant to the Federal National Voter Registration Act of 1993 and Section *(1-12-8 NMSA 1978)*. *(1-12-7.2 NMSA 1978) (1-12-25.2 NMSA 1978)*

EXTENDED HOURS FOR COUNTY CLERK'S OFFICE

The County Clerk or some duly authorized deputy or assistant shall keep the office of the County Clerk continuously open for twenty-four (24) hours after the closing of the polls, to receive ballot boxes, election returns and materials. If all such items have been received from each precinct in the county before the expiration of the twenty-four (24) hour period, the Office of the County Clerk may be closed except during regular office hours. *(1-12-33 NMSA 1978)*

November 5, 2008 (Wednesday)

COMPLETE TALLYING AND REPORTING UNOFFICIAL TOTALS

The County Clerk shall report the unofficial total returns for the county to the Secretary of State within ten (10) hours after the polls close. *(1-12-30D NMSA 1978)*

November 7, 2008 (Friday)

CANVASSING BOARD MEETS TO BEGIN CANVASS

The County Canvassing Board shall meet within three (3) days after the election and proceed to canvass the returns of the election. *(1-13-3 NMSA 1978)*

November 8, 2008 (Saturday)

FINAL COPY OF ENTRIES MADE IN ABSENTEE REGISTER

The County Clerk shall transmit to the Secretary of State and to the county chairs of each of the major political parties in the county a complete copy of entries made in the absentee ballot register. A final copy shall be transmitted on the Saturday immediately following the election. *(1-6-6E NMSA 1978)*

November 10, 2008 (Monday)

VOTER REGISTRATION REOPENS FOLLOWING THE GENERAL ELECTION

Registration shall be reopened on the Monday following the election. *(1-4-8A2 NMSA 1978)*

November 14, 2008 (Friday)

LAST DAY FOR COUNTY CANVASSING BOARD TO DECLARE RESULTS

The County Canvassing Board shall complete the canvass of the returns and declare the results within ten (10) days from the date of the election. *(1-13-13A NMSA 1978)*

SECURE MISSING RETURNS BY MESSENGER

If within ten (10) days after the date of the election the Secretary of State has not received the election returns of any precinct, the Secretary of State may send a special messenger to the county and precinct to secure and convey the missing returns to the Secretary of State. *(1-13-2B NMSA 1978)*

November 25, 2008 (Tuesday)

STATE CANVASSING BOARD MEETS TO CANVASS RESULTS

State Canvassing Board shall meet in the State Capitol on this day and proceed to canvass and declare the results of the election or nomination of each candidate voted upon by the entire state and by the voters of more than one county.

(1-13-15 NMSA 1978)

December 4, 2008 (Thursday)

THIRD CAMPAIGN REPORT DUE

ALL MUST FILE, INCLUDING unopposed candidates and Retention Judges, a report of expenditures and contributions **EXCEPT** those candidates who filed a Statement of Exception on October 13, 2008. *(1-19-29 NMSA 1978)*

December 5, 2008 (Friday)

COUNTY CANVASSING BOARD ISSUES CERTIFICATE OF ELECTION

The County Canvassing Board shall issue election certificates to winning candidates. *(1-13-13B NMSA 1978)*

December 15, 2008 (Monday)

On the Monday following the second Wednesday of December (as established by federal law) each State's Electors shall meet at 11:00 a.m. in the Office of the Secretary of State to cast their ballots for President and Vice President of the United States. *(1-15-6A NMSA 1978)*

December 19, 2008 (Friday)

RETENTION OF TEST CARDS FOR ELECTRONIC MACHINES

Notwithstanding Section *(1-11-6.1A NMSA 1978)*, test cards for electronic machines must be retained for a period longer than forty-five (45) days after the General Election. Under 42 U.S.C. Section 1974, voting documentation in elections where federal candidates are voted upon shall be retained and preserved for a period of twenty-two (22) months from the election date. Although the exact scope of the federal statute is unclear, the Secretary of State recommends that County Clerks apply the federal retention requirements for test cards.

December 22, 2008 (Monday)

LAST DAY TO NOTIFY PARTY CHAIRS OF MACHINE OPENING

At least three (3) days prior to the opening and clearing of the voting machines, the County Clerk shall notify the county chairs of each political party participating in the election of the time and date thereof. The chair of the political party may be present or may have an accredited representative present at such opening and clearing. *(1-13-21C NMSA 1978)*

NOTE: Date subject to change if the State Canvassing Board does not adjourn on November 25, 2008.

December 26, 2008 (Wednesday)

OPENING AND CLEARING OF VOTING MACHINES

Thirty (30) days after adjournment of the State Canvassing Board, each County Clerk in the presence of the District Judge or a designated representative, shall open all voting machines of the precincts for which he has received no notice by registered mail of contest or no judicial inquiry, and shall clear such machines of all votes cast thereon. *(1-13-21A NMSA 1978)*

January 6, 2009 (Tuesday)

LAST DAY TO NOTIFY PARTY CHAIRS OF BALLOT BOX OPENING

Last day for County Clerks to give notice to the county chairs of the political parties participating in the election of the time, place and date of the opening of ballot boxes, if such is to take place on January 9, 2009. *(1-12-69C NMSA 1978)*

NOTE: This date and the date of January 9, 2009 are subject to change if the State Canvassing Board does not adjourn on November 25, 2008. Notice must be given at least three (3) days prior to the opening of the ballot boxes.

Notwithstanding Section 1-12-69C NMSA 1978, County Clerks shall not destroy the contents of the ballot boxes on January 9, 2009 (or on alternate date the boxes are opened). Under 42 U.S.C. Section 1974, voting documentation in elections where federal candidates are voted upon shall be retained and preserved for a period of twenty-two (22) months from the election date.

January 9, 2009 (Friday)

DESTRUCTION OF BALLOT BOX CONTENTS

Ballot boxes are to be opened if the State Canvassing Board adjourned on November 25, 2008. Notwithstanding Section (1-12-69A NMSA 1978), County Clerks shall not destroy the contents of ballot boxes on this date (or on alternate date boxes are opened). (See 42 U.S.C. Section 1974)