

**CITY OF RATON
OFFICE OF THE CITY CLERK**

***2010 REGULAR MUNICIPAL ELECTION
CANDIDATE'S PACKET***

**ELECTION DAY
TUESDAY, MARCH 2, 2010**

**Michael Anne Lannon
City Clerk/Treasurer
(575) 445-9451**

TABLE OF CONTENTS

2010 Election Calendar 1

Election Resolution 3

Declaration of Candidacy Information 4

General Information 6
Ballot, Absentee Voting, Withdrawal of Candidacy, Election Day,
Results, Absentee Board, political sign requirements

Declaration of Candidacy 8

Affidavit of Authorization 9

Affidavit of Withdrawal of Candidacy 10

Declaration of Write-In Candidacy 11

Affidavit of Withdrawal of Write-In Candidacy 12

2010 ELECTION CALENDAR

<u>DATE</u>	<u>TIME</u>	<u>ACTION</u>
January 5, 2010	8:00 a.m. – 5:00 p.m.	Candidate Filing Day
January 6, 2010	By 5:00 p.m.	Certification of Candidacy
January 7, 2010	8:00 a.m. – 5:00 p.m.	Candidate or Authorized Rep Shall Contact Municipal Clerk's Office to ascertain Declaration of Candidacy
	5:01 p.m.	Impartial and Fair Drawing by lot to determine the order the candidates' name will appear on the ballot.
January 12, 2010	By 5:00 p.m.	Withdrawal of Candidacy
January 12, 2010	8:00 a.m. – 5:00 p.m.	Write-In Candidate Filing Day
January 13, 2010	By 5:00 p.m.	Certification of Write-In Candidacy
January 14, 2010	8:00 a.m. – 5:00 p.m.	Candidate or Authorized Rep shall Contact Municipal Clerk's Office to ascertain Declaration of Write-In Candidacy
January 26, 2010	By 5:00 p.m.	Withdrawal of Write-In Candidacy
	8:00 a.m. – 5:00 p.m.	First Day paper Absentee Ballots may be issued/mailed to voters with approved application
February 2, 2010	5:00 p.m.	County Clerk closes Voter Registration
February 10, 2010	8:00 a.m. – 5:00 p.m.	First Day for early voting on voting Machines/electronic vote tabulators in Municipal Clerk's office
February 24, 2010	Times will be posted	Election School for Precinct Workers (open to the public)
February 26, 2010	By 5:00 p.m.	Last day for early voting using voting machine/tabulator
		Petition for Appointment of Challengers Watchers and Alternate

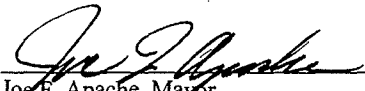
March 2, 2010	7:00 a.m. – 7:00 p.m.	ELECTION DAY (GOOD LUCK!)
March 8, 2010	By 5:00 p.m.	Post Election results with date, time and place where the Oath of Office will be administered
		Deadline for candidate to request a recount. (NOTE: This date may be later if canvass is completed later than the day of election since the deadline to recount is “within six days after completion of canvass”)
	By 7:00 p.m.	Elected candidates shall personally appear to acknowledge receipt of certificate
		Administer Oath of Office
March 9, 2010		Organizational Meeting of Newly Elected Officials
TBA		Newly Elected Officials Training

**ELECTION RESOLUTION
CITY OF RATON, NEW MEXICO
RESOLUTION NO. 2009 – 33**

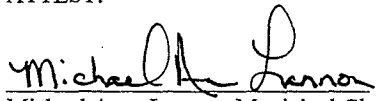
Be it resolved by the governing body of the City of Raton, New Mexico that:

- A. A regular municipal election for the election of municipal officers shall be held on March 2, 2010. Polls will open at 7:00 A.M. and close at 7:00 P.M.
- B. At the regular municipal election, persons shall be elected to fill the following elective offices:
1. District No. 1 – one Commissioner for a four-year term.
 2. District No. 3 – one Commissioner for a four-year term.
 3. One Municipal Judge for a four-year term.
- C. Precincts 11, 12, 13, 14, 15 and 16 are consolidated for the regular municipal election.
- Precincts 10, 17, 18, 19, 20, 21 and 22 are consolidated for the regular municipal election.
- D. The following locations are designated as polling places for the conduct of the regular municipal election:
1. Voters in consolidated precincts 11, 12, 13, 14, 15 and 16 shall vote at the Raton Convention Center, 901 S. 3rd Street, Raton, NM.
 2. Voters in consolidated precincts 10, 17, 18, 19, 20, 21 and 22 shall vote at St. Patrick's – St. Joseph's Parish Hall, 104 Buena Vista, Raton, NM.
- E. Absentee Voting. Any qualified elector of the City of Raton shall obtain an application for an absentee ballot, only from the office of the Municipal Clerk. All applications for an absentee ballot must be completed and accepted by the Municipal Clerk prior to 5:00 p.m., February 26, 2010. After 5:00 p.m. on February 26, 2010, all unused absentee ballots will be publicly destroyed by the Municipal Clerk. The Municipal Clerk will accept completed absentee ballots delivered by mail, or in person by the voter casting the absentee ballot or by a member of the voter's immediate family or by the caregiver of the voter, until 7:00 p.m. on March 2, 2010.
- Absentee ballots may be marked in person in the office of the Municipal Clerk during the regular hours and days of business, beginning on Tuesday, January 26 2010 and closing at 5:00 p.m. on Friday, February 26, 2010.
- Early Voting. Early voting on paper ballots counted by M100 electronic vote tabulator will be conducted in the office of the Municipal Clerk during the regular hours and days of business, beginning on Wednesday, February 10, 2010 and closing at 5:00 p.m. on Friday, February 26, 2010.
- F. Persons desiring to register to vote at the regular municipal election, must register with the County Clerk of Colfax County not later than Tuesday, February 2, 2010 at 5:00 P.M., the date on which the County Clerk will close registration books.
- G. **All Declarations of Candidacy shall be filed with the Municipal Clerk on Tuesday, January 5, 2010 between the hours of 8:00 A.M. and 5:00 P.M.**
- H. The casting of votes by qualified municipal electors shall be recorded on paper ballots to be counted by M100 electronic vote tabulators.

Adopted and approved this 10th day of November 2009.


Joe F. Apache, Mayor

ATTEST:


Michael Anne Lannon, Municipal Clerk

cc: Colfax County Clerk
Secretary of State

Published as a legal in the Raton Range on Tuesday, November 24, 2009 and Friday,
January 1, 2010.

DECLARATION OF CANDIDACY

CANDIDATE FILING DAY (§ 3-8-27 A-F)

THIS IS THE ONLY DATE AND TIME ON WHICH A PERSON MAY FILE TO BECOME A CANDIDATE FOR MUNICIPAL OFFICE, UNLESS THE PERSON FILING WISHES TO BE A WRITE-IN CANDIDATE.

SECTION I. On January 5, 2010, between the hours of 8:00 a.m. and 5:00 p.m., a candidate for city office must personally appear at the office of the Municipal Clerk, located at 224 Savage Avenue to file all documents required by law in order to cause a person to be certified as a candidate. Documents Required by Law:

1. A declaration of candidacy; and
2. A copy of the candidate's current affidavit of voter registration on file with the Colfax County Clerk. **The affidavit must be certified by the County Clerk on a date after November 10, 2009.**
3. All Affidavits of voter registration must show the candidate's current/residential address as a street address or rural route number and not as a post office box. (§ 3-8-27C)

SECTION II. The City Clerk will provide a form for the declaration of candidacy and will accept only those declarations of candidacy that contain;

1. The identical name and the identical residential street address as shown on the affidavit of registration of the candidate, as submitted with the declaration of candidacy;
2. The office, term and district designation to which the candidate seeks election;
3. A statement that the candidate is eligible and legally qualified to hold the office for which he/she is filing;
4. A statement that the candidate has not been convicted of a felony, or if s/he has a felony conviction, a statement that the candidate's elective franchise has been restored, and has been granted a pardon or certificate by the Governor restoring their full rights of citizenship.
5. A statement that the candidate or the candidates authorized representative shall contact the office of the City Clerk on January 7, 2010 to ascertain whether the City Clerk has certified the declaration of candidacy as Valid;
6. The contact information for how the candidate or authorized representative can be reached for purposes of giving notice;

7. A statement that the declaration of candidacy is an AFFIDAVIT UNDER OATH and any false statement knowingly made therein constitutes a fourth degree felony under the laws of the State of New Mexico; and
8. The notarized signature of the candidate. (If necessary, the office of the City Clerk will provide a Notary for the purpose of notarizing the candidate's signature).

SECTION III. The City Clerk will NOT accept a declaration of candidacy for more than one municipal elected office per candidate. Each candidate shall declare only one municipal elected office. Once filed, the declaration of candidacy is a public record. (§ 3-8-27F)

SECTION IV. To be certified as a candidate, the documents submitted to the City Clerk must prove that the individual is a qualified elector. "Qualified elector" means 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. (§ 3-1-2K)

SECTION V. In the event that an individual fails to submit to the City Clerk on January 5, 2010, the documents listed in the form and with contents required, (§ 3-8-27 B&G) the City Clerk will not certify that individual as a candidate for municipal office.

SECTION VI. On candidate filing day, a person acting solely on the candidate's behalf, by virtue of a written affidavit of authorization signed by the candidate, notarized and presented to the City Clerk by the candidate prior to candidate filing day, may file all documents required by law in order to cause a person to be certified as a candidate. **An affidavit of authorization must be filed with the City Clerk at least 24 hours before candidate filing day.**

SECTION VII. The candidate or authorized representative, shall contact the Municipal Clerk's office on January 7, 2010, between 8:00 a.m. and 5:00 p.m., to ascertain whether his/her declaration of candidacy has been certified as valid.

GENERAL INFORMATION

ANY REQUEST FOR ELECTION INFORMATION WILL BE ADDRESSED THROUGH THE OFFICE OF THE CITY CLERK

BALLOT

The ballot will first set forth candidates running for City Commissioner and Municipal Judge. The ballot will contain:

- (1) The office to be filled and its term
- (2) The names of candidates running for office exactly as shown on the candidate's declaration of candidacy in the order determined in a drawing by lot.

BALLOT POSITION

At 5:01 p.m., on January 7, 2010 in the Municipal Clerk, in the presence of the certified candidates (or their authorized representatives) who desire to be present, will administer an impartial and fair drawing by lot to set the order in which the candidates for each office will be listed on the ballot. If the candidate or authorized representative fails to appear, then the City Clerk will select a member of staff to draw a lot for the absent candidate.

SAMPLE BALLOTS

Sample ballots will be available in the Office of the City Clerk on or about January 26, 2010. Sample ballots will then be distributed to all interested persons for distribution to the voters.

ABSENTEE VOTING

Any voter entitled to vote in the election may vote absentee ballot.

By Mail: Applications for absentee ballots will be available from the office of the City Clerk on January 26, 2010 and mailed upon request. To obtain an application for an absentee ballot, the voter may call 445-9451 or obtain one in the office of the City Clerk.

Absentee ballots will be mailed to voters, whose applications have been accepted, beginning on January 26, 2010, through February 26, 2010, at 5:00 p.m.

In person: Absentee voting by paper ballot will be conducted in the office of the City Clerk, Raton City Hall, 224 Savage Avenue beginning at 8:00 a.m., on February 26, 2010 and continue through February 26, 2010 at 5:00 p.m.

Early voting by machine/electronic tabulator will start 8:00 a.m. on February 10, 2009 and continue through February 26, 2010 at 5:00 p.m. in the City Clerk's office.

Voting may be done during regular business hours from 8:00 a.m. to 5:00 p.m.

WITHDRAWAL OF CANDIDACY

Not later than 5:00 p.m. January 12, 2010, a candidate may file an affidavit of withdrawal on a form provided by the City Clerk. The City Clerk will not place on the ballot the name of any person who has filed an affidavit of withdrawal by the deadline.

ELECTION DAY

Polls will open at 7:00 a.m. and close at 7:00 p.m. on Election Day. The following polling places are designated in the Resolution:

Raton Convention Center, 901 S. 3rd St., precincts 11, 12, 13, 14, 15, and 16
St. Patrick's-St. Joseph's New Parish Hall, 104 Buena Vista, precincts 10, 17, 18, 19, 20, 21, and 22

RESULTS

Election Central will be established in the Commission Chambers of Raton City Hall. Results will be counted as they are delivered from the polls, after 7:00 p.m.

ABSENTEE BOARD

The Absentee Election Board will be located in the Commission Chambers of Raton City Hall from 7:00 a.m. until 7:00 p.m. Only members of the election board, candidates, or their designated representatives, representatives of the news media, certified challengers, watchers or observers, if necessary a Police Officer or Agent requested by the City Clerk and the City Clerk may be present while the votes are being counted by the poll officials. Only members of the election board will handle ballots, returns and signature rosters or participate in the counting.

POLITICAL SIGN REQUIREMENTS

Pursuant to City Ordinance Section 156.132, political signs are permitted without approval provided that compliance is met. Temporary political signs shall be allowed to be placed within the property lines. These signs are allowed to be erected or posted 4 weeks prior to an election and must be removed within 10 days after the election. Any contractual agreements made with sign contractors with lease agreements must abide by these regulations. These signs shall be setback from the from property line a minimum of 0 feet. Height restricted to 10 feet. Size is not restricted, however, if the sign is large enough to require substantial structural support or is attached to another structure, the proposed sign structure must be reviewed by the City zoning official. These signs may be allowed only in the residential, commercial, or industrial zoned districts. In addition no signs or political posters are allowed on New Mexico Department of Transportation Right-of-way (R/W) pursuant to New Mexico Administration Code 18-20.5. If a sign is placed on NMDOT R/W, maintenance crews may remove the signs without notice to the owner.

City of Raton
224 Savage Ave.

OFFICE OF THE CITY CLERK
Michael Anne Lannon, City Clerk
(575) 445-9451

DECLARATION OF CANDIDACY

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

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 _____, District No. _____ for a *four-year term* to be elected at the regular municipal election to be held on **March 2, 2010**.

I affirm that I currently reside at _____, Raton, New Mexico.
(Address)

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 Colfax 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 and 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 municipal clerk during normal business hours on January 7, 2010 to ascertain whether the municipal 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:
_____ or _____.

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 5th day of January, 2010.

My Commission expires:

Notary Public

Received in the office of the Municipal Clerk at _____ (a.m./p.m.) on the 5th day of January, 2010.

Municipal Clerk

ATTACH COPY OF CURRENT AFFIDAVIT OF VOTER REGISTRATION WHICH HAS BEEN CERTIFIED BY THE COUNTY CLERK ON A DATE NOT EARLIER THAN THE ADOPTION OF THE ELECTION RESOLUTION. DECLARATION OF CANDIDACY WILL NOT BE ACCEPTED WITHOUT CERTIFIED COPY OF VOTER REGISTRATION.

City of Raton
224 Savage Ave.

OFFICE OF THE CITY CLERK
Michael Anne Lannon, City Clerk
(575) 445-9451

AFFIDAVIT AUTHORIZING FILING OF DECLARATION OF CANDIDACY

COUNTY OF COLFAX)
) 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 _____,
Raton, New Mexico to file my declaration of candidacy for me with the office of the Municipal Clerk of the City of
Raton.

Signature of Candidate

Subscribed and sworn to before me this _____ day of _____, 2010.

Notary Public

My Commission Expires: _____

Received in the office of the Municipal Clerk at _____ (a.m./p.m.) on the _____ day of
_____, 2010.

Municipal Clerk

*City of Raton
224 Savage Ave.*

**OFFICE OF THE CITY CLERK
Michael Anne Lannon, City Clerk
(575) 445-9451**

AFFIDAVIT OF WITHDRAWAL OF CANDIDACY

COUNTY OF COLFAX)
) 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 candidate for the office of _____ for a four year term in the election scheduled on March 2, 2010 and that I hereby irrevocably revoke my Declaration of Candidacy filed with the City Clerk on January 5, 2010.

Signature of Candidate

Subscribed and sworn to before me this _____ day of _____, 2010.

Notary Public

My Commission expires:

Received in the office of the Municipal Clerk at _____ (a.m./p.m.) on the _____ day of _____, 2010.

Municipal Clerk

DECLARATION OF WRITE-IN CANDIDACY

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

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 _____, District No. _____ for a *four-year term* to be elected at the regular municipal election to be held on **March 2, 2010**.

I affirm that I currently reside at _____, Raton, New Mexico.
(Address)

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 Colfax 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 and 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 municipal clerk during normal business hours on January 14, 2010 to ascertain whether the municipal 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:
_____ 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 January, 2010.

My Commission expires:

Notary Public

Received in the office of the Municipal Clerk at _____ (a.m./p.m.) on the ____ day of January, 2010.

Municipal Clerk

ATTACH COPY OF CURRENT AFFIDAVIT OF VOTER REGISTRATION WHICH HAS BEEN CERTIFIED BY THE COUNTY CLERK ON A DATE NOT EARLIER THAN THE ADOPTION OF THE ELECTION RESOLUTION. DECLARATION OF CANDIDACY WILL NOT BE ACCEPTED WITHOUT CERTIFIED COPY OF VOTER REGISTRATION.

City of Raton
224 Savage Ave.

OFFICE OF THE CITY CLERK
Michael Anne Lannon, City Clerk
(575) 445-9451

AFFIDAVIT OF WITHDRAWAL OF WRITE-IN CANDIDACY

COUNTY OF COLFAX)
) 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 _____ for a four year term in the election scheduled on March 2, 2010 and that I hereby irrevocably revoke my Declaration of Write-In Candidacy filed with the City Clerk on January 12, 2010.

Signature of Write-In Candidate

Subscribed and sworn to before me this _____ day of _____, 2010.

Notary Public

My Commission expires:

Received in the office of the Municipal Clerk at _____ (a.m./p.m.) on the _____ day of _____, 2010.

Municipal Clerk