

SECTION 9

Election Canvass

Within ten days after such election, the Board of Directors along with the Election Administrator shall publicly canvass and certify the returns of such election. The Board of Directors shall thereupon enter into its official records a certificate of canvass which shall be substantially as follows:

The Board of Directors of the Pecos Valley Artesian Conservancy District hereby certifies that it has canvassed the return of the election

for director (or Directors) held on the

_____ Day of _____,

20____ in Director District No. _____

(or Director's Districts Nos. _____),

and finds the results to be as follows:

IN DISTRICT NO. _____

For Director District No. _____
received _____ Votes

For Director District No. _____
received _____ Votes

For Director District No. _____
received _____ Votes

For Director District No. _____
received _____ Votes

We Declare _____ elected

as Director in District No. _____.

SECTION 10

Director Notification and Director Vacancy

The Board of Directors shall immediately notify each winning candidate of their election as Director and each person so notified shall take the oath of office as required by law. A Certificate of Election shall be signed and issued to each winning candidate by the Board of Directors. If any winning candidate refuses to take the oath of office for twenty days after such election the office to which they were elected shall ipso facto be considered vacant.

The District Court Judge in the county in which the vacancy occurs, shall fill the vacancy. The District Court Judge shall fill all vacancies in the office of Director by appointment from a list of qualified candidates submitted by the remaining members of the Board of Directors.

The Revised Election Code is hereby APPROVED this 28th day of September 2011.

**Freddie J. Romero
District Court Judge of the
5th Judicial District of New Mexico**



**REVISED ELECTION CODE OF THE
PECOS VALLEY ARTESIAN
CONSERVANCY DISTRICT**

SECTION 1

Purpose of the Election Code

The purpose of the Pecos Valley Artesian Conservancy District Election Code is to provide for the efficient administration and conduct of elections. Insofar as applicable the New Mexico Election Code NMSA 1978 as amended shall govern all elections held within the Pecos Valley Artesian Conservancy District with the exception of candidate filing and absentee voting.

SECTION 2

District Elections

The Pecos Valley Artesian Conservancy District shall be divided into five voting districts. There shall be one director elected by popular vote from each of the five districts for a term of six years. Election for directors shall be held biennially on the second Saturday in January only in the district or districts in which the term of office is about to expire or a vacancy exists.

SECTION 3

Qualified Electors

As used in this election code, qualified elector means any individual who is registered to vote under the provisions of the New Mexico Code and reside within the boundaries of the Pecos Valley Artesian Conservancy District. Any individual desiring to become a qualified elector may register

to vote with the county clerk in the county in which they reside. The county clerk shall accept voter registrations until 5:00 PM on the twenty-eighth day preceding any Pecos Valley Artesian Conservancy District Election. Any guardian, trustee or committee representing the owner or owners of real estate, situated in and affected by the district, shall be allowed to vote in the Directors District in which such real estate is situated; PROVIDED, he shall satisfy the Judges of such election of their legal qualifications as such guardian, trustee or committee.

The official list of qualified voters of said district as provided by the county clerk shall be prima facie evidence of the qualifications of the voters in the district.

SECTION 4

Absentee Voting

Any qualified elector under this code who resides within the district(s) for which elections are being held; who for any reason or cause is unable to be present to vote at their polling location on Election Day, may apply to the Board of Directors or the Election Administrator for an absentee ballot. If the application is accepted by the Board of Directors or the Election Administrator, the application shall be marked "accepted" and beginning ten days prior to the election the Board of Directors or the Election Administrator shall mail the absentee ballot to the address listed on the application. An Absentee Ballot Register shall be kept by the Board of Directors or the Election Administrator for all absentee ballots issued. A copy of the Absent Ballot Register will be available for public review at the Pecos Valley Artesian Conservancy District Office. The final day for mailing absentee ballots will be on the Thursday prior to Election Day. If the return envelope containing the voted ballot is postmarked on or before Election Day and is received on or before the day set for canvass, such ballot shall be counted and added to the official election returns of the election in the district for which it was voted by the Board of Directors.

SECTION 5

Publications

At least thirty days but not more than sixty days prior to any Board of Directors Election, the Board of Directors or Election Administrator shall give notice of such election by publishing a notice containing the date and time of the election, the purpose of the election and the date, time and location for candidate filing, the beginning date for absentee voting and the list of Election Day polling locations.

The Notice of Election shall be published in a newspaper of general circulation in each of the counties in which said district(s) lie. The notice of election shall be published once each week for four consecutive weeks. If the Board of Director District(s) Election lies wholly within one county, the notice of election shall be published only in that county.

SECTION 6

Candidate Filing

Candidates for Directors in the respective District shall file both a Declaration of Candidacy and Nominating Petitions containing not less than twenty five signatures of qualified electors residing within the district in which it is sought to nominate a candidate. The candidate shall file their Declaration of Candidacy and Nominating Petitions at the Pecos Valley Artesian Conservancy District Office located in Roswell, New Mexico, only between the hours of 8:00 A.M. and 4:00 P.M. at least twelve days prior to the election. If the candidate filing deadline falls on a weekend or legal holiday, the filing date shall be extended to the following business day. If the candidate is deemed to be qualified the Board of Directors or the Election Administrator shall cause the candidate's name to be printed upon the official ballot. If more than one candidate qualifies, position on the ballot will be determined by drawing lots on the ninth day prior to the election. Any Declaration of Candidacy or Nominating petitions not received within the prescribed time will be disregarded by the board.

SECTION 7

Election Day, Date and Time

Election for Directors shall be held biennially on the second Saturday in January, in the district or districts in which the term of office is about to expire. The hours for voting at such election shall be from 8:00 A.M. to 6:00 P.M.

SECTION 8

Election Day Procedures

One ballot shall be delivered by the precinct board to each qualified elector who presents themselves to vote. After the ballot has been marked the qualified elector shall feed the ballot into the Optech Tabulator. If a qualified elector accidentally spoils a ballot they may return the spoiled ballot to the precinct judge and receive a new ballot. The voter shall mark the spoiled ballot with the word "SPOILED" and shall place it in a Spoiled Ballot Envelope which shall be sealed and placed in the transfer case by the precinct judge.

A person, whose name does not appear on the voter list in the precinct which he offers to vote, may vote on a "Provisional Ballot". The precinct board shall add the individuals name to the bottom of both signature rosters and indicate that the voter voted provisional. Qualified Provisional Ballots may be added to the election tally on the day of canvass and certification by the Board of Directors.

At the close of the election after the last voter has voted, the election judges shall lock the voting machine against any further voting. The precinct board shall print and sign three copies of the election results. The precinct board shall place all voted ballots and spoiled ballots and a copy of the election results in a transfer case, seal it and return it to the Board of Directors or to the Election Administrator.