



# TOWN OF RED RIVER Candidate Handbook

2018 Regular Municipal Election

**OFFICE OF THE TOWN CLERK**

100 East Mains St, Red River, New Mexico . 87558  
(575) 754-2277 p.  
(575) 754-2944 f.  
grael@redriver.org

[www.redriver.org](http://www.redriver.org)



## Office of The Town Clerk

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Dear Candidate:

It is a pleasure to welcome you as a candidate for municipal office.

This handbook has been compiled to guide you through the process of running your campaign and declaring your candidacy.

Please take time to visit our website at [www.redriver.org](http://www.redriver.org). You will find many resources to assist you in learning more about Town of Red River government including Town Information, and staff contacts.

I trust that this information will answer most of your questions; however, the Town Clerk's Office is available to provide any additional information you may need. Please contact me at 754-2277 or my Deputy Clerk Kim Leach, if we can be of assistance.

Best wishes on your campaign!

Regards,

Georgiana Rael,  
Administrator/Town Clerk

## Declaration of Candidacy Information

The Town of Red River municipal Election is March 6, 2018. As a potential candidate, there are things you need to know in regards to the election process, your responsibilities, and the responsibilities of the Town Clerk.

### What are the qualifications to run for Municipal Office?

Pursuant to the Municipal Election Code 3-8-28, any *qualified elector* may be a candidate for municipal office in the municipality which he or she resides. A *qualified elector* is defined as "any person whose affidavit of voter registration has been filed by the county clerk, who is registered to vote in a general election precinct established by the board of county commissioners that is wholly or partly within the municipal boundaries and who is a resident of the municipality. Persons who would otherwise be qualified if land on which they reside is annexed to a municipality shall be deemed to be qualified electors."

### Determining Residency:

**Municipal Election Code 3-8-3.** For the purpose of determining the residence of a person desiring to be a candidate for a municipal elected office, or the residence of a person who has signed a petition to cause a special or regular municipal election, or for determining residency for any other purpose pursuant to the Municipal Election Code [Chapter 3, Articles 8 and 9 NMSA 1978], the following rules shall govern:

- A. residence shall be presumed to be at the address or location shown on the original affidavit of voter registration on file with the county clerk; and
- B. the presumption established in Subsection A of this section may be overcome if residence is shown to be elsewhere pursuant to the rules set forth in Section 1-1-7 NMSA 1978.

### Election Code 1-1-7. Residence; rules for determining.

For the purpose of determining residence for voting, the place of residence is governed by the following rules:

- A. the residence of a person is that place in which his habitation is fixed, and to which, whenever he is absent, he has the intention to return;
- B. the place where a person's family resides is presumed to be his place of residence, but a person who takes up or continues his abode with the intention of remaining at a place other than where his family resides is a resident where he abides;
- C. a change of residence is made only by the act of removal joined with the intent to remain in another place. There can be only one residence;
- D. a person does not gain or lose residence solely by reason of his presence or absence while employed in the service of the United States or of this state, or while a student at an institution of learning, or while kept in an institution at public expense, or while confined in a public prison or while residing upon an Indian or military reservation;
- E. no member of the armed forces of the United States, his spouse or his dependent is a resident of this state solely by reason of being stationed in this state;
- F. a person does not lose his residence if he leaves his home and goes to another country, state or place within this state for temporary purposes only and with the intention of returning;
- G. a person does not gain a residence in a place to which he comes for temporary purposes only;
- H. a person loses his residence in this state if he votes in another state in an election requiring residence in that state, and has not upon his return regained his residence in this state under the provisions of the constitution of New Mexico;
- I. "residence" is computed by not including the day on which the person's residence commences and by including the day of the election;
- J. a person does not acquire or lose residence by marriage only.

## When do I file for office?

January 9, 2018, between the hours of 8:00 AM and 5:00 PM at the office of the Town Clerk. **This is the ONLY time the Town Clerk can accept a declaration of candidacy for a candidate;** unless the candidate files as a write-in candidate on January 16<sup>th</sup>, in which case their name would not appear on the printed ballot.

All candidates must file the following documents:

1. A Declaration of Candidacy form (included at the end of this packet); *AND*
2. A certified copy of the candidate's current affidavit of voter registration on file with the Taos County Clerk which has been certified on a date not earlier than adoption of the Election Resolution (November 28, 2017).

The Declaration of Candidacy form is provided with this information packet and must be used for filing. Only this form will be accepted. Please read through the form and understand the requirements of the information you need to provide. Your signature is required to be notarized. There will be a notary available to notarize your signature in the Town Clerk's Office. ***(IMPORTANT: Please ensure that your name and resident address on the Declaration of Candidacy are IDENTICAL to your name and resident address on your affidavit of voter registration).***

The affidavit of voter registration must show the address as a street address, **not a post office box**. Certified affidavits of voter registration may be obtained from the Taos County Clerk, 105 Albright Street Suite D, Taos, New Mexico. You may call the County Clerk's Office at (575) 737-6380. You must submit a certified copy of your current affidavit of voter registration.

If you are unable to personally appear on January 9, 2018, an Affidavit Authorizing Filing of Declaration of Candidacy (included in this packet) is also available. This provides for an authorized representative to act on your behalf during any part of the election process that requires or permits a candidate to appear. This form is required to be notarized. You, as the candidate, must sign your Affidavit Authorizing Filing of Declaration of Candidacy; the representative may not.

When the Declaration of Candidacy is filed in the office of the Town Clerk, it becomes a public record.

## How does the Town Clerk certify my candidacy?

From the information provided on the Declaration of Candidacy form, the Town Clerk determines if the individual is a qualified elector and if the individual is registered to vote in the town limits.

By 9:00 AM on January 11, 2018, the Town Clerk shall post a list of certified candidates, with those who have not been certified and the reasons for non-certification. The candidate or authorized representative shall contact the Town Clerk's Office on this date to learn whether the declaration has been certified as valid.

At 5:01 PM, January 11, 2018, at the Town Hall Executive Conference Room, the Town Clerk will conduct a drawing by lot for positions on the ballot in the presence of the certified candidates or their representatives. Either you or your representative should be present to draw for your ballot position. If no one is present to draw for your ballot position, a member of the Town Clerk's staff will draw for the position.

## Certified Candidate Information

1. The Election Resolution was adopted by the Town Council on November 28, 2017 and will be published on December 7, 2017 and on December 28, 2017 in the Red River Miner. The published resolution notifies the public that an election will be occurring, questions on the ballot and polling locations.
2. The Town Clerk will order ballots on January 12, 2018 to provide the correct spelling of candidates and their positions on the ballot. **The candidate's name will appear on the ballot exactly as shown on the voter's registration.**

3. The Town Council will appoint the precinct board members at their regularly scheduled council meeting on January 23, 2018. The list of poll workers will be posted. *No relatives of any candidate can serve on a precinct board.*
4. ON ELECTION DAY there is no campaigning within 100 feet of the building where the polling is located (Red River Conference Center). In addition, there will be no campaign literature allowed within 100 feet of the building.

### **Forms and Requirements**

Included at the end of this packet are forms to file for candidacy.

# IMPORTANT DATES TO REMEMBER

November 28, 2017		Adoption of Election Resolution 2017-32 calling for Municipal Election
<b>January 9, 2018</b>	<b>8:00 AM - 5:00 PM</b>	<b><i>FILING DAY: Appear in Town Clerk's office to file Declaration of Candidacy (Remember to bring a certified copy of your current affidavit of voter registration which has been certified by the County Clerk <u>not earlier than the adoption of the election resolution.</u>)</i></b>
January 10, 2018	by 5:00 PM	Town Clerk certifies declarations of candidacy
January 11, 2018	8:00 AM – 5:00 PM	Contact Town Clerk's Office to ascertain whether your declaration of candidacy has been certified as valid.
January 11, 2018	3:30 PM	Candidate Informational Meeting with Town Management Team
January 11, 2018	5:01 PM	Drawing by lot for Ballot Position Town Hall
January 16, 2018	by 5:00 PM	Deadline for candidate to withdraw his/her candidacy
January 16, 2018	8:00 AM – 5:00 PM	Write-In Candidate Filing Day
January 17, 2018		Town Clerk certifies write-in candidates
January 17, 2018	8:00 AM – 5:00 PM	Contact Town Clerk's Office to ascertain whether your declaration of write-in candidacy has been certified as valid.
January 30, 2018		Deadline for Write-In Candidates to withdraw his/her candidacy
January 30, 2018		First day absentee ballots can be issued/mailed to voter
February 6, 2018	5:00 PM	County Clerk closes voter registration
February 14, 2018		Early Voting by paper ballot/electronic vote tabulators begins <i>Town Hall</i>
March 2, 2018	by 5:00 PM	Last day for absentee/early voting. Last day to mail absentee ballots from Clerk's Office. After 5:00 p.m. all unused absentee ballots will be destroyed.
March 2, 2018		Deadline for candidates to file a petition for challengers or watchers.
<b>MARCH 6, 2018</b>	<b>7:00 AM - 7:00 PM</b>	<b><i>ELECTION DAY</i></b>
March 7, 2018	3:00 PM	Canvass of Municipal Elections
March 8, 2018	3:00 p.m.	Elected Officials will receive Certificate of Election and take Oath of Office
March 13, 2018	3:00 PM	Governing Body Organizational Meeting

# FORMS FOR FILING

COUNTY OF TAOS                    )  
  ) ss.  
STATE OF NEW MEXICO            )

**DECLARATION OF CANDIDACY**

I, \_\_\_\_\_, being first duly sworn upon my oath do hereby state for my affidavit that:

I, \_\_\_\_\_, hereby declare that I am a candidate for the office of \_\_\_\_\_ for a **four-year term** to be elected at the Regular Municipal Election to be held on March 6, 2018.

I affirm that I currently reside at \_\_\_\_\_ New Mexico.  
(Address, Town)

**I affirm that my name and resident address as stated in this Declaration of Candidacy are identical to my name and resident address as stated in my affidavit of registration on file with the County Clerk of Taos County, New Mexico.**

I affirm that I am eligible and legally qualified to hold the office for which I have declared my candidacy.

I affirm that I have not been convicted of a felony.

-OR-

I affirm that I have been convicted of a felony, that my elective franchise has been restored, and I have been granted a pardon or a certificate by the Governor restoring my full rights of citizenship.

I affirm that I, or my authorized representative, shall contact the office of the Town Clerk during normal business hours on January 10, 2018 to ascertain whether the Town Clerk has certified my declaration of candidacy as valid.

I affirm that I, or my authorized representative, can be reached at the following for purposes of receiving notice: Phone#: \_\_\_\_\_ or \_\_\_\_\_; or Email: \_\_\_\_\_.

I affirm that this declaration of candidacy is an affidavit under oath and that any false statement knowingly made herein constitutes a fourth degree felony under the laws of New Mexico.

\_\_\_\_\_  
Signature of Candidate

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

My Commission Expires: \_\_\_\_\_  
Notary Public

Received in the office of the Town Clerk at \_\_\_\_\_ (A.M./P.M.) on the 9<sup>th</sup> day of January, 2018.  
  
\_\_\_\_\_  
Georgiana Rael, Town Clerk



**AFFIDAVIT AUTHORIZING FILING OF  
DECLARATION OF CANDIDACY**

COUNTY OF TAOS            )  
  ) ss.  
STATE OF NEW MEXICO    )

I, \_\_\_\_\_, being first duly sworn upon my oath do hereby state for my affidavit that I hereby appoint and authorize \_\_\_\_\_, who resides at \_\_\_\_\_, New Mexico to file my Declaration of Candidacy for me with the office of the Town Clerk of the Town of Taos.

\_\_\_\_\_  
Signature of Candidate

Subscribed and sworn to me before this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

**AFFIDAVIT OF WITHDRAWAL OF CANDIDACY**

I, \_\_\_\_\_, being first duly sworn upon my oath do hereby state for my affidavit that:

I, \_\_\_\_\_, hereby withdraw as a candidate for the office of  
(Name of Candidate)

\_\_\_\_\_ for a four-year term in the election scheduled for March 6, 2018

and that I hereby revoke my Declaration of Candidacy filed with the Town Clerk on January 9, 2018.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Received in the office of the Town Clerk at \_\_\_\_\_ (A.M./P.M.) on the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

Signed \_\_\_\_\_  
Georgiana Rael, Town Clerk

COUNTY OF TAOS )  
 ) ss.  
STATE OF NEW MEXICO )

**DECLARATION OF WRITE-IN CANDIDACY**

I, \_\_\_\_\_, being first duly sworn upon my oath do hereby state for my affidavit that:

I, \_\_\_\_\_, hereby declare that I am a write-in candidate for the office of \_\_\_\_\_ for a **four-year** term to be elected at the Regular Municipal Election to be held on March 6, 2018.

I affirm that I currently reside at \_\_\_\_\_, New Mexico.  
(Address, Town)

**I affirm that my name and resident address as stated in this Declaration of Write-In Candidacy are identical to my name and resident address as stated in my affidavit of registration on file with the County Clerk of Taos County, New Mexico.**

I affirm that I am eligible and legally qualified to hold the office for which I have declared my write-in candidacy.

- I affirm that I have not been convicted of a felony.
- OR-
- I affirm that I have been convicted of a felony, that my elective franchise has been restored, and I have been granted a pardon or a certificate by the Governor restoring my full rights of citizenship.

I affirm that I, or my authorized representative, shall contact the Town Clerk during normal business hours on January 18, 2018 to ascertain whether the Town Clerk has certified my declaration of write-in candidacy as valid.

I affirm that I, or my authorized representative, can be reached at the following for purposes of receiving telephone notice: \_\_\_\_\_ or \_\_\_\_\_.

I affirm that this declaration of write-in candidacy is an affidavit under oath and that any false statement knowingly made herein constitutes a fourth degree felony under the laws of New Mexico.

\_\_\_\_\_  
Signature of Write-In Candidate

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

My Commission Expires: \_\_\_\_\_  
Notary Public

Received in the office of the Town Clerk at \_\_\_\_\_ (A.M./P.M.) on the 16<sup>th</sup> day of January, 2018.  
\_\_\_\_\_  
Georgiana Rael, Town Clerk

**AFFIDAVIT OF WITHDRAWAL OF WRITE-IN CANDIDACY**

COUNTY OF TAOS            )  
  ) ss.  
STATE OF NEW MEXICO    )

I, \_\_\_\_\_, being first duly sworn upon my oath do hereby state for my affidavit that:

I, \_\_\_\_\_, hereby withdraw as a write-in candidate for the office of \_\_\_\_\_  
(Name of Candidate)  
for a four-year term in the election scheduled for March 6, 2018 and that I hereby irrevocably revoke my  
Declaration of Write-In Candidacy filed with the Town Clerk on January 16, 2018.

Signed \_\_\_\_\_  
Signature of Write-In Candidate

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

Received in the office of the Town Clerk at \_\_\_\_\_ (A.M./P.M.) on the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

Signed \_\_\_\_\_  
Georgiana Rael, Town Clerk