



The Legislature
of the
State of New Mexico

50th Legislature, 1st Session

LAWS 2011

CHAPTER 72

HOUSE BILL 358, as amended

Introduced by

REPRESENTATIVE DENNIS J. ROCH

REPRESENTATIVE GEORGE DODGE, JR.
REPRESENTATIVE MARY HELEN GARCIA
REPRESENTATIVE JAMES ROGER MADALENA
REPRESENTATIVE NATE GENTRY
REPRESENTATIVE ANDY NUÑEZ



Chapter 72

AN ACT

RELATING TO CONSERVANCY DISTRICTS; AMENDING REQUIREMENTS FOR
CERTAIN CONSERVANCY DISTRICT ELECTIONS.

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

SECTION 1. Section 73-18-25 NMSA 1978 (being Laws 1955,
Chapter 281, Section 1, as amended) is amended to read:

"73-18-25. CONSERVANCY DISTRICTS TO WHICH ACT
APPLIES.--Sections 73-18-25 through 73-18-43 NMSA 1978 apply
to conservancy districts organized under the laws of New
Mexico having a contract with the United States under the
reclamation laws of the United States, as provided under
Chapter 73, Article 18 NMSA 1978, and having an area of land
of all classes within the exterior boundaries of the district
of more than one hundred thousand acres and less than one
hundred forty-five thousand acres."

SECTION 2. Section 73-18-27 NMSA 1978 (being Laws 1955,
Chapter 281, Section 3) is amended to read:

"73-18-27. CALLING OF FIRST ELECTION.--The board of
directors of the conservancy district shall meet at the office
of the conservancy district at 10:00 a.m. on the second
Tuesday of August 1955 and shall call an election in the
election precincts outside the municipality to be held on the
second Tuesday in October 1955. The election shall be called
by the board of directors by resolution that shall fix a

1 voting place for each election precinct within the district
2 outside the municipality and designate the necessary qualified
3 electors of each election precinct to act as judges of the
4 election in each precinct. In the discretion of the board of
5 directors of the conservancy district, the election may be
6 held at any place within the district. Judges of the
7 elections shall be paid an amount to be determined by the
8 board of directors for service. Expenses of the elections
9 shall be paid by the district. In each odd-numbered year
10 after 1955, elections shall be called in the same manner and
11 at the same times as provided in Sections 73-18-25 through
12 73-18-43 NMSA 1978 for the election of directors to succeed
13 any directors whose terms expire in that year."

14 **SECTION 3.** Section 73-18-30 NMSA 1978 (being Laws 1955,
15 Chapter 281, Section 6, as amended) is amended to read:

16 "73-18-30. QUALIFICATIONS OF ELECTORS.--The board of
17 directors of the conservancy district shall, by resolution,
18 adopt a plan with necessary rules and regulations by which
19 nonresident owners of land or other owners of land may vote
20 for directors by absentee ballot."

21 **SECTION 4.** Section 73-18-32 NMSA 1978 (being Laws 1955,
22 Chapter 281, Section 8, as amended) is amended to read:

23 "73-18-32. VOTING RIGHTS.--

24 A. In district precinct elections, landowners
25 owning one acre of irrigable land five months preceding the

1 election shall be entitled to one vote for each acre of
2 irrigable land or major fraction of an acre owned by the
3 landowner up to one hundred sixty acres. Landowners owning
4 less than one acre of irrigable land have no vote. A
5 landowner may vote in all voting precincts in which the
6 landowner has irrigable land, entitling the landowner to vote
7 as provided in Sections 73-18-30 and 73-18-31 NMSA 1978.

8 B. For director-at-large, all persons who are over
9 the age of eighteen and who have been the owners of real
10 estate within the district for more than two months preceding
11 the election shall be entitled to one vote.

12 C. All persons who are over the age of eighteen
13 and who have been the owners of real estate within any
14 municipality within the district for more than two months
15 preceding the election shall be entitled to one vote for
16 director representing the municipal election precinct.

17 D. To qualify voters to vote for directors-at-
18 large and for director representing the municipal voting
19 precinct, the ownership of real estate by the spouse shall be
20 considered also ownership by the other spouse."

21 SECTION 5. Section 73-18-34 NMSA 1978 (being Laws 1955,
22 Chapter 281, Section 10) is amended to read:

23 "73-18-34. BECOMING A CANDIDATE FOR DIRECTOR.--Any
24 person wishing to become a candidate for the office of
25 director in any district shall, by the last Friday of July

1 before the election, file in the office of the secretary of
2 the district a declaration of candidacy, stating the election
3 precinct for which the person is a candidate, accompanied by a
4 petition signed by not less than ten qualified electors of the
5 election precinct for which the person is a candidate to
6 represent. No declaration of candidacy shall be accepted by
7 the secretary unless accompanied by such petition, signed by
8 electors."

9 SECTION 6. Section 73-18-36 NMSA 1978 (being Laws 1955,
10 Chapter 281, Section 12) is amended to read:

11 "73-18-36. COMPENSATION OF DIRECTORS.--Each director
12 shall receive compensation payable out of the funds of the
13 district in an amount to be determined by the board of
14 directors of the district; provided that no director may
15 receive an increase in compensation during the term for which
16 that director was elected." _____

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Ben Lujan

BEN LUJAN, SPEAKER
HOUSE OF REPRESENTATIVES

Stephen R. Arias

STEPHEN R. ARIAS, CHIEF CLERK
HOUSE OF REPRESENTATIVES

John A. Sanchez

JOHN A. SANCHEZ, PRESIDENT
SENATE

Lenore M. Naranjo

LENORE M. NARANJO, CHIEF CLERK
SENATE

Approved by me this 5th day of April, 2011

Susana Martinez

SUSANA MARTINEZ, GOVERNOR
STATE OF NEW MEXICO

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