



STATE OF NEW MEXICO

**MAGGIE TOULOUSE OLIVER**

SECRETARY OF STATE

**Hon. Maggie Toulouse Oliver, New Mexico Secretary of State**  
**Statement Before the U.S. Senate Committee on Rules and Administration**  
**“State and Local Perspectives on Election Administration”**  
**March 28, 2023**

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Chairwoman Klobuchar, Ranking Member Fischer, and members of the committee,

Thank you for having me here today. I am Maggie Toulouse Oliver, Secretary of State for the great state of New Mexico. I appreciate this opportunity to be part of this hearing as you gather state and local perspectives on election administration in the United States. The health of our democracy depends on informed discussions like this about the challenges and opportunities faced by election administrators across our country. My goal today is to provide you with insight into how election administrators are coping with the new voting and elections landscape and to highlight some of the initiatives we’re taking in New Mexico to support the vital work of county clerks and their staff, poll workers, and the myriad other election professionals who make our American democracy a model for the world.

The rise of misinformation and election denialism since 2020 has made the job of non-partisan election administration much harder. When many members of the public are mistrustful about the integrity of our elections, election administrators then bear the associated burdens of frivolous lawsuits, excessively burdensome public information requests, disruptive voters and poll workers, and outright threats and harassment.



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One of the most important tactics to defend against the detrimental consequences of election misinformation is simply putting good policies in place that are informed by election administrators themselves. Such policies can clarify existing laws or create new procedures that assist administrators in the execution of their duties. For example, during our latest legislative session in New Mexico we passed a comprehensive election administration bill that provides needed policies for election administrators to efficiently and uniformly administer all publicly funded elections held in our state.<sup>1</sup> The bill's provisions were drafted in concert with the state's election administrators and stem from actual experiences those administrators navigated either during the last election cycle or are currently navigating in preparation for elections this year.

Many county clerks have had trouble retaining or hiring poll workers because of the increased stress associated with being involved in elections, so we increased poll worker compensation. The bill mandates training for poll watchers and challengers, with a curriculum developed by my office, to aid those individuals and election administrators in better understanding the proper role and conduct of watchers and challengers at a polling place. One section clarifies procedures on public information requests to protect the secrecy of the ballot and information about our national critical infrastructure. This section was included after county clerks were inundated

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<sup>1</sup> New Mexico Legislature. "Senate Bill 180 - Election Changes." March 23, 2023.  
<https://nmlegis.gov/Legislation/Legislation?Chamber=S&LegType=B&LegNo=180&year=23>



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with requests for data and other information contained on voting machines (and other sources) that clerks do not actually use for administering elections.

After an individual earlier this year, influenced by election misinformation, allegedly orchestrated drive-by shootings at the homes of six elected officials in New Mexico's biggest city, a provision was included in the bill that shields the home addresses of elected or appointed officials from public disclosure (with some exceptions).

Other provisions in the bill that will assist voters and administrators in future elections include the creation of an electronic signature gathering portal for candidate nominating petitions; mandatory mailed voter notifications to provide voters with information about the dates, purpose, and processes of an election; adjusting timelines and requirements for voter registration, mail-in ballot processing, and early voting hours; protections for monitored, secured ballot drop boxes; better inter-agency information sharing to assist with the maintenance of voter registration records; among others.

Election administrators need tools provided by policies like the ones highlighted above in order to maintain fair and efficient elections that are above the fray of misinformation and partisan meddling. Of course, every jurisdiction has their own decisions to make about which policies best serve their communities. But I believe the policies we have had in New Mexico for years, supplemented by our recent legislative achievements, are a great model for many election administrators to mirror.



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In addition to tailoring specific state policies that assist administrators as they conduct elections, funding for elections is key. Sufficient funding for election administration, however, remains an obstacle for many election offices across the country. The federal government can help states and their election administrators by providing consistent, robust funding streams. These funds can be used to assist election administrators in fulfilling their duties under federal law, supplement costs associated with new trainings and/or physical security upgrades or strengthen cyber security defenses. Without more consistent federal funding to states for elections, administrators may have to contend with outdated equipment and technology, persistent staffing issues, and other circumstances that can inhibit the efficient conduct of elections. More consistent federal funding for elections allows election administrators to better plan for short-, medium-, and long-term goals that benefit all voters.

The federal government has an important role to play in assisting states with the conduct of elections, though each state is different, with different needs, and states should continue to be the ultimate authority on running their own elections. But collaboration is key and an entity like the U.S. Election Assistance Commission (EAC) provides a great example of how the federal government can help states with election-related needs. I was heartened to see the recent budget increase for the EAC and know they will continue to provide needed assistance to states in the future. Additionally, congressional funding of entities like the Cybersecurity and Infrastructure Security Agency (CISA) is vital because states and localities simply do



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not have the resources to defend against the modern threat landscape solely on their own.

Though the current political environment, coupled with the recent rash of election misinformation, makes the likelihood of enacting federal minimum standards for voter access unlikely, I do support certain minimum guarantees of access to early and absentee voting so that there is more equity for voters in federal elections across the country. Some federal involvement in elections will always be crucial for security and for the policy entrepreneurship that comes from such collaboration.

I hope my testimony today is helpful for the Committee and your future work. I thank you again for giving me this opportunity to testify on these crucial matters on behalf of New Mexico and our state's election administrators.

I look forward to answering any questions you may have for me.