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Attorney General Balderas Makes Final Recommendations to Secretary of State Regarding Campaign Finance Reporting

*Campaign Finance Reporting Task Force meetings result in
recommendations for clarity and uniformity in the electoral
process*

Santa Fe, NM – Today, Attorney General Hector Balderas sent a letter to Secretary of State Dianna J. Duran making recommendations for increasing transparency and accountability in the campaign finance reporting process.

“When dealing with millions of dollars of campaign donations, candidates should strictly comply with the law and not violate transparency standards,” Balderas said in describing shortcomings in the current system of campaign finance reporting. “We need to put teeth back into the law, which is why I’ll be supporting the reinstatement of mandatory fines for violation of the Campaign Reporting Act during the upcoming legislative session.”

In addition to legislative reform, the Attorney General recommended that the Secretary of State establish a robust notification system to better track enforcement of campaign reporting legal requirements and that she employ a dedicated training officer to conduct statewide trainings to increase understanding of the Campaign Reporting Act.

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Attorney General Of New Mexico

HECTOR H. BALDERAS
Attorney General

ELIZABETH A. GLENN
Chief Deputy Attorney General

June 17, 2015

Hand-Delivered

The Honorable Dianna J. Duran, Secretary of State
325 Don Gaspar Ave, Suite 300
Santa Fe, NM 87501

RE: Campaign Finance Reporting Task Force Recommendations

Dear Secretary of State Duran,

As you know, I have been and continue to be concerned about enforcement of the Campaign Reporting Act. To date, my Office has only received one criminal referral under the Act from your Office. Pursuant to our collaborative meeting on January 27, 2015, representatives from both the Office of the Secretary of State and the Office of the Attorney General came together to identify solutions and strengthen accountability. Our offices have now met on two occasions to fulfill the obligations we agreed to undertake through the Campaign Finance Reporting Task Force. The purpose of this letter is to provide final recommendations from my Office to improve campaign finance reporting processes at the Office of the Secretary of State.

My staff's first recommendation is to support a legislative proposal that will reinstate mandatory fines for non-compliance. This will accomplish reform that is needed to provide clarity to all individuals and entities subject to the requirements of the Campaign Reporting Act. A statutory change will be a straightforward approach to enforcement of the Act and will enhance your ability to focus your efforts on proactive training to improve overall compliance rates. My office proposes that this legislation be evaluated during the current interim committee process.

In addition to legislative reform, there are several internal process changes that can be implemented by your office to streamline campaign reporting compliance. My office recommends that the Office of the Secretary of State employ a dedicated training officer who is charged with the responsibility of conducting regular statewide trainings and promoting front end understanding and guidance regarding the Act. These trainings will ensure timely communication with those individuals and entities who are regularly non-compliant. My office also recommends an upgrade to your web application that may encourage increased compliance and reduce the opportunity for

errors in reporting. Finally, my office recommends that the Office of the Secretary of State develop an enhanced notification process to include the candidate, the treasurer, and an authorized agent to receive communications regarding reporting and late notices from your Office.

Thank you for the opportunity to work with you. I hope that you will find these recommendations helpful as we work toward improving transparency, accountability, and full compliance in the electoral process. I am optimistic that with these proactive changes, compliance rates will improve and the public trust will be strengthened. Please let me know what else I can do to support this mission.

Respectfully,



HECTOR H. BALDERAS
Attorney General