

## Council Meeting Staff Report

June 11, 2019

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**Agenda No.:** 1)  
**Indexes (Council Goals):**  
**Presenters:** County Council - Regular Session  
**Legislative File:** 12008-19

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### Title

Appointment of the 2019 Board of Registration.

### Recommended Action

**I move that Council nominate Laura Burrows, Cameron Counters, Chris Luchini, Mary Theresa Marzili, Dave Schiferl and Kyle Wheeler to fill the positions of the County's Board of Registration for the term of July 1, 2019 to June 30, 2021. I *further* move by roll call vote Councilors will each vote for five nominees. No more than two of the five persons appointed to the Board shall be members of the same major political party. The five nominees with the highest vote total of four or more votes, will be appointed to fill the five positions on the Board.**

(In case of a tie vote, a run off roll call vote will be held.)

### Body

Earlier this year under the existing laws in the election code, the County Council appointed a Board of Registration (2/12/19) and the Board of Registration met (2/26/19) and concluded their responsibilities as required by March 15, 2019.

However, due to the recently passed legislation in HB407, the County Council is now required to appoint a Board of Registration at the first regular scheduled meeting in June.

The term of the Board of Registration will now be from July 1 of an odd-numbered year until June 30 of the next succeeding odd-numbered year. Members of the Board of Registration shall hold office until their successors are appointed and qualified. Members of the Board of Registration shall qualify by taking and filing in the office of the county clerk the oath required of county officials.

The number of Board of Registration members needs to be confirmed with the County Attorney, i.e. three vs. five. The election code states class B counties shall appoint three members, pursuant to NMSA 4-44-1, but we are a class H county, so I am not sure how this will affect us.

Also, it may be worth noting in the staff report the following information, pursuant to NMSA 1-4-34 B:

A. The board of county commissioners shall, at its first regular scheduled meeting in June of each odd-numbered year, appoint five voters who shall constitute the board of registration for the county; provided that a class B county as defined in Section 4-44-1 NMSA 1978 shall appoint three voters who shall constitute the board of registration for the county.

B. Members of the board of registration shall not during their service be county employees, elected officials or candidates for public office, and not more than two members of the board of registration shall be members of the same political party at the time of their appointment; provided that: (1) a member of the board of registration shall not have changed party registration in the two years next

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preceding the member's appointment in such a manner that the member's prior party registration would make the member ineligible to serve on the board of registration; and (2) a member of the board of registration shall not continue to serve on the board of registration if the member changes party registration after the date of appointment in such a manner to make the member ineligible to serve on the board of registration.

C. In the event that a position on the board of registration becomes vacant for any of the reasons described in Section 10-3-1 NMSA 1978, the board of county commissioners shall appoint a replacement who shall qualify pursuant to Subsection B of this section and serve until the expiration of the original term.

Pursuant to NMSA 1-4-28, the Board of Registration shall review the list of eligible voters no later than the fifteenth day of March following a general election (calendar year 2021).

Pursuant to NMSA 1-4-28E, briefly explains the responsibility of the Board of Registration: No later than the fifteenth day of March following a general election, the board of registration shall review the list of eligible voters. The board of registration shall direct the county clerk to cancel the registration of any voter who has been sent notice in conformance with this section and who: (1) has failed to respond to the notice sent in conformance with this section and has not voted or appeared to vote in any election during the period beginning on the date of the notice and ending on the day after the second general election that occurs after the date of the notice; or (2) has confirmed in writing that the voter has changed residence to a place outside the county.

A general call for interested parties was advertised and the local political parties were also notified. The Nominees and their political affiliation are shown below:

1. Laura Burrows [L]
2. Cameron Counters [D]
3. Chris Luchini [L]
4. Mary Theresa (Terry) Marzili [R]
5. Dave Schiferl [D]
6. Kyle Wheeler [D]