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HOUSE BILL 42

**50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011**

INTRODUCED BY

Don L. Tripp

AN ACT

RELATING TO ELECTRIC UTILITIES; AMENDING THE RURAL ELECTRIC COOPERATIVE ACT; ALLOWING RURAL ELECTRIC COOPERATIVE MEMBERS TO VOTE BY PROXY OR MAIL.

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

SECTION 1. Section 62-15-10 NMSA 1978 (being Laws 1939, Chapter 47, Section 10) is amended to read:

"62-15-10. VOTING DISTRICTS.--

A. Notwithstanding any other provision of [~~this~~] the Rural Electric Cooperative Act, the bylaws may provide that the territory in which a cooperative supplies electric energy to its members shall be divided into two or more voting districts and that, in respect of each such voting district:

(1) a designated number of trustees shall be elected by the members residing [~~therein, or~~] in that district;

underscored material = new  
[bracketed material] = delete

underscoring material = new  
[bracketed material] = delete

1                   (2) a designated number of delegates shall be  
2 elected by ~~[such]~~ the members residing in that district; or

3                   (3) both ~~[such]~~ trustees and delegates shall  
4 be elected by ~~[such]~~ the members residing in that district.

5                   B. ~~[In any such case]~~ The bylaws shall prescribe  
6 the manner in which ~~[such]~~ voting districts, and the members,  
7 ~~[thereof and the]~~ delegates and trustees thereof, if any,  
8 elected therefrom, shall function. ~~[and]~~ The bylaws shall also  
9 set forth the powers of the delegates, which may include the  
10 power to elect trustees. No ~~[member at any voting district~~  
11 ~~meeting and no]~~ delegate at any meeting shall vote by proxy or  
12 by mail.

13                   C. Voting by members at voting district meetings  
14 shall be in person, unless otherwise provided in the bylaws.  
15 The bylaws shall prescribe the conditions under which voting by  
16 proxy or mail shall be exercised."