

This rule was filed as 1 NMAC 10.8.

TITLE 1 GENERAL GOVERNMENT ADMINISTRATION
CHAPTER 10 ELECTIONS AND ELECTED OFFICIALS
PART 8 PROCEDURES FOR STATE AGENCY-BASED VOTER REGISTRATION UNDER THE
NATIONAL VOTER REGISTRATION ACT OF 1993

1.10.8.1 ISSUING AGENCY: Office of the Secretary of State.
[12-15-97; Recompiled 11/30/01]

1.10.8.2 SCOPE: motor vehicle division, commission for the blind, commission for the deaf and hard of hearing, children youth and families department, health department, human services department, veteran's service commission, vocational rehabilitation division, all county clerk's offices and certain state funded public libraries, universities and colleges.
[12-15-97; Recompiled 11/30/01]

1.10.8.3 STATUTORY AUTHORITY: P.L. 103-31 The National Voter Registration Act of 1993 and 1-4-5.2.
[12-15-97; Recompiled 11/30/01]

1.10.8.4 DURATION: Permanent
[12-15-97; Recompiled 11/30/01]

1.10.8.5 EFFECTIVE DATE: December 15, 1997 [unless a later date is cited at the end of a section]
[12-15-97; Recompiled 11/30/01]

1.10.8.6 OBJECTIVE: To provide persons an opportunity to register to vote or make a change to their voter registration when applying for services or assistance at designated state agencies, armed forces recruitment offices or when applying for or renewing driver's license or personal identification documents.
[12-15-97; Recompiled 11/30/01]

1.10.8.7 DEFINITIONS:

A. "Designated agency" means all offices in the state that provide public assistance, all offices in the state that provide state-funded programs primarily engaged in providing services to persons with disabilities. In addition each state shall designate other offices within the state which may include state or local government offices such as public libraries, public schools, offices of city and county clerks (including marriage license bureaus), fishing and hunting license bureaus, government revenue offices, unemployment compensation offices, and offices that provide services to persons with disabilities, federal and non-governmental offices, with the agreement of such offices.

B. "Mail voter registration application" means the application form prescribed by the federal election commission for the registration of voters in elections for federal office.

C. "Declination form" is the form used to offer a qualified elector the opportunity register to vote at a designated agency.

D. "Registration officer" means the county clerk or the clerk's authorized deputy.

E. "Registration agent" means a state or federal employee who provides voter registration at a state agency or any other individual who assists another person in completion of a voter registration application.

[12-15-97; Recompiled 11/30/01]

1.10.8.8 RULES AND REGULATIONS:

A. Each designated state agency shall advise any applicant for services that voter registration may be made simultaneously with an application for services. Voter registration forms shall be supplied by the office of the county clerk in the county where the agency is situated or located. County clerks must arrange for transmittal or collection of completed voter registration forms within ten (10) calendar days of completion. Each agency and county clerk's office participating in the voter registration program shall maintain sufficient records for the secretary

of state to comply with federal reporting requirements. Any records maintained by the agency regarding voter registration activities by that agency are confidential and shall not be released as public records.

B. The specific procedures to be employed by each designated agency have been set forth in the following manuals: motor vehicle division voter registration agent manual (appendix A); New Mexico state agency voter registration agent manual (appendix B); public library voter registration agent manual (appendix C); and university and college voter registration agent manual (appendix D).

[12-15-97; Recompiled 11/30/01]

1.10.8.9 PROHIBITED ACTIVITIES: A state employee providing the services specified in this rule is prohibited from:

- A. seeking to influence the political preference or party registration of a person registering to vote;
- B. displaying any political preference or party allegiance;
- C. making any statement to a person registering to vote or taking any action the purpose or effect of which is to discourage a person from registering to vote;
- D. making any statement to a person registering to vote or taking any action the purpose or effect of which is to lead the person to believe that a decision to register or not to register has any bearing on the availability of services or benefits;

E. seeking or inducing any person to register to vote in any particular manner;

F. revealing the office at which a person registered to vote; and

G. revealing any information on voter registration or declination of voter registration for any purpose other than voter registration purposes.

[12-15-97; Recompiled 11/30/01]

1.10.8.10 MAIL REGISTRATION: The state of New Mexico shall accept and use the mail voter registration application, meeting all federal criteria, for the registration of all voters in elections for federal office. The mail registration application shall also be accepted for notification of change of address.

[12-15-97; Recompiled 11/30/01]

1.10.8.11 DECLINATION FORM: Each agency that provides public assistance and state-funded programs providing services to the disabled shall provide a "declination" form to applicants which shall read in English and Spanish:

- A. form
- B. form in Spanish

[12-15-97; Recompiled 11/30/01]

1.10.8.12 REQUIREMENTS FOR ADMINISTRATION OF VOTER REGISTRATION: Valid voter registration applications from all participating designated agencies and mail applications shall be accepted by county clerks not later than 28 days prior to the election. Each county clerk shall provide acknowledgement of the disposition of the application to the applicant.

Ineligible voters may be removed from the list of eligible voters only by reason of:

- A. the request of the registrant;
- B. the death of the registrant;
- C. change of residence outside the jurisdiction of the county clerk; as provided by state law in the case of criminal conviction or mental incapacity.

[12-15-97; Recompiled 11/30/01]

1.10.8.13 CONFIRMATION OF VOTER REGISTRATION: The program conducted by the state of New Mexico to protect the integrity of the electoral process shall be non-discriminatory and in compliance with the Voting Rights Act of 1965 and shall not result in the removal of any registered voter solely for failure to vote. All voter removal programs shall be conducted in accordance with the National Voter Registration Act.

[12-15-97; Recompiled 11/30/01]

1.10.8.14 FEDERAL COORDINATION AND REGULATIONS: A mail voter registration application form which shall require only such information as necessary to enable the appropriate county election officials to

assess the eligibility of the applicant to register to vote and county and state election officials to administer voter registration and other parts of the election process. It shall include a statement that:

- A. specifies each eligibility requirement, including citizenship;
 - B. contains an attestation that the applicant meets such requirements; and requires the signature of the applicant under penalty of perjury;
 - C. if the applicant declines to register to vote, that declination shall remain confidential and will be used for voter registration purposes only; and
 - D. that if an applicant does register to vote, the office at which the applicant submits a voter registration application will remain confidential and be used for voter registration purposes only.
- [12-15-97; Recompiled 11/30/01]

1.10.8.15 DESIGNATION OF CHIEF STATE ELECTION OFFICIAL: The secretary of state is the chief state election official responsible for coordination of the state's responsibilities under the act.
[12-15-97; Recompiled 11/30/01]

1.10.8.16 PRIVATE RIGHT OF ACTION:

A. A person who is aggrieved by a violation of the National Voter Registration Act may provide written notice of the violation to the office of the secretary of state. The secretary shall initiate an investigation to determine whether a violation occurred. If the secretary of state determines that a violation occurred, necessary steps shall be taken to correct this violation. If the violation is not corrected within 90 days of receipt, or within 20 days after the receipt of the notice if the violation occurred within 120 days before the date of an election for federal office, the aggrieved person may bring a civil action in an appropriate district court for declaratory injunctive relief with respect to the violation.

B. If the violation occurred within 30 days before the date of an election for federal office, the aggrieved date of an election for federal office, the aggrieved person need not provide notice to the office of the secretary of state before bringing a civil action.
[12-15-97; Recompiled 11/30/01]

1.10.8.17 CRIMINAL PENALTIES:

A. A person, including a registration officer or registration agent, who knowingly violates any provision of the National Voter Registration Act shall be fined in accordance with title 18 of the United States Code.
[12-15-97; Recompiled 11/30/01]

1.10.8.18 APPENDICES:

A. Motor vehicle division voter registration agent manual
APPENDIX A

COMPLIANCE GUIDE FOR THE NATIONAL VOTER REGISTRATION ACT

MOTOR VEHICLE DIVISION

VOTER

REGISTRATION

AGENT

MANUAL

OFFICE OF THE
SECRETARY OF STATE
STEPHANIE GONZALES

compiled by the

Bureau of Elections

December 1, 1994

ABOUT THIS MANUAL

This manual has been prepared by the Bureau of Elections to assist in the implementation of voter registration activities in state agencies. It is not meant to supersede federal or state laws or rules, nor does it have the force of law. To obtain copies of the National Voter Registration Act or other information about the contents of this reference manual, or to suggest modifications, you may contact:

Bureau of Elections
Office of the Secretary of State
State Capitol, Room 419
Santa Fe, New Mexico 87503

REGISTRATION HOTLINE

For answers to more urgent questions about voter registration rules and procedures, contact your local county clerk (see page 19) or call the Bureau of Elections at either of these numbers:

1-505-827-3620
or
1-800-477-3632

CONTENTS

INTRODUCTION

MOTOR VEHICLE-BASED VOTER REGISTRATION
MVD's role under NVRA

THE VOTER REGISTRATION APPLICATION
Doing it by the Numbers

RESPONSIBILITIES
of Site Personnel & Coordinators

COUNTY CLERKS

DEFINITIONS

November 18, 1994

TO: Voter Registration Agents and Site Coordinators

The enactment of the National Voter Registration Act of 1993 (also known as "Motor Voter") represented a response to the need to make voter registration more widely available to the citizens of this country. The act accomplishes this goal by requiring various public agency offices to provide voter registration services.

Governor's Executive Order 94-11 directs designated state agencies throughout New Mexico to cooperate in fully implementing this new law, beginning on January 1, 1995.

Motor vehicle departments, state agencies providing public assistance, armed forces recruitment centers, public libraries, universities and colleges are participating in this endeavor.

The objectives of the NVRA are clear:

increase the number of eligible citizens who register to vote,
protect the integrity of the electoral process by ensuring accurate and current voter registration rolls are maintained, and
enhance voter participation of eligible citizens.

This manual was prepared to assist voter registration agents and coordinators in implementing this historic law. And it is to them that this manual is dedicated. It is they who are the frontline troops in this momentous effort to foster greater voter participation.

Sincerely,

Stephanie Gonzales
Secretary of State

MOTOR VEHICLE-BASED VOTER REGISTRATION: MVD'S role under NVRA

What is a Registration Agent?

A registration agent is a state employee who provides voter registration at a state agency or any other individual who assists another person in completion of a voter registration application.

Registration Agent qualifications

A registration agent must be able to read and write legibly and be otherwise competent to perform the duties required under the NVRA.

Duties of the Registration Agent

Registration Agents may perform their lawful duties at any location within the State of New Mexico. They shall provide any qualified elector with an opportunity to register to vote regardless of political affiliation, religion or race; and, shall perform their lawful duties without charge as follows:

1. shall assist in the preparation of the voter registration application of qualified electors at the request of the applicant; and
2. may assist a voter in any changes to the voter registration application (i.e. name, address or party affiliation).

Providing assistance - how much is enough?

Motor vehicle offices providing voter registration must provide the same degree of assistance, including bilingual assistance when necessary, to individuals completing a voter registration form as they offer to individuals completing the motor vehicle office forms, unless the applicant refuses such assistance.

Active outreach required

The National Voter Registration Act requires that motor vehicle licensure and voter registration be offered simultaneously. Applicants for a driver's license, renewal, change of address, identification card, or a change of voter registration must always be offered both forms.

What about those who decline to register?

Applicants may decline the opportunity to register to vote by simply refusing to sign the application to register. However, the individual must always be presented with a voter registration application along with the driver's

license application (or state-issued I.D. card). Information regarding an individual's failure to sign cannot be used for any purposes other than voter registration.

Confidentiality

Also, the information on the particular office where an individual registered must remain confidential and be used only for voter registration purposes.

What about changes of address?

Finally, any change of address submitted for a motor vehicle driver's license at the site shall also serve as a change of address for voter registration purposes unless the individual states on the application that the change of address is not for voter registration purposes.

Put someone in charge

Each motor vehicle office must appoint one person to be in charge of and responsible for all motor voter activities (see page 16). This individual will monitor supplies of forms, train new employees and coordinate voter registration activities with local and state election officials. While not a full-time task, it will be continuous.

Collection and transmittal of registrations

Collection or transmittal of completed voter registration applications must take place every 10 days. Careful and regular coordination with county clerks is necessary.

No duplication of information requests made of the applicant

In order to streamline the process, federal law requires that any information needed for motor vehicle purposes C which can also be used for voter registration C be requested of the applicant only once. Thus, the registration procedure is designed to ensure that name, address, gender and social security number information obtained for the applicant's drivers license be saved for subsequent use in filling out the voter registration application.

There is one exception to this rule: the applicant's signature and date (item 6, see page 9). The voter registration application does require the applicant to provide a second signature.

The duplicate information used for driver's license, renewal, change of address, or identification card C which is also required for voter registration C is contained in Items 1 C 3 of the voter registration application (see page 9). The process of capturing this duplicate information is designed to occur automatically. When this information is key-entered for motor vehicle purposes, the computer system will temporarily retain it in memory. Immediately upon completion of motor vehicle processing, the registration agent should then insert the voter registration application into the printing device. The retained information will automatically be printed out.

The Registration Agent should then present the voter registration application to the applicant, who is directed to complete any remaining items on the form.

THE VOTER REGISTRATION APPLICATION:

Doing it by the Numbers

Applicants May Register

if they meet the following requirements:

1. the applicant is a citizen of the United States;
2. the applicant is 18 years of age, or will have reached that age prior to the next election; and
3. the applicant has not been denied the right to vote by reason of mental incapacity or felony conviction.

NOTE: A person may register to be eligible at any time, as there are no residency requirements. However, in order to vote in the next election, the applicant must register at least 28 days prior to that election.

**Registration Agents Please Note
the following information is essential**

**IF A VOTER REGISTRATION APPLICATION
IS TO BE ACCEPTED BY A COUNTY CLERK:**

1. name
2. physical address (not a post office box)
3. birth date

Please be aware that an individual cannot be compelled to give their social security number as a qualification for voter registration.

Registration Agents are not responsible for verification of the truth of any information contained in a voter registration application and are only providing an applicant with the opportunity to register to vote. Agency personnel do not determine if the applicant is qualified to register to vote. However, forms should be reviewed to make sure they are filled out completely.

4 THINGS TO REMEMBER

When providing voter registration service to an applicant, please take note of these four considerations:

1. The use of black ink is recommended. Please print legibly.
2. If any applicant is unable to read or write in either the English or Spanish language, or is unable to read or write due to physical disability, the voter registration application shall be filled out by the registration agent, who shall then sign **Item 7** (see page 9) to indicate that assistance was provided.
3. If an error is made while filling out application, the registration agent shall mark voter registration application as "VOID" and it shall be returned with completed voter registration applications to the county clerk.
4. The registration agent shall instruct the applicant to fill out only those items numbered in red. The shaded areas at the bottom of the form are for the use of the county clerk. The shaded area to the right of Item 3 (see page 9) is to be used by the agency for insertion of the agency site code. This item will be filled out by the agency site coordinator if completed at an agency.

**THE VOTER REGISTRATION APPLICATION
(PASTE IN)**

1. PERSONAL INFORMATION

- a) **Name:** Use full name - last name, first name and middle initial, if any. Registration Agents should try to discourage the use of "Mrs. John Doe" and request given names.
- b) **Gender:** Use "F" for female, "M" for Male.
- c) **Birth date:** Month, day and year.
- d) **Social Security Number:** Remember that an individual cannot be compelled to give their social security number as a qualification of voter registration.

2. ADDRESS WHERE YOU LIVE NOW

The information in this item is divided into "street" or "rural address". **DO NOT USE POST OFFICE BOX FOR THIS ITEM.** The physical address is used by the county clerk to determine the applicant's precinct.

Rural Addresses: For rural addresses, use RFD number, if any. Should the applicant know township, range and section numbers, these can be entered. If none of these are available, direct the applicant's attention to the map at the bottom of the application.

3. ADDRESS WHERE YOU GET YOUR MAIL
(if different from above)

Post Office boxes or other non-residential addresses may be entered here.

4. POLITICAL PARTY

Direct the applicant's attention to the language contained in this item and, should there be questions, explain that New Mexico has a closed primary system, which means that only those affiliated with a major political party may vote in primary elections.

If an applicant declines to state a party affiliation or wishes to indicate a status "independent" of party affiliation, instruct the applicant to check the NO PARTY BOX contained in ITEM 4.

Use the following abbreviations for party affiliation:

MAJOR POLITICAL PARTIES (as of November 8, 1994)

Democratic Party DEM
Green Party GRN
Republican Party REP

MINOR POLITICAL PARTIES

American Independent Party AIP
Citizen's Party of New Mexico CNM
First New Mexican Party FNM
Independent New Mexican Party NMI
La Raza Unida de Nuevo Mejioco LRU
Libertarian Party LIB
New Mexico Socialist Party SNM
New Party of New Mexico. PNM
Peace and Freedom Party PAF
People's Constitutional Party PCP
Prohibitionist Party PRO
Socialist Labor Party. SLP
Socialist Worker's Party SWP
Worker's World Party WWP

5. TELEPHONE NUMBER

The telephone number is optional and may only be made public for election purposes. The choice is up to the applicant and the voter registration application may not be rejected for refusal to give the telephone number.

6. ATTESTATION OF QUALIFICATION

The applicant should carefully read the attestation before signing. The voter registration application also needs to be dated to the right of the signature line.

7. NAME OF PERSON WHO ASSISTED IN FILLING OUT THIS FORM

This line is to be filled in only if a registration agent provided substantial assistance in filling out the form for the applicant. It **DOES NOT** have to be signed by agency intake personnel unless the assistance provided includes the actual filling out of the form.

**Leave all shaded areas at the bottom of the application blank.
These are for county clerk use only.**

A & B CHANGE OF ADDRESS OR NAME

This information is on the lower portion of the voter registration application and is for changes only. **Line A** is for those previously registered voters who have moved from another county or state. If a registered voter has moved from an address in the county to a new address in the *same* county, a new registration application must be filled out.

C RURAL ADDRESSES, NON-STREET ADDRESSES, OR NON-TRADITIONAL PLACES

Line C is particularly important if an applicant does not have a physical address. Detailed instructions for drawing a map of the residence's location are provided for the applicant in Item C of the voter registration application.

For Voters Who Request

CANCELLATION OF REGISTRATION

If a voter requests cancellation of registration, direct them to the Office of the County Clerk for instructions. See page 19 for roster of county clerks.

RESPONSIBILITIES OF SITE PERSONNEL & COORDINATORS

RESPONSIBILITIES OF MVD PERSONNEL

The 5 Steps

1. After completion of the initial data required from the client and print out of motor vehicle form, place voter registration form in printer to capture information which is identical on both forms. These are items 1 through 3 on the voter registration form.
2. After printing of data on voter registration form, return form to applicant for the completion of items 4 through 6. **THE APPLICANT IS NOT TO FILL IN ANY SHADED AREAS ON THE FORM.**
3. Unless the applicant refuses assistance, provide the same degree of assistance in completion of the voter registration form as would be provided to the applicant in completion of motor vehicle office forms, including bilingual assistance, if necessary.
4. Refusal to sign the completed voter registration application when presented to the applicant serves as the applicant's declination to register to vote.
5. Direct applicant to place completed voter registration form in area designated by site coordinator, whether it is signed or not.

Motor Vehicle Division personnel involved in agency voter registration activity are PROHIBITED from:

→ seeking to influence an applicant's political party preference;

- displaying any political preference or party allegiance;
- making any statement or taking any action whose purpose or effect is to discourage the applicant from completing the voter registration application; or
- disclosing to any other individual that the applicant has applied to register to vote at a motor vehicle office.

RESPONSIBILITIES OF MVD SITE COORDINATOR

**Putting Someone
in Charge**

1. Monitor supplies of forms and contact the county clerk's office, when necessary (county clerks are instructed to monitor inventories of forms as part of the collection and/or transmittal process and any difficulties encountered should be reported to the Bureau of Elections in Office of the Secretary of State).
2. Create a secure area to store forms for collection or transmittal.
3. Train office personnel in the review of voter registration forms to ensure they are completed in their entirety by applicants who have requested assistance.
4. Ensure that office personnel understand that they may not influence or attempt to coerce applicants to declare a political party preference and may not discourage registration verbally or by attitude.
5. Return all completed or voided voter registration applications to the county clerk within ten (10) calendar days; however return shall not be made later than 5:00 p.m. on the Friday immediately following the closing of the registration books for the upcoming election.

COUNTY CLERKS ROSTER

BERNALILLO COUNTY

Judy D. Woodward
One Civic Plaza, 6th Fl.
Albuquerque, NM 87103
(505) 768-4090

CATRON COUNTY

Sharon Armijo
Box 197
Reserve, NM 87830
(505) 533-6400

CHAVES COUNTY

Rhoda C. Goodloe
Box 580
Roswell, NM 88202
(505) 624-6614

CIBOLA COUNTY

Patricia A. Aragon
515 W. High
Grants, NM 87020
(505) 287-9431, ext. 147

COLFAX COUNTY

Barbara Castillo
Box 159
Raton, NM 87740
(505) 445-5551

CURRY COUNTY

Coni Jo Lyman
Box 1168
Clovis, NM 88102-1168
(505) 763-5591

DE BACA COUNTY

Shana L. Cleaver
Box 347
Fort Sumner, NM 88119
(505) 355-2601

DONA ANA COUNTY

Rita Torres
251 W. Amador Avenue
Las Cruces, NM 88005
(505) 525-6659

EDDY COUNTY

Karen Davis
Box 850
Carlsbad, NM 88221
(505) 885-3383

GRANT COUNTY

Rena Madrid Cope
Box 989
Silver City, NM 88062
(505) 538-2979

GUADALUPE COUNTY

Mary Silva
420 Park Avenue
Santa Rosa, NM 88435
(505) 472-3791

HARDING COUNTY

Elizabeth Martinez
Box 1002
Mosquero, NM 87733
(505) 673-2301

HIDALGO COUNTY

Belinda C. Chavez
300 S. Shakespeare St.
Lordsburg, NM 88045
(505) 542-9213

LEA COUNTY

Pat Chappelle
Box 1507
Lovington, NM 88260
(505) 396-8531

LINCOLN COUNTY

Martha McKnight Proctor
Box 338
Carrizozo, NM 88301
(505) 648-2394

LOS ALAMOS COUNTY

Nita K. Taylor
P.O. Box 30
Los Alamos, NM 87544
(505) 622-8010

LUNA COUNTY

Natalie Pacheco
Box 1838
Deming, NM 88031
(505) 546-0491
MCKINLEY COUNTY

Carol K. Sloan
Box 1268
Gallup, NM 87301
(505) 863-6866

MORA COUNTY
Pauline G. Espinoza
Box 360
Mora, NM 87732
(505) 387-2448

OTERO COUNTY
Mary D. Quintana
1000 New York Ave., Rm. 108
Alamogordo, NM 88310-6932
(505) 437-4942

QUAY COUNTY
Jeanette Maddaford
Box 1225
Tucumcari, NM 88401
(505) 461-0510 or 0513

RIO ARRIBA COUNTY
David S. Chavez
Box 158
Tierra Amarilla, NM 87575
(505) 588-7724

ROOSEVELT COUNTY
Maudene Haragan
Roosevelt County Courthouse
Portales, NM 88130
(505) 356-8562

SANDOVAL COUNTY
Sally G. Padilla
Box 40
Bernalillo, NM 87004
(505) 867-2209

SAN JUAN COUNTY
Carol Bandy
Box 550
Aztec, NM 87410
(505) 334-9471

SAN MIGUEL COUNTY
Rebecca A. Medina
San Miguel County Courthouse
Las Vegas, NM 87701
(505) 425-9331

SANTA FE COUNTY
Jona G. Armijo
Box 1985
Santa Fe, NM 87504
(505) 986-6280

SIERRA COUNTY

Lupe Armijo Carrejo
311 Date Street
T or C, NM 87901
(505) 894-2840

SOCORRO COUNTY

Carmen D. Gallegos
Box I
Socorro, NM 87801
(505) 835-0423

TAOS COUNTY

Carmen M. Medina
Box 676
Taos, NM 87571
(505) 758-8836

TORRANCE COUNTY

Carla M. Clayton
Box 48
Estancia, NM 87016
(505) 384-2221

UNION COUNTY

Freida J. Birdwell
Box 430
Clayton, NM 88415
(505) 374-9491

VALENCIA COUNTY

Kandy Cordova
Box 969
Los Lunas, NM 87031
(505) 866-2073

DEFINITIONS

APPLICANT - The person who is offering to register to vote.

CITIZEN - A U.S. citizen, by birth or naturalization.

ELECTION - As used in this manual, "election" means:

- (1) general elections;
- (2) primary elections;
- (3) statewide special elections;
- (4) elections to fill vacancies in the office of representative in congress;
- (5) school district elections;
- (6) municipal officer or municipal bond elections and
- (7) special district officer or special district bond or other special district elections.

FALSE SWEARING - Taking any oath required by the Election Code with the knowledge that the thing or matter sworn to is not a true and correct statement.

FEDERAL OFFICE - President, vice-president, United States senator or United States representative.

GENERATION - Family line of succession, i.e. Jr., II, III, etc.

MOTOR VEHICLE DRIVER'S LICENSE - The term "motor vehicle driver's license" includes any personal identification document issued by a state motor vehicle authority.

PERJURY - The deliberate and willful giving of false, misleading, or incomplete testimony under oath or affirmation.

REGISTRANT - The person who is offering to register to vote or is registered (used synonymously with "applicant").

QUALIFIED ELECTOR - Any person who is a citizen of the United States, a resident of the State of New Mexico, who is or will be 18 years of age at the time of the next election, who has not been denied the right to vote by a court of law by reason of mental incapacity or felony conviction.

REGISTRATION AGENT - A registration agent is a state or federal agency employee who provides voter registration at a state agency or any other individual who assists another person in completion of a voter registration application.

REGISTRATION OFFICER - The county clerk or the clerk's authorized deputy.

RESIDENCE - That place in which a person's habitation is fixed, and to which, whenever absent, the intention is to return. A residence is not a post office box.

STATE - The term "state" means a state of the United States and the District of Columbia.

VOTER - Any qualified elector who is registered under the provisions of the New Mexico Election Code.

VOTER REGISTRATION AGENCY - A voter registration agency is an office designated under Section 7(a)(1) of PL 103-31 to perform voter registration activities.

B. New Mexico State Agency Voter Registration Agent Manual

APPENDIX B

COMPLIANCE GUIDE FOR THE NATIONAL VOTER REGISTRATION ACT
NEW MEXICO STATE AGENCY
VOTER
REGISTRATION
AGENT
MANUAL

OFFICE OF THE
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CONTENTS

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Your role under NVRA

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- increase the number of eligible citizens who register to vote,
- protect the integrity of the electoral process by ensuring accurate and current voter registration rolls are maintained, and
- enhance voter participation of eligible citizens.

This manual was prepared to assist voter registration agents and coordinators in implementing this historic law. And it is to them that this manual is dedicated. It is they who are the frontline troops in this momentous effort to foster greater voter participation.

Sincerely,
Stephanie Gonzales
Secretary of State

AGENCYBASED VOTER REGISTRATION:

Your role under NVRA

What is AgencyBased Voter Registration?

The National Voter Registration Act requires that qualified electors be given an opportunity to complete a voter registration application when applying for or receiving services at:

1. any office in the state that provides public assistance;
2. at or through any office in the state that provides statefunded programs primarily engaged in providing services to persons with disabilities;

3. at certain other offices designated by the state; and
4. at Armed Forces recruitment offices.

When must voter registration be offered?

Individuals must be provided this opportunity not only at the time of their original application for services, but also when filing any recertification, renewal or change of address relating to such services.

Also, if an individual does complete a voter registration application, the particular agency at which the application was completed **may not** be publicly disclosed.

What is a Registration Agent?

A registration agent is a state employee who provides voter registration at a state agency or any other individual who assists another person in completion of a voter registration application.

Registration Agent Qualifications

A registration agent must be able to read and write legibly and be otherwise competent to perform the duties required under the NVRA.

Duties of the Registration Agent

Registration Agents may perform their lawful duties at any location within the State of New Mexico. They shall provide any qualified elector with an opportunity to register to vote regardless of political affiliation, religion or race; and, shall perform their lawful duties without charge as follows:

1. shall assist in the preparation of the voter registration application of qualified electors at the request of the applicant, and;
2. may assist a voter in any changes to the voter registration application (i.e. name, address or party affiliation).

Providing assistance how much is enough

Agencies offering voter registration must offer the same degree of assistance, including bilingual assistance when necessary, to individuals completing a voter registration form as they offer to individuals completing the agency's own forms, unless the applicant refuses such assistance.

Put someone in charge

Each agency site must appoint one person to be in charge of and responsible for all voter registration activities (*see page 16*). This individual will monitor supplies of registration forms, declination forms, train new employees and coordinate voter registration activities with local and state election officials. While not a fulltime task, it will be continuous.

Collection and transmittal of registrations

Collection or transmittal of completed voter registration applications **must** take place every 10 days (*see page 16*). Careful and regular coordination with county clerks is necessary.

What about those who decline to register?

Qualified electors may decline to apply to register to vote, but must do so in writing or by not checking a box on the declination form.

The declination form

The declination form must be provided whenever a registration application is offered and at each contact for services, recertification, renewal or change of address and must be retained in the applicant's file for 22 months. Each subsequent declination must also be retained for 22 months from the date of signing by the applicant.

Confidentiality

No information regarding a person's decision to complete or decline to complete a voter registration application may be used for any purpose other than voter registration.

Agency Site Code

The agency site coordinator will have the responsibility for entering the agency site code on all registration forms delivered by the county clerk. The agency site code is an alphanumeric code specific to your site. The agency site code stamp will be delivered to your office by the Office of the Secretary of State and is permanently assigned to your office. It should not be used by intake employees, rather all forms must be stamped by the coordinator prior to distribution to intake personnel. Federal law requires this code to be kept absolutely confidential. Furthermore, the stamp must be kept in a secure area and must not be misplaced or lost.

Lost stamps shall be replaced by the agency.

THE DECLINATION FORM

(PASTE IN)

THE VOTER REGISTRATION APPLICATION:

Doing it by the Numbers

Applicants May Register

if they meet the following requirements:

1. the applicant is a citizen of the United States;
2. the applicant is 18 years of age, or will have reached that age prior to the next election; and
3. the applicant has not been denied the right to vote by reason of mental incapacity or felony conviction.

NOTE: A person may register to be eligible at any time, as there are no residency requirements. However, in order to vote in the next election, the applicant must register at least 28 days prior to that election.

Registration Agents Please Note

the following information is essential

IF A VOTER REGISTRATION APPLICATION IS TO BE ACCEPTED BY A COUNTY CLERK:

1. name
2. physical address (not a post office box)
3. birth date

Please be aware that an individual cannot be compelled to give their social security number as a qualification for voter registration.

Registration Agents are not responsible for verification of the truth of any information contained in a voter registration application and are only providing an applicant with the opportunity to register to vote. Agency personnel do not determine if the applicant is qualified to register to vote. However, forms should be reviewed to make sure they are filled out completely.

4 THINGS TO REMEMBER

When providing voter registration service to an applicant, please take note of these four considerations:

1. The use of black ink is recommended. Please print legibly.

2. If any applicant is unable to read or write in either the English or Spanish language, or is unable to read or write due to physical disability, the voter registration application shall be filled out by the registration agent, who shall then sign **Item 7** (see page 9) to indicate that assistance was provided.
3. If an error is made while filling out application, the registration agent shall mark voter registration application as "VOID" and it shall be returned with completed voter registration applications to the county clerk.
4. The registration agent shall instruct the applicant to fill out only those items numbered in red. The shaded areas at the bottom of the form are for the use of the county clerk. The shaded area to the right of Item 3 (see page 9) is to be used by the agency for insertion of the agency site code. This item will be filled out by the agency site coordinator if completed at an agency.

**THE VOTER REGISTRATION APPLICATION
(PASTE IN)**

1. PERSONAL INFORMATION

- a) **Name:** Use full name last name, first name and middle initial, if any. Registration Agents should try to discourage the use of "Mrs. John Doe" and request given names.
- b) **Gender:** Use "F" for female, "M" for Male.
- c) **Birth date:** Month, day and year.
- d) **Social Security Number:** Remember that an individual cannot be compelled to give their social security number as a qualification of voter registration.

2. ADDRESS WHERE YOU LIVE NOW

The information in this item is divided into "street" or "rural address". **DO NOT USE POST OFFICE BOX FOR THIS ITEM.** The physical address is used by the county clerk to determine the applicant's precinct.

Rural Addresses: For rural addresses, use RFD number, if any. Should the applicant know township, range and section numbers, these can be entered. If none of these are available, direct the applicant's attention to the map at the bottom of the application.

3. ADDRESS WHERE YOU GET YOUR MAIL

(if different from above)

Post Office boxes or other nonresidential addresses may be entered here.

4. POLITICAL PARTY

Direct the applicant's attention to the language contained in this item and, should there be questions, explain that New Mexico has a closed primary system, which means that only those affiliated with a major political party may vote in primary elections.

If an applicant declines to state a party affiliation or wishes to indicate a status "independent" of party affiliation, instruct the applicant to check the NO PARTY BOX contained in ITEM 4.

Use the following abbreviations for party affiliation:

MAJOR POLITICAL PARTIES (as of November 8, 1994)

Democratic Party DEM

Green Party GRN

Republican Party REP

MINOR POLITICAL PARTIES

American Independent Party AIP

Citizen's Party of New Mexico CNM

First New Mexican Party. FNM

Independent New Mexican Party NMI

La Raza Unida de Nuevo Mejico LRU

Libertarian Party LIB

New Mexico Socialist Party	SNM
New Party of New Mexico.	PNM
Peace and Freedom Party	PAF
People's Constitutional Party	PCP
Prohibitionist Party	PRO
Socialist Labor Party.	SLP
Socialist Worker's Party	SWP
Worker's World Party	WWP

5. TELEPHONE NUMBER

The telephone number is optional and may only be made public for election purposes. The choice is up to the applicant and the voter registration application may not be rejected for refusal to give the telephone number.

6. ATTESTATION OF QUALIFICATION

The applicant should carefully read the attestation before signing. The voter registration application also needs to be dated to the right of the signature line.

7. NAME OF PERSON WHO ASSISTED IN FILLING OUT THIS FORM

This line is to be filled in only if a registration agent provided substantial assistance in filling out the form for the applicant. It **DOES NOT** have to be signed by agency intake personnel unless the assistance provided includes the actual filling out of the form.

**Leave all shaded areas at the bottom of the application blank.
These are for county clerk use only.**

A & B CHANGE OF ADDRESS OR NAME

This information is on the lower portion of the voter registration application and is for changes only. **Line A** is for those previously registered voters who have moved from another county or state. If a registered voter has moved from an address in the county to a new address in the *same* county, a new registration application must be filled out. **C RURAL ADDRESSES, NONSTREET ADDRESSES, OR NONTRADITIONAL PLACES**

Line C is particularly important if an applicant does not have a physical address. Detailed instructions for drawing a map of the residence's location are provided for the applicant in Item C of the voter registration application.

For Voters Who Request

CANCELLATION OF REGISTRATION

If a voter requests cancellation of registration, direct them to the Office of the County Clerk for instructions. See page 19 for roster of county clerks.

RESPONSIBILITIES OF SITE PERSONNEL & COORDINATORS

RESPONSIBILITIES OF AGENCY INTAKE PERSONNEL

The 5 Steps

1. Offer the opportunity to apply to register to vote to each applicant at the time of their original application for services, at recertification, renewal or change of address.
2. Unless the applicant refuses, provide the same degree of assistance in completion of voter registration forms as provided in completion of agency forms, including bilingual assistance, if necessary.
3. Review the completed voter registration form to ensure it is completed in its entirety and that the form is signed by the applicant.
4. Should the applicant decline to apply to register to vote, provide the applicant with a declination form for their signature. Should the applicant refuse to sign, make a notation on the form that they refused to sign. Place the

declination form in the applicant's file to be retained for 22 months from the date of signature. Any subsequent declinations received from the same applicant must also be retained for 22 months from the date of signature.

5. Place completed voter registration form in area designated by site coordinator.

RESPONSIBILITIES OF AGENCY SITE COORDINATOR

Putting Someone in Charge

1. Care and keeping of confidential agency site code stamp.
2. Enter the agency site code on all voter registration forms received from the county clerks office.
3. Monitor supplies of forms and contact the county clerk's office, when necessary (county clerks are instructed to monitor inventories of forms as part of the collection and/or transmittal process and any difficulties encountered should be reported to the Bureau of Elections in Office of the Secretary of State).
4. Create a secure area to store forms for collection or transmittal.
5. Train office personnel in the review of voter registration forms to ensure they are completed in their entirety by applicants whenever necessary.
6. Ensure that office personnel do not coerce applicants to declare a political party preference, discourage registration verbally or by attitude or lead an applicant to believe that completing a voter registration application or declination will have any bearing on benefits they might receive.
7. Instruct office personnel on filling out and retaining the declination form.
8. Return all completed or voided voter registration applications to the county clerk within ten (10) calendar days; however return shall not be made later than 5:00 p.m. on the Friday immediately following the closing of the registration books for the upcoming election.

COUNTY CLERKS ROSTER

BERNALILLO COUNTY

Judy D. Woodward
One Civic Plaza, 6th Fl.
Albuquerque, NM 87103
(505) 7684090

CATRON COUNTY

Sharon Armijo
Box 197
Reserve, NM 87830
(505) 5336400

CHAVES COUNTY

Rhoda C. Goodloe
Box 580
Roswell, NM 88202
(505) 6246614

CIBOLA COUNTY

Patricia A. Aragon
515 W. High
Grants, NM 87020
(505) 2879431, ext. 147

COLFAX COUNTY

Barbara Castillo

Box 159
Raton, NM 87740
(505) 4455551

CURRY COUNTY

Coni Jo Lyman
Box 1168
Clovis, NM 881021168
(505) 7635591

DE BACA COUNTY

Shana L. Cleaver
Box 347
Fort Sumner, NM 88119
(505) 3552601

DONA ANA COUNTY

Rita Torres
251 W. Amador Avenue
Las Cruces, NM 88005
(505) 5256659

EDDY COUNTY

Karen Davis
Box 850
Carlsbad, NM 88221
(505) 8853383

GRANT COUNTY

Rena Madrid Cope
Box 989
Silver City, NM 88062
(505) 5382979

GUADALUPE COUNTY

Mary Silva
420 Park Avenue
Santa Rosa, NM 88435
(505) 4723791

HARDING COUNTY

Elizabeth Martinez
Box 1002
Mosquero, NM 87733
(505) 6732301

HIDALGO COUNTY

Belinda C. Chavez
300 S. Shakespeare St.
Lordsburg, NM 88045
(505) 5429213

LEA COUNTY

Pat Chappelle
Box 1507
Lovington, NM 88260
(505) 3968531

LINCOLN COUNTY

Martha McKnight Proctor
Box 338
Carrizozo, NM 88301
(505) 6482394

LOS ALAMOS COUNTY

Nita K. Taylor
P.O. Box 30
Los Alamos, NM 87544
(505) 6228010

LUNA COUNTY

Natalie Pacheco
Box 1838
Deming, NM 88031
(505) 5460491

MCKINLEY COUNTY

Carol K. Sloan
Box 1268
Gallup, NM 87301
(505) 8636866

MORA COUNTY

Pauline G. Espinoza
Box 360
Mora, NM 87732
(505) 3872448

OTERO COUNTY

Mary D. Quintana
1000 New York Ave., Rm. 108
Alamogordo, NM 883106932
(505) 4374942

QUAY COUNTY

Jeanette Maddaford
Box 1225
Tucumcari, NM 88401
(505) 4610510 or 0513

RIO ARRIBA COUNTY

David S. Chavez
Box 158
Tierra Amarilla, NM 87575
(505) 5887724

ROOSEVELT COUNTY

Maudene Haragan
Roosevelt County Courthouse
Portales, NM 88130
(505) 3568562

SANDOVAL COUNTY

Sally G. Padilla
Box 40
Bernalillo, NM 87004
(505) 8672209

SAN JUAN COUNTY

Carol Bandy
Box 550
Aztec, NM 87410
(505) 3349471

SAN MIGUEL COUNTY

Rebecca A. Medina
San Miguel County Courthouse
Las Vegas, NM 87701
(505) 4259331

SANTA FE COUNTY

Jona G. Armijo
Box 1985
Santa Fe, NM 87504
(505) 9866280

SIERRA COUNTY

Lupe Armijo Carrejo
311 Date Street
T or C, NM 87901
(505) 8942840

SOCORRO COUNTY

Carmen D. Gallegos
Box I
Socorro, NM 87801
(505) 8350423

TAOS COUNTY

Carmen M. Medina
Box 676
Taos, NM 87571
(505) 7588836

TORRANCE COUNTY

Carla M. Clayton
Box 48
Estancia, NM 87016
(505) 3842221

UNION COUNTY

Freida J. Birdwell
Box 430
Clayton, NM 88415
(505) 3749491

VALENCIA COUNTY

Kandy Cordova
Box 969
Los Lunas, NM 87031
(505) 8662073

DEFINITIONS

APPLICANT The person who is offering to register to vote.

CITIZEN A U.S. citizen, by birth or naturalization.

ELECTION As used in this manual, "election" means:

- (1) general elections;
- (2) primary elections;
- (3) statewide special elections;
- (4) elections to fill vacancies in the office of representative in congress;
- (5) school district elections;
- (6) municipal officer or municipal bond elections and
- (7) special district officer or special district bond or other special district elections.

FALSE SWEARING Taking any oath required by the Election Code with the knowledge that the thing or matter sworn to is not a true and correct statement.

FEDERAL OFFICE President, vicepresident, United States senator or United States representative.

GENERATION Family line of succession, i.e. Jr., II, III, etc.

MOTOR VEHICLE DRIVER'S LICENSE The term "motor vehicle driver's license" includes any personal identification document issued by a state motor vehicle authority.

PERJURY The deliberate and willful giving of false, misleading, or incomplete testimony under oath or affirmation.

REGISTRANT The person who is offering to register to vote or is registered (used synonymously with "applicant").

QUALIFIED ELECTOR Any person who is a citizen of the United States, a resident of the State of New Mexico, who is or will be 18 years of age at the time of the next election, who has not been denied the right to vote by a court of law by reason of mental incapacity or felony conviction.

REGISTRATION AGENT A registration agent is a state or federal agency employee who provides voter registration at a state agency or any other individual who assists another person in completion of a voter registration application.

REGISTRATION OFFICER The county clerk or the clerk's authorized deputy.

RESIDENCE That place in which a person's habitation is fixed, and to which, whenever absent, the intention is to return. A residence is not a post office box.

STATE The term "state" means a state of the United States and the District of Columbia.

VOTER Any qualified elector who is registered under the provisions of the New Mexico Election Code.

VOTER REGISTRATION AGENCY A voter registration agency is an office designated under Section 7(a)(1) of PL 10331 to perform voter registration activities.

C. Public Library Voter Registration Agent Manual

APPENDIX C

COMPLIANCE GUIDE FOR THE NATIONAL VOTER REGISTRATION ACT

PUBLIC LIBRARY

VOTER

REGISTRATION

AGENT

MANUAL

OFFICE OF THE

SECRETARY OF STATE

STEPHANIE GONZALES

compiled by the

Bureau of Elections

December 1, 1994

ABOUT THIS MANUAL

This manual has been prepared by the Bureau of Elections to assist in the implementation of voter registration activities in state agencies. It is not meant to supersede federal or state laws or rules, nor does it have the force of law. To obtain copies of the National Voter Registration Act or other information about the contents of this reference manual, or to suggest modifications, you may contact:

Bureau of Elections

Office of the Secretary of State

State Capitol, Room 419

Santa Fe, New Mexico 87503

REGISTRATION HOTLINE

For answers to more urgent questions about voter registration rules and procedures, contact your local county clerk (see page 19) or call the Bureau of Elections at either of these numbers:

15058273620

or

18004773632

CONTENTS

INTRODUCTION

LIBRARYBASED VOTER REGISTRATION

Your role under NVRA

THE VOTER REGISTRATION APPLICATION

Doing it by the Numbers

RESPONSIBILITIES

of Site Personnel & Coordinators

COUNTY CLERKS

DEFINITIONS

November 18, 1994

TO: Voter Registration Agents and Site Coordinators

The enactment of the National Voter Registration Act of 1993 (also known as "Motor Voter") represented a response to the need to make voter registration more widely available to the citizens of this country. The act accomplishes this goal by requiring various public agency offices to provide voter registration services.

Governor's Executive Order 9411 directs designated state agencies throughout New Mexico to cooperate in fully implementing this new law, beginning on January 1, 1995.

Motor vehicle departments, state agencies providing public assistance, armed forces recruitment centers, public libraries, universities and colleges are participating in this endeavor.

The objectives of the NVRA are clear:

increase the number of eligible citizens who register to vote,

protect the integrity of the electoral process by ensuring accurate and current voter registration rolls are maintained, and

enhance voter participation of eligible citizens.

This manual was prepared to assist voter registration agents and coordinators in implementing this historic law. And it is to them that this manual is dedicated. It is they who are the frontline troops in this momentous effort to foster greater voter participation.

Sincerely,
Stephanie Gonzales
Secretary of State

LIBRARYBASED VOTER REGISTRATION:

Your role under NVRA

Why Library BasedBased Voter Registration?

The National Voter Registration Act requires the State of New Mexico to offer qualified electors the opportunity to register to vote at certain agencies designated by the state.

When must voter registration be offered?

Public library patrons are provided with the opportunity apply to register to vote simultaneously when applying for a library card or changing their address.

Providing assistance how much is enough?

Public libraries offering voter registration activities must provide the same degree of assistance, including bilingual assistance when necessary, to individuals completing a voter registration form as they offer to patrons in completion of the application for a library card, unless the patron refuses.

What is a Registration Agent?

A registration agent is a library employee who provides voter registration at a public library or any other individual who assists another person in completion of a voter registration application.

Registration Agent Qualifications

A registration agent must be able to read and write legibly and be otherwise competent to perform the duties required under the NVRA.

Duties of the Registration Agent

Registration Agents may perform their lawful duties at any location within the State of New Mexico. They shall provide any qualified elector with an opportunity to register to vote regardless of political affiliation, religion or race; and, shall perform their lawful duties without charge as follows:

1. shall assist in the preparation of the voter registration application of qualified electors at the request of the applicant, and;
2. may assist a voter in any changes to the voter registration application (i.e. name, address or party affiliation).

Put someone in charge

Each public library must appoint one person to be in charge of and responsible for all voter registration activities (see page 16). This individual will monitor supplies of registration forms, train other employees when necessary and coordinate voter registration activities with local and state election officials. While not a fulltime task, it will be continuous.

Entering the Site Code

The public library coordinator will have the responsibility of entering the library's site code on all registration forms delivered by the county clerk. The site code is an alphanumeric code specific to each site and will be delivered to your library by the Office of the Secretary of State. It is permanently assigned to your library and should not be used by any other library personnel, rather all forms should be stamped by the coordinator prior to distribution to library employees. **Federal law requires this code to be absolutely confidential.** Furthermore, the stamp must be kept in a secure area and not misplaced or lost.

Collection and transmittal of registrations

Collection or transmittal of completed voter registration applications **must** take place every 10 days (see page 16). Careful and regular coordination with county clerks is necessary.

THE VOTER REGISTRATION APPLICATION:

Doing it by the Numbers

Applicants May Register

if they meet the following requirements:

1. the applicant is a citizen of the United States;
2. the applicant is 18 years of age, or will have reached that age prior to the next election; and
3. the applicant has not been denied the right to vote by reason of mental incapacity or felony conviction.

NOTE: A person may register to be eligible at any time, as there are no residency requirements. However, in order to vote in the next election, the applicant must register at least 28 days prior to that election.

Registration Agents Please Note

the following information is essential

IF A VOTER REGISTRATION APPLICATION IS TO BE ACCEPTED BY A COUNTY CLERK:

1. name
2. physical address (not a post office box)
3. birth date

Please be aware that an individual cannot be compelled to give their social security number as a qualification for voter registration.

Registration Agents are not responsible for verification of the truth of any information contained in a voter registration application and are only providing an applicant with the opportunity to register to vote. Agency personnel do not determine if the applicant is qualified to register to vote. However, forms should be reviewed to make sure they are filled out completely.

4 THINGS TO REMEMBER

When providing voter registration service to an applicant, please take note of these four considerations:

1. The use of black ink is recommended. Please print legibly.
2. If any applicant is unable to read or write in either the English or Spanish language, or is unable to read or write due to physical disability, the voter registration application shall be filled out by the registration agent, who shall then sign **Item 7** (see page 9) to indicate that assistance was provided.
3. If an error is made while filling out application, the registration agent shall mark voter registration application as "VOID" and it shall be returned with completed voter registration applications to the county clerk.
4. The registration agent shall instruct the applicant to fill out only those items numbered in red. The shaded areas at the bottom of the form are for the use of the county clerk. The shaded area to the right of Item 3 (see page 9) is to be used by the agency for insertion of the agency site code. This item will be filled out by the agency site coordinator if completed at an agency.

THE VOTER REGISTRATION APPLICATION

(PASTE IN)

1. PERSONAL INFORMATION

- a) **Name:** Use full name last name, first name and middle initial, if any. Registration Agents should try to discourage the use of "Mrs. John Doe" and request given names.
- b) **Gender:** Use "F" for female, "M" for Male.
- c) **Birth date:** Month, day and year.
- d) **Social Security Number:** Remember that an individual cannot be compelled to give their social security number as a qualification of voter registration.

2. ADDRESS WHERE YOU LIVE NOW

The information in this item is divided into "street" or "rural address". **DO NOT USE POST OFFICE BOX FOR THIS ITEM.** The physical address is used by the county clerk to determine the applicant's precinct.

Rural Addresses: For rural addresses, use RFD number, if any. Should the applicant know township, range and section numbers, these can be entered. If none of these are available, direct the applicant's attention to the map at the bottom of the application.

3. ADDRESS WHERE YOU GET YOUR MAIL
(if different from above)

Post Office boxes or other nonresidential addresses may be entered here.

4. POLITICAL PARTY

Direct the applicant's attention to the language contained in this item and, should there be questions, explain that New Mexico has a closed primary system, which means that only those affiliated with a major political party may vote in primary elections.

If an applicant declines to state a party affiliation or wishes to indicate a status "independent" of party affiliation, instruct the applicant to check the NO PARTY BOX contained in ITEM 4.

Use the following abbreviations for party affiliation:

MAJOR POLITICAL PARTIES (as of November 8, 1994)

Democratic Party DEM
Green Party GRN
Republican Party REP

MINOR POLITICAL PARTIES

American Independent Party AIP
Citizen's Party of New Mexico CNM
First New Mexican Party FNM
Independent New Mexican Party NMI
La Raza Unida de Nuevo Mejico LRU
Libertarian Party LIB
New Mexico Socialist Party SNM
New Party of New Mexico. PNM
Peace and Freedom Party PAF
People's Constitutional Party PCP
Prohibitionist Party PRO
Socialist Labor Party. SLP
Socialist Worker's Party SWP
Worker's World Party WWP

5. TELEPHONE NUMBER

The telephone number is optional and may only be made public for election purposes. The choice is up to the applicant and the voter registration application may not be rejected for refusal to give the telephone number.

6. ATTESTATION OF QUALIFICATION

The applicant should carefully read the attestation before signing. The voter registration application also needs to be dated to the right of the signature line.

7. NAME OF PERSON WHO ASSISTED IN FILLING OUT THIS FORM

This line is to be filled in only if a registration agent provided substantial assistance in filling out the form for the applicant. It **DOES NOT** have to be signed by agency intake personnel unless the assistance provided includes the actual filling out of the form.

**Leave all shaded areas at the bottom of the application blank.
These are for county clerk use only.**

A & B CHANGE OF ADDRESS OR NAME

This information is on the lower portion of the voter registration application and is for changes only. **Line A** is for those previously registered voters who have moved from another county or state. If a registered voter has moved from an address in the county to a new address in the *same* county, a new registration application must be filled out.

C RURAL ADDRESSES, NONSTREET ADDRESSES, OR NONTRADITIONAL PLACES

Line C is particularly important if an applicant does not have a physical address. Detailed instructions for drawing a map of the residence's location are provided for the applicant in Item C of the voter registration application.

For Voters Who Request

CANCELLATION OF REGISTRATION

If a voter requests cancellation of registration, direct them to the Office of the County Clerk for instructions. See page 19 for roster of county clerks.

RESPONSIBILITIES OF SITE PERSONNEL & COORDINATORS

RESPONSIBILITIES OF LIBRARY REGISTRATION PERSONNEL

The 4 Steps

1. **Offer the opportunity to apply to register** to vote to each library patron when request is made for a library card or change of address.
2. Provide voter registration forms to patrons and offer the same degree of assistance as is provided in filling out the library's forms, including bilingual assistance, if necessary.
3. Review the completed voter registration form to ensure it is completed in its entirety and that the form is signed by the applicant.
4. Place completed voter registration form in area designated by coordinator.
Library Voter Registration Personnel are **PROHIBITED** from:
 - seeking to influence an applicant's political party preference;
 - displaying any political preference or party allegiance;
 - making any statement or taking any action whose purpose or effect of is to discourage the applicant from completing the voter registration application;
 - making any statement or taking any action whose purpose or effect is to lead the applicant to believe that a decision whether or not to apply to register to vote has any bearing on the services the applicant may receive from the library; or
 - disclosing to any other individual that the applicant completed a voter registration application at a library.

RESPONSIBILITIES OF LIBRARY SITE COORDINATOR

Putting Someone in Charge

1. Care and keeping of confidential library site code stamp.
2. Enter the library site code on all voter registration forms received from the county clerks office.

3. Monitor supplies of forms and contact the county clerk's office, when necessary (county clerks are instructed to monitor inventories of forms as part of the collection and/or transmittal process and any difficulties encountered should be reported to the Bureau of Elections in Office of the Secretary of State).
4. Create a secure area to store forms for collection or transmittal.
5. Train library personnel in the review of voter registration forms to ensure they are completed in their entirety by applicants whenever necessary.
6. Ensure that library personnel do not coerce applicants to declare a political party preference, discourage registration verbally or by attitude or lead an applicant to believe that voter registration might have any bearing on the services they receive from the library.
7. Return all completed or voided voter registration applications to the county clerk within ten (10) calendar days; however return shall not be made later than 5:00 p.m. on the Friday immediately following the closing of the registration books for the upcoming election.

COUNTY CLERKS ROSTER

BERNALILLO COUNTY

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CITIZEN A U.S. citizen, by birth or naturalization.

ELECTION As used in this manual, "election" means:

- (1) general elections;
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QUALIFIED ELECTOR Any person who is a citizen of the United States, a resident of the State of New Mexico, who is or will be 18 years of age at the time of the next election, who has not been denied the right to vote by a court of law by reason of mental incapacity or felony conviction.

REGISTRATION AGENT A registration agent is a state or federal agency employee who provides voter registration at a state agency or any other individual who assists another person in completion of a voter registration application.

REGISTRATION OFFICER The county clerk or the clerk's authorized deputy.

RESIDENCE That place in which a person's habitation is fixed, and to which, whenever absent, the intention is to return. A residence is not a post office box.

STATE The term "state" means a state of the United States and the District of Columbia.

VOTER Any qualified elector who is registered under the provisions of the New Mexico Election Code.

VOTER REGISTRATION AGENCY A voter registration agency is an office designated under Section 7(a)(1) of PL 10331 to perform voter registration activities.

D. University and College Voter Registration Agent Manual

APPENDIX D

COMPLIANCE GUIDE FOR THE NATIONAL VOTER REGISTRATION ACT

UNIVERSITY & COLLEGE

VOTER REGISTRATION AGENT MANUAL

OFFICE OF THE SECRETARY OF STATE

STEPHANIE GONZALES

compiled by the Bureau of Elections

December 1, 1994

ABOUT THIS MANUAL

This manual has been prepared by the Bureau of Elections to assist in the implementation of voter registration activities in state agencies. It is not meant to supersede federal or state laws or rules, nor does it have the force of law. To obtain copies of the National Voter Registration Act or other information about the contents of this reference manual, or to suggest modifications, you may contact:

Bureau of Elections

Office of the Secretary of State

State Capitol, Room 419

Santa Fe, New Mexico 87503

REGISTRATION HOTLINE

For answers to more urgent questions about voter registration rules and procedures, contact your local county clerk (see page 19) or call the Bureau of Elections at either of these numbers:

1-505-827-3620

or

1-800-477-3632

CONTENTS

INTRODUCTION

UNIVERSITY & COLLEGE-BASED VOTER REGISTRATION

Your role under NVRA

THE VOTER REGISTRATION APPLICATION

Doing it by the Numbers

RESPONSIBILITIES

of Site Personnel & Coordinators

COUNTY CLERKS

DEFINITIONS

November 18, 1994

TO: Voter Registration Agents and Site Coordinators

The enactment of the National Voter Registration Act of 1993 (also known as "Motor Voter") represented a response to the need to make voter registration more widely available to the citizens of this country. The act accomplishes this goal by requiring various public agency offices to provide voter registration services.

Governor's Executive Order 94-11 directs designated state agencies throughout New Mexico to cooperate in fully implementing this new law, beginning on January 1, 1995.

Motor vehicle departments, state agencies providing public assistance, armed forces recruitment centers, public libraries, universities and colleges are participating in this endeavor.

The objectives of the NVRA are clear:

- increase the number of eligible citizens who register to vote,
- protect the integrity of the electoral process by ensuring accurate and current voter registration rolls are maintained, and
- enhance voter participation of eligible citizens.

This manual was prepared to assist voter registration agents and coordinators in implementing this historic law. And it is to them that this manual is dedicated. It is they who are the frontline troops in this momentous effort to foster greater voter participation.

Sincerely,
Stephanie Gonzales
Secretary of State

UNIVERSITY & COLLEGE BASED VOTER REGISTRATION:

Your role under NVRA

Why University & College-Based Voter Registration?

The National Voter Registration Act requires the State of New Mexico to offer qualified electors the opportunity to register to vote at certain agencies designated by the state.

When must voter registration be offered?

University students are provided with the opportunity apply to register to vote simultaneously with their registration at a university or college.

Providing assistance - how much is enough?

Universities and colleges offering voter registration activities must provide the same degree of assistance, including bilingual assistance when necessary, to students completing a voter registration form as they offer to students in completion of the school's own forms, unless the student refuses.

What is a Registration Agent?

A registration agent is a school employee who provides voter registration at a university or college or any other individual who assists another person in completion of a voter registration application.

Registration Agent Qualifications

A registration agent must be able to read and write legibly and be otherwise competent to perform the duties required under the NVRA.

Duties of the Registration Agent

Registration Agents may perform their lawful duties at any location within the State of New Mexico. They shall provide any qualified elector with an opportunity to register to vote regardless of political affiliation, religion or race; and, shall perform their lawful duties without charge as follows:

1. shall assist in the preparation of the voter registration application of qualified electors at the request of the applicant, and;
2. may assist a voter in any changes to the voter registration application (i.e. name, address or party affiliation).

Put someone in charge

Each university and college must appoint one person to be in charge of and responsible for all voter registration activities (see page 16). This individual will monitor supplies of registration forms, train other employees when necessary and coordinate voter registration activities with local and state election officials.

Entering the Site Code

The school voter registration coordinator will have the responsibility of entering the school's site code on all registration forms delivered by the county clerk. The site code is an alphanumeric code specific to each site and will be delivered to your institution by the Office of the Secretary of State. It is permanently assigned to your institution and should not be used by any other institution personnel, rather all forms should be stamped by the coordinator prior to distribution to employees. Federal law requires this code to be absolutely confidential. Furthermore, the stamp must be kept in a secure area and not misplaced or lost.

Collection and transmittal of registrations

Collection or transmittal of completed voter registration applications must take place every 10 days (*see page 16*). Careful and regular coordination with county clerks is necessary.

IMPORTANT NOTE about residency requirements

Voter registration is not a method to satisfy specific residency requirements for tuition purposes at New Mexico universities and colleges. Out-of-state students at New Mexico universities and colleges may already be registered in their home state, but if not, they may be registered on the National Voter Registration Form.

THE VOTER REGISTRATION APPLICATION:

Doing it by the Numbers

Applicants May Register

if they meet the following requirements:

1. the applicant is a citizen of the United States;
2. the applicant is 18 years of age, or will have reached that age prior to the next election; and
3. the applicant has not been denied the right to vote by reason of mental incapacity or felony conviction.

NOTE: A person may register to be eligible at any time, as there are no residency requirements. However, in order to vote in the next election, the applicant must register at least 28 days prior to that election.

**Registration Agents Please Note
the following information is essential**

IF A VOTER REGISTRATION APPLICATION IS TO BE ACCEPTED BY A COUNTY CLERK:

1. name

2. physical address (not a post office box)
3. birth date

Please be aware that an individual cannot be compelled to give their social security number as a qualification for voter registration.

Registration Agents are not responsible for verification of the truth of any information contained in a voter registration application and are only providing an applicant with the opportunity to register to vote. Agency personnel do not determine if the applicant is qualified to register to vote. However, forms should be reviewed to make sure they are filled out completely.

4 THINGS TO REMEMBER

When providing voter registration service to an applicant, please take note of these four considerations:

1. The use of black ink is recommended. Please print legibly.
2. If any applicant is unable to read or write in either the English or Spanish language, or is unable to read or write due to physical disability, the voter registration application shall be filled out by the registration agent, who shall then sign **Item 7** (see page 9) to indicate that assistance was provided.
3. If an error is made while filling out application, the registration agent shall mark voter registration application as "VOID" and it shall be returned with completed voter registration applications to the county clerk.
4. The registration agent shall instruct the applicant to fill out only those items numbered in red. The shaded areas at the bottom of the form are for the use of the county clerk. The shaded area to the right of Item 3 (see page 9) is to be used by the agency for insertion of the agency site code. This item will be filled out by the agency site coordinator if completed at an agency.

THE VOTER REGISTRATION APPLICATION (PASTE IN)

1. PERSONAL INFORMATION

- a) **Name:** Use full name - last name, first name and middle initial, if any. Registration Agents should try to discourage the use of "Mrs. John Doe" and request given names.
- b) **Gender:** Use "F" for female, "M" for Male.
- c) **Birth date:** Month, day and year.
- d) **Social Security Number:** Remember that an individual cannot be compelled to give their social security number as a qualification of voter registration.

2. ADDRESS WHERE YOU LIVE NOW

The information in this item is divided into "street" or "rural address". **DO NOT USE POST OFFICE BOX FOR THIS ITEM.** The physical address is used by the county clerk to determine the applicant's precinct.

Rural Addresses: For rural addresses, use RFD number, if any. Should the applicant know township, range and section numbers, these can be entered. If none of these are available, direct the applicant's attention to the map at the bottom of the application.

3. ADDRESS WHERE YOU GET YOUR MAIL

(if different from above)

Post Office boxes or other non-residential addresses may be entered here.

4. POLITICAL PARTY

Direct the applicant's attention to the language contained in this item and, should there be questions, explain that New Mexico has a closed primary system, which means that only those affiliated with a major political party may vote in primary elections.

If an applicant declines to state a party affiliation or wishes to indicate a status "independent" of party affiliation, instruct the applicant to check the NO PARTY BOX contained in ITEM 4.

Use the following abbreviations for party affiliation:

MAJOR POLITICAL PARTIES (as of November 8, 1994)

Democratic Party DEM
Green Party GRN
Republican Party REP

MINOR POLITICAL PARTIES

American Independent Party AIP
Citizen's Party of New Mexico CNM
First New Mexican Party FNM
Independent New Mexican Party NMI
La Raza Unida de Nuevo Mejico LRU
Libertarian Party LIB
New Mexico Socialist Party SNM
New Party of New Mexico. PNM
Peace and Freedom Party PAF
People's Constitutional Party PCP
Prohibitionist Party PRO
Socialist Labor Party. SLP
Socialist Worker's Party SWP
Worker's World Party WWP

5. TELEPHONE NUMBER

The telephone number is optional and may only be made public for election purposes. The choice is up to the applicant and the voter registration application may not be rejected for refusal to give the telephone number.

6. ATTESTATION OF QUALIFICATION

The applicant should carefully read the attestation before signing. The voter registration application also needs to be dated to the right of the signature line.

7. NAME OF PERSON WHO ASSISTED IN FILLING OUT THIS FORM

This line is to be filled in only if a registration agent provided substantial assistance in filling out the form for the applicant. It **DOES NOT** have to be signed by agency intake personnel unless the assistance provided includes the actual filling out of the form.

**Leave all shaded areas at the bottom of the application blank.
These are for county clerk use only.**

A & B CHANGE OF ADDRESS OR NAME

This information is on the lower portion of the voter registration application and is for changes only. **Line A** is for those previously registered voters who have moved from another county or state. If a registered voter has moved from an address in the county to a new address in the *same* county, a new registration application must be filled out.

C RURAL ADDRESSES, NON-STREET ADDRESSES, OR NON-TRADITIONAL PLACES

Line C is particularly important if an applicant does not have a physical address. Detailed instructions for drawing a map of the residence's location are provided for the applicant in Item C of the voter registration application.

For Voters Who Request

CANCELLATION OF REGISTRATION

If a voter requests cancellation of registration, direct them to the Office of the County Clerk for instructions. See page 19 for roster of county clerks.

RESPONSIBILITIES OF SITE PERSONNEL & COORDINATORS

RESPONSIBILITIES OF STUDENT REGISTRATION PERSONNEL

The 4 Steps

1. **Offer the opportunity to apply to register** to vote to each student at the time of their registration for semester classes.
2. Unless assistance is refused, offer the same degree of assistance that is provided in filling out the school's forms, including bilingual assistance, if necessary.
3. Review the completed voter registration form to ensure it is completed in its entirety and that the form is signed by the applicant.
4. Place completed voter registration form in area designated by coordinator.

Student Voter Registration Personnel are PROHIBITED from:

seeking to influence an applicant's political party preference;

displaying any political preference or party allegiance;

making any statement or taking any action whose purpose or effect of is to discourage the applicant from completing the voter registration application;

making any statement or taking any action whose purpose or effect is to lead the applicant to believe that a decision whether or not to apply to register to vote has any bearing on the services the student may receive from the university or college; or

disclosing to any other individual that the applicant completed a voter registration application at a university or college.

RESPONSIBILITIES OF UNIVERSITY & COLLEGE COORDINATOR

Putting Someone
in Charge

1. Care and keeping of confidential university/college site code stamp.
2. Enter the site code stamp on all voter registration forms received from the county clerks office.

3. Monitor supplies of forms and contact the county clerk's office, when necessary (county clerks are instructed to monitor inventories of forms as part of the collection and/or transmittal process and any difficulties encountered should be reported to the Bureau of Elections in Office of the Secretary of State).
4. Create a secure area to store forms for collection or transmittal.
5. Train student registration personnel in the review of voter registration forms to ensure they are completed in their entirety by applicants whenever necessary.
6. Ensure that student registration personnel do not coerce applicants to declare a political party preference, discourage registration verbally or by attitude or lead an applicant to believe that voter registration might have any bearing on the services they receive from the university or college.
7. Return all completed or voided voter registration applications to the county clerk within ten (10) calendar days; however return shall not be made later than 5:00 p.m. on the Friday immediately following the closing of the registration books for the upcoming election.

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[12-15-97; Recompiled 11/30/01]

HISTORY OF 1.10.8 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the state records center and archives under:

Rule 94-5, Procedures For State Agency Based Voter Registration Under the National Voter Registration Act of 1993, filed December 20, 1994.

History of Repealed Material: [RESERVED]