

2019 Election Legislation and SOS Efforts to Increase Voter Participation in **Tribal Communities**

Office of the NM Secretary of State

November 20, 2019

Contact Information



WEB: Sos.state.nm.us

Email: SOS.elections@state.nm.us

Phone: 505-827-3600

Maggie Toulouse-Oliver Secretary of State

Sharon Pino
Deputy Secretary of State/COS
505-827-3636

Sharon.Pino@state.nm.us

Mandy Vigil Elections Director 505-827-3617

Mandy.Vigil@state.nm.us

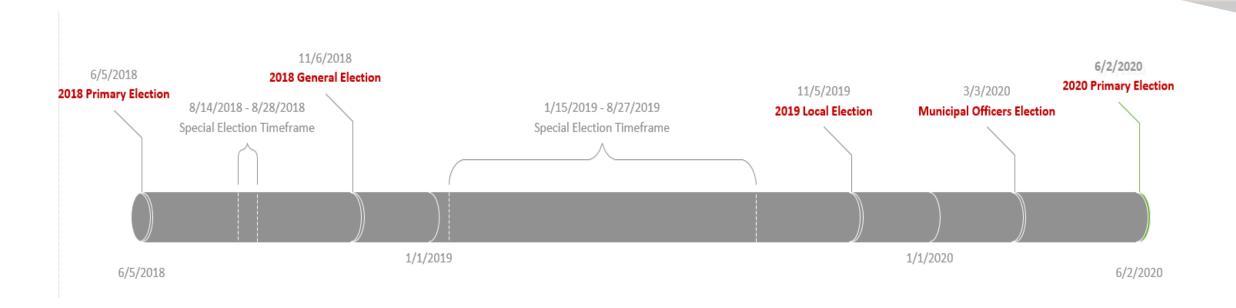
Dylan Lange Director of Leg. And Ex. Affairs 505-827-3629

Dylan.Lange@state.nm.us

Martin Aguilar
Native American Elections Information
Program Liaison

Martin.Aguilar@state.nm.us

Election Timeline



Regular Local Election Turnout in Tribal Communities

- 12% of eligible voters on NA land precincts voted in the RLE
 - 8,132 votes
- Large percentage turnout in San Juan County due to NA running for candidacy. (14% turnout)
- Largest percentage of voters per precinct (unofficial)
 - Nambe Pueblo Tribal Admin Blg 33%
 - Beclabito Chp. 22%
 - Ojo Encino Chp, Whitehorse Lake Chp, Tohatchi Elm, Two Grey Hills, Tiis Tsoh Kikaad Chp (Navajo) – 21%
 - Laguna Pue Encinal Rec. Blg 21%

2019 ELECTIONS LEGISLATION

- The Legislature's recent updates to our election laws make it easier for New Mexicans to register to vote, enhance election security, and improve accessibility at the ballot box for eligible voters.
 - Election Law Tune-Up House Bill 407
 - Local Election Act
 - SOS Admin Rules
 - Voter Registration Changes
 - Proper filing officer or all non-statewide officers
 - Same Day Voter Registration SB 672
 - Automated Voter Registration SB 672
 - Campaign Finance SB 3
 Admin Rule
 - Public Financing SB 4

Voter Benefits - HB 407

- House Bill 407 was important for New Mexicans because our election laws must continually evolve to meet the needs of 21st Century voters.
- Serve Constituents and Voters better and integrates Local Elections
- Benefits
 - Absentee ballots pre-paid postage
 - Election consolidation/efficiency County clerks run all Regular Local Elections (RLE)
 - Voter expectations/education
- Drop-off boxes for mail-in ballots
 - Security of the drop off boxes
- Absentee ballots are protected the same way as Provisional ballots
- Voter Registration privacy improvements

2019 Regular Local Election



NEW MEXICO OFFICE OF THE SECRETARY OF STATE

Proclamation

Pursuant to the Regular Local Election Act, NMSA 1978, Sections 1-22-2 to 1-22-19 (1969, as amended through 2019). I, Minggle Toulcuse Ofere, New Makoo Secretary of State, by virtue of the authority vested in ms, do hereby issue the following proclamation:

That a Regular Local Election is called to be held throughout the State of New Mexico and in each county and precinct thereof on November 5, 2019; and

That a Regular Local Election shall be a nonpartism election, and the names of all candidates shall be listed on the ballot with no party or slate designation; and

That that all municipalities that have opied to elect their officers on the Regular Local Election ballot, where applicable, shall conduct the runoff election pursuant to Section 1-22-16 NMSA 1578, either as a top-two runoff election or as a ranked-choice numble felection; and

That the City of Las Cruces and the City of Santa Fe shall conduct a ranked-choice runoff election on the same ballot as the Regular Local Election to be held on November 5, 2019; and

That the City of Albuquerous shall conduct a top-two runoff election following the Regular Local Election, should one be necessary. If a top-two runoff election is necessary, it will be held on December 17, 2019; and:

That a Regular Local Election shall be held to elect qualified persons to membership on a local governing body and, where applicable, to elect municipal officers for the following offices:

LOCAL GOVERNMENT

BERNALILLO COUNTY

CITY OF ALBUQUERQUE - FOUR COUNCILORS

 Distriot 2 Councilor
 FOUR-YEAR TERM

 Distriot 4 Councilor
 FOUR-YEAR TERM

 Distriot 5 Councilor
 FOUR-YEAR TERM

 Distriot 6 Councilor
 FOUR-YEAR TERM

 FOUR-YEAR TERM
 FOUR-YEAR TERM

VILLAGE OF LCS RANCHOS - ONE MAYOR AND

THREE TRUSTEES

 Mayor
 FOUR-YEAR TERM

 Tustee
 FOUR-YEAR TERM

 Fustee
 FOUR-YEAR TERM

 Tustee
 TO FILL UNEXPIRED FOUR-YEAR TERM

VILLAGE OF THERAS - ONE MAYOR AND TWO

CCUNCILORS Mayor

 Mayor
 FOUR-YEAR TERM

 Councilor
 FOUR-YEAR TERM

 Councilor
 FOUR-YEAR TERM

ALBUQUERQUE PUBLIC SCHOOLS -THREE SCHOOL BOARD MEMBERS

MORIARTY-EDGEWOOD FUELIC SCHOOL — THREE SCHOOL BOARD MEMBERS

ilio Sena Fe de Terrancaj Pesition 2 Board Mamber FOUR-YEAR TERM FOUR-YEAR TERM FOUR-YEAR TERM

FOUR-YEAR TERM

Over 900 candidates declared for the first Regular Local Election

Over 250 candidate contests across the state

• Santa Fe and Las Cruces conducted Ranked Choice Voting for Municipal Officer Elections.

• City of Albuquerque has started early voting for its Top-Two Runoff Election.

First time New Mexicans could register to vote during early voting.

PRLE OVERVIEW

- 18.19% of eligible voters voted RLE.
- Counties with highest percentage turnout
 - Harding 44%
 - Union 39%
 - Mora 39%
 - Guadalupe 33%
 - Los Alamos 31%

Voter Turnout and Same Day Registration Numbers

County	Early	Absentee	Total	rough October 31, 2019 Same Day Registration
Bernalillo	28501	6426	34927	773
Catron	177	27	204	3
Chaves	822	83	905	22
Cibola	180	14	194	2
Colfax	239	65	304	4
Curry	342	22	364	3
De Baca	40	6	46	1
Dona Ana	5393	289	5682	150
Eddy	676	23	699	4
Grant	1640	149	1789	66
Guadalupe	300	125	425	4
Harding	62	53	115	2
Hidalgo	70	19	89	0
Lea	724	24	748	6
Lincoln	350	39	389	5
Los Alamos	1783	33	1816	29
Luna	617	26	643	20
McKinley	502	8	510	38
Mora	331	59	390	0
Otero	1260	86	1346	27
Quay	265	78	343	3
Rio Arriba	987	51	1038	53
Roosevelt	126	7	133	2
San Juan	1907	468	2375	14
San Miguel	394	43	437	11
Sandoval	3692	347	4039	113
Santa Fe	3994	237	4231	17
Sierra	381	11	392	4
Socorro	525	109	634	12
Taos	529	67	596	1
Torrance	352	25	377	4
Union	389	38	427	4
Valencia	1733	201	1934	32
TOTALS	59283	9258	68541	1429

SOS Efforts to Increase Voter Participation in Tribal Communities

Supporting Counties in ADA compliance in Tribal Communities

Native American Election Information Program

Native American Voting Task Force

- 2 Native American Election Information Program Liaisons
 - Martin Aguilar Santa Fe <u>Martin Aguilar@state.nm.us</u>
 - Helene Crosby Fruitland <u>Helene.Crosby@state.nm.us</u>

PDOJ Seeks ADA Compliance on NA Lands

- Based on a Complaint, DOJ surveyed and assessed the NM County buildings, including polling places, for compliance with the ADA.
 - DOJ survey identified architectural barriers under the ADA at County polling places, including inaccessible parking, ramps that were too steep, and doorways that were too narrow. Additionally, access to public telephones, restrooms, service counters and drinking fountains were found to be inaccessible to persons with disabilities.
 - Under the ADA, counties that conduct local, state, or federal elections may not select polling places that are inaccessible during elections to individuals with disabilities.
- County's must employ temporary measures, such as portable ramps, signage, and propped open doors, as well as certain permanent changes, such as paved parking and ramps.
- In addition, the County will train its poll workers on the requirements of the ADA and how to use temporary measures to ensure each polling place is accessible during elections.

PDOJ Seeks ADA Compliance on NA Lands

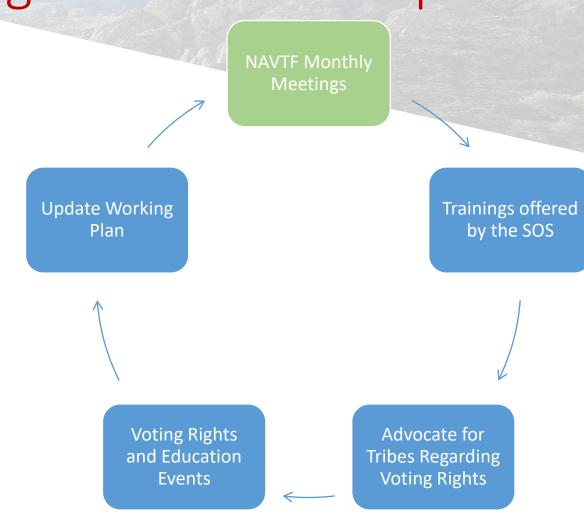
- DOJ determined 3 Counties are out of compliance with ADA at NA polling locations. (mobility and vision disabilities)
 - San Juan County 2015
 - Sandoval County 2019 Agreement re accessible voting program
 - McKinley County 2019 Agreement re accessible voting program
- Joint County and State issue to solve funding gap regarding polling locations
- Sandoval County's quote for compliance is \$49,455.83
 - Van Accessible and Wheel-Chair Accessible signs
 - EZ-Access Ramps
 - 1,5000 traffic cones
- San Juan County's quote for compliance is \$42,559.00
 - Expanding doorways, EZ-Access Ramps, door stops...
- SOS is seeking supplemental funding (FY20-FY21) for cost of compliance.
 - \$127,000 for three counties to help comply with ADA

Native American Election Information Program

- NAEIP works with twenty-three federally recognized
 Tribes/Pueblos throughout New Mexico to provide outreach and voter education within their respective communities.
 - The Navajo Nation, Three Apache Tribes, and 19 Pueblos
- ■NAEIP provides election related translations for eight NA languages.
- NAEIP assists Tribes with election laws, voter information and voter data.
- ■NAEIP works with five counties having NAEIP programs and bilingual programs.

Native American Voting Task Force - Purpose

- The Native American Voting Taskforce will consult, advise and make recommendations to Secretary of State on Native American voting issues, including:
 - Increasing voter registration in Native American communities
 - Establishing adequate early voting sites
 - Increasing access to the ballot
 - Providing election documents in Native American languages
 - Increasing voter outreach and voter education in Native American communities
 - Assisting the federal government in recognizing areas of need in New Mexico's Native American communities, including in urban areas
 - Increasing dialogue between the task force, the counties, the state and tribal leadership
 - Advocating to the legislature to address the digital divide and internet connectivity
 - Incorporating Native American input into future redistricting efforts



NAVTF – 2019 Strategic Plan



- Native American Registration, Participation, and Turn-Out.
- Native American Voting Rights.
- Native American Voting Education.
- Native American Language Interpretations.

Tribal Outread

- •Inform and establish a venue with Tribal Leaders and Native American organizations.
- Make voting data transparent for each federal recognized NM Tribe.
- Provide location on where to receive election information.
- Present to Tribes on hosting: Voter Registration Events and Outreach on election information.

NAVTF Members Mee with Respective Triba Leaders

- •NAVTF to make presentations to Tribal organizations and Native American organizations on election law updates.
- Make available current voter data to the Tribes based on precinct information.
- •Inform Tribal communities of security issues facing elections

NAVTF Voter Involvement

- NAVTF draft an Voter Education Series for Tribal communities.
- NAVTF invite Native American organizations to NAVTF meetings for presentations.
- NAVTF advise the Secretary of State on legislative policy pertaining to Native American voting.
- NAVTF consider hosting or co-hosting election information forums.

NAVTF – 2019 Strategic Plan Continued

Miguel Trujillo Project

- Formal Letter to Governor of Isleta Pueblo as part of Pueblo protocol.
- Set meeting to define the criteria and purpose for this project
- Involve the family of the late Miguel Trujillo.
- seek sources for the continued funding this project.
- Draft a process and timeline to initiate project and a plan on publicizing this effort.

Legislation to Establish NAVTF

- To request legislative acknowledgement of NAVTF.
- Secretary of State propose a draft budget with input from NAVTF members.
- Draft legislative language with SOS
- Develop Legislative Strategy
- Advocate

Government to Government Relationship

- \bullet Request that Tribes have periodic meetings with the local County Clerks and NAVTF
- •Actively present throughout the state on the election process
- Provide transparency to Tribes on all information requested.
- Assist in securing Native American language services.
- •Review Native American voting rights statues and recommend changes to Secretary of State.

Outreach to Urban Native Organizations

- NAVTF members identify appropriate urban Native organizations to partner with on voter registration
- Develop an voter feedback Form for Urban Native organizations to submit their voting experience.

Campaign Finance Updates – SB 3 (2019)

- Resolved Constitutional Issues with NM Campaign Finance Law
 - Replaces the two-tier, \$2,600 limit for contributions to non-statewide candidates and \$5,700 limit for statewide candidates with a blanket, \$5,000 limit for all candidates in primary and general elections, except for gubernatorial candidates. NMSA 1978, § 1-19-34.7(A).
 - Limits for contributions to gubernatorial candidates shall be **twice the limit** for other candidates (\$10,000 per primary or general election). NMSA 1978, § 1-19-34.7(B).
 - **Exempts** from contribution limits contributions to political committees that only make independent expenditures and contributions to political committees that are deposited in a segregated bank account that may only be used for independent expenditures. NMSA 1978, § 1-19-34.7(I).

Campaign Finance Updates – SB 3

- Creates a separate limit for contributions to political parties and legislative caucus committees of **five times** the limits for contributions to non-gubernatorial candidates (\$25,000 per primary or general election). NMSA 1978, § 1-19-34.7(C).
- Exempts from contribution limits in-kind contributions by political parties and legislative caucus committees to their parties' candidates. NMSA 1978, § 1-19.34.7(J).



