

# **2020 GENERAL ELECTION VOTER GUIDE**

**November 3, 2020**

**Ballot Questions**

**Proposed  
Constitutional Amendments  
&  
General Obligation Bonds**

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# Table of Contents

General Information	4
<b>Proposed: Constitutional Amendment 1</b>	6
Ballot Question	6
Purpose	7
Arguments For	8
Arguments Against	10
Full Text of Legislation	13
<b>Proposed: Constitutional Amendment 2</b>	17
Ballot Question	17
Purpose	17
Arguments For	18
Arguments Against	21
Full Text of Legislation	24
<b>General Obligation Bonds</b>	26
Ballot Question	26
Explanation of GO Bonds and Taxes	29
Purpose	30
Fiscal Implications	37
<b>Additional Resources</b>	39

## General Information

In the 2019 and 2020 legislative sessions, the New Mexico Legislature passed two joint resolutions proposing amendments to the state constitution. The proposed amendments will appear on the November 3, 2020 election ballot.

The Constitution of New Mexico provides that the legislature, by a majority vote of all members elected to each house, may propose amendments revising the constitution, and that proposed amendments must then be submitted to the voters of the state for approval. A proposed amendment becomes part of the state's constitution if a majority of the votes cast in an election on the proposition is cast in its favor, unless the proposed amendment affects one of the sections for which a three-fourths-majority is required. (This year's proposed constitutional amendments do not affect any of those sections and so require only a simple majority vote to be approved.) Proposed constitutional amendments become effective upon approval by the voters, unless an effective date is provided within the text of the proposed amendment.

For the proposed amendments that will appear on the November 3, 2020 ballot, this guide contains the text of the joint resolutions proposing the amendments along with statements of the proposed

amendments. Arguments for and against the amendments, as well as additional analysis are available at the websites provided.

The legislature also passed a bill proposing three general obligation (GO) bonds. These proposed bonds must also be submitted to the voters of the state for approval. General obligation bonds are a type of bond secured by the state's use of legally available resources. The text of each ballot question is included along with a statement of the bond's function and fiscal impact. Arguments for and against the proposed bonds, along with additional analysis, are available at the websites provided.

## **Disclaimer**

The Secretary of State's office is including the text of each proposed statewide ballot question to appear on the ballot in the 2020 General Election. A brief statement of purpose or function has also been provided for each question. Additional links and references are included for the voter to review full bill language, or to obtain additional information on the issues. The analysis presented in this guide was developed by a variety of sources and does not necessarily reflect the views of the Secretary of State's office. Instead, this guide attempts to provide voters with various resources to review the amendments and arrive at their own conclusions.



# Proposed: Constitutional Amendments

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## Ballot Question

The following constitutional amendments questions will appear on all ballots for the General Election on November 3, 2020:

### Constitutional Amendment 1

PROPOSING TO AMEND THE CONSTITUTION OF NEW MEXICO TO PROVIDE THAT THE PUBLIC REGULATION COMMISSION CONSIST OF THREE MEMBERS APPOINTED BY THE GOVERNOR FROM A LIST OF PROFESSIONALLY QUALIFIED NOMINEES SUBMITTED TO THE GOVERNOR BY A NOMINATING COMMITTEE AS PROVIDED BY LAW AND THAT THE COMMISSION IS REQUIRED TO REGULATE PUBLIC UTILITIES AND MAY BE REQUIRED TO REGULATE OTHER PUBLIC SERVICE COMPANIES.

For: \_\_\_\_\_ Against: \_\_\_\_\_



## Purpose

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Constitutional Amendment 1 would amend Article 11, Section 1 of the Constitution of New Mexico to reduce the number of Public Regulation Commission (PRC) members to three, with no more than two members from the same political party. Members would no longer be elected, but instead would be appointed for six-year terms by the governor, with the consent of the senate, from a list of nominees submitted to the governor through a newly established Public Regulation Commission Nominating Committee. Constitutional Amendment 1 would also amend Article 11, Section 2 of the Constitution of New Mexico to narrow the scope of the PRC's constitutionally granted regulatory powers to public utilities, while still allowing the legislature to assign responsibility for the regulation of other public service companies to the commission by law.



## Arguments For

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1. May allow for increased focus on ratepayer interests. An elected commission is a political commission, and the PRC may be even more so because its members are elected to represent specific districts in the state. When elected members represent districts instead of the entire state, their focus may be on regional electoral politics rather than the interests of ratepayers throughout the state. By insulating the commission from electoral politics, the commissioners may be better able to carry out their quasi-judicial duties in an unbiased fashion.

2. Offers an opportunity to renew public trust. The PRC has suffered from controversy and lack of public trust throughout its existence, some of which can be attributed to the nature of electoral politics, whereby candidates may be elected based more on name recognition and political advertisements than on professional qualifications and technical expertise. The proposed amendment would provide for increased vetting of commissioners through the establishment of a Public Regulation Commission Nominating Committee that evaluates potential nominees and submits their names to the governor for appointment, followed by senate confirmation of



those appointees. This process would insulate the selection of commissioners from the political process and better ensure that well-qualified individuals are chosen to serve on the PRC, resulting in a renewal of public trust in the PRC.

3. New Mexico would join the vast majority of states that regulate utilities through governor-appointed commissions, including the neighboring states of Colorado, Utah and Texas. If this amendment is adopted, New Mexico would be following the lead of 38 other states that provide for governor-appointed utility regulation commissions. Given the highly complex and technical nature of public utility regulation, it makes sense that commissioners should be selected on the basis of knowledge and expertise, rather than political considerations. Moreover, the double-vetting process and staggered six-year terms required by this amendment should help ensure that only well-qualified individuals are considered for appointment to the PRC, while preventing governors from packing the commission with political appointees.

4. Promotes a better understanding of the legal complexities inherent in regulating utilities. The PRC is a quasi-judicial body, and as such, it is critical that commissioners know and understand the law and the specifics of the subject areas they regulate. However, too often the New Mexico Supreme Court has overruled PRC decisions, resulting in costs to the

state and sometimes calling into question the PRC's understanding of or regard for the legal complexities inherent in regulating the state's utilities. Improved screening and qualification requirements would help ensure that commissioners possess the experience and training necessary to make decisions within the complex legal framework that governs public utility regulation.



## Arguments Against

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1. Does not address recommended changes to the PRC that may better address the efficient functioning of the commission. The key to the efficient functioning of the PRC may not necessarily lie with the manner in which commissioners are appointed. In fact, a study by the National Regulatory Research Institute (NRRI) commissioned by the legislature in 2017 offered several recommendations to improve PRC operations. Those recommendations included establishing stable funding through the fees and assessments collected by the PRC from regulated industries as is the practice in most states, increasing staff salaries to attract and keep highly skilled engineers, accountants, economists, lawyers and

other professional staff that are necessary to efficiently conduct rate cases, draft rules and advise the commissioners and increasing opportunities for staff to receive ongoing training and professional development. The proposed amendment does not address any of the many recommendations that could more effectively improve the PRC's operations.

2. Does not change how the PRC actually functions.

As noted above, the provisions of this amendment assume that any problems with the current PRC are related to the fact that it is an elected body. The amendment, however, leaves it up to the legislature to provide for how commissioners will be evaluated and what qualifications commissioners will be required to have. Under current law, the legislature already has the power to set qualifications and continuing education requirements for commissioners. It also has the power to address all of the issues raised by the 2017 NRRI report to the legislature. There is no guarantee that the legislature will appropriately fund the PRC to address the issues raised in the 2017 report simply because the commissioners are appointed rather than elected.

3. Removes the electorate's ability to directly hold commissioners accountable for their actions.

Removing voters' power to directly elect commissioners dilutes the power of the electorate by transferring that decision-making authority to the Public Regulation Commission Nominating

Committee, governor and senate. Electing commissioners from their respective districts allows members of the public more direct oversight of their commissioners and the decisions those commissioners make. Removing the power to elect the commissioners by district may result in reduced geographical representation because appointed commissioners could reside anywhere in the state. Even if the commissioners were appointed from different regions of the state, each commissioner would necessarily represent more persons and a larger geographic area than under the current system.

4. Changing the removal process for commissioners may result in delayed proceedings. The proposed amendment provides that a commissioner may be removed "for accepting anything of value from a person or entity whose charges for services to the public are regulated by the commission, malfeasance, misfeasance or neglect of duty", but a commissioner may only be removed by impeachment. Pursuant to Article 4, Section 35 of the Constitution of New Mexico, impeachment can only be exercised by a majority of the members of the House of Representatives and must be followed by a trial in the senate. Thus, impeachment of a commissioner may only occur when the legislature is convened in session or called into a special or extraordinary session, possibly delaying hearings required to respond to a serious allegation against a

serving commissioner. Currently, the Constitution of New Mexico provides to the New Mexico Supreme Court the jurisdiction to remove a commissioner for cause, which may provide for a more timely response.

Source:

[https://www.nmlegis.gov/Publications/New\\_Mexico\\_State\\_Government/Constitutional\\_Amendment/Constitutional\\_Amendments\\_2020.pdf](https://www.nmlegis.gov/Publications/New_Mexico_State_Government/Constitutional_Amendment/Constitutional_Amendments_2020.pdf)

## Full Text of Legislation

Note:

Underscored material = new language proposed for insertion

~~[Bracketed material]~~ = existing language proposed for deletion

### SENATE JOINT RESOLUTION 1 - Proposed Constitutional Amendment 1

PROPOSING TO AMEND THE CONSTITUTION OF NEW MEXICO TO PROVIDE THAT THE PUBLIC REGULATION COMMISSION CONSIST OF THREE MEMBERS APPOINTED BY THE GOVERNOR FROM A LIST OF PROFESSIONALLY QUALIFIED NOMINEES SUBMITTED TO THE GOVERNOR BY A NOMINATING COMMITTEE AS PROVIDED BY LAW AND THAT THE COMMISSION IS REQUIRED TO REGULATE PUBLIC UTILITIES AND MAY BE REQUIRED TO REGULATE OTHER PUBLIC SERVICE COMPANIES.

SECTION 1. It is proposed to amend Article 11, Section 1 of the constitution of New Mexico to read:

"A. The "public regulation commission" is created. Until January 1, 2023, the commission shall consist of five members elected from districts provided by law for staggered four-year terms beginning on January 1 of the year following their election; provided that [those chosen at the first general election after the adoption of this section shall immediately classify themselves by lot, so that two of them shall hold office for two years and three of them for four years; and further provided that] after serving two terms, members shall be ineligible to hold office as a commission member until one full term has intervened; and provided further that commission members elected for terms beginning January 1, 2021 shall hold office for two years.

B. Beginning January 1, 2023, the commission shall consist of three members. The governor shall nominate members from a list of qualified nominees submitted to the governor by the public regulation commission nominating committee, as provided by law, and by and with the consent of the senate shall appoint members to fill positions and vacancies on the commission; provided that no more than two commissioners shall be members of the same political party. Members so appointed shall serve six-year staggered terms; provided that, after serving two consecutive six-year terms, members shall be ineligible to hold office as commissioner until one full term has intervened. A

person appointed to fill a vacancy on the commission shall serve for the remainder of the unexpired term.

C. A six-year term for a commission position shall begin on January 1 of the year following the expiration of the prior term for that position; provided that in January 2023, one member shall be appointed for an initial term of two years, one member for an initial term of four years and one member for a six-year term.

D. The legislature shall provide, by law, [increased] for professional qualifications [for commissioners] and continuing education requirements for commissioners [The increased qualifications provided by this 2012 amendment shall apply to public regulation commissioners elected at the general election in 2014 and subsequent elections and to commissioners appointed to fill a vacancy at any time after July 1, 2013. No commissioner or candidate for the commission shall accept anything of value from a person or entity whose charges for services to the public are regulated by the commission.] and for the creation of and procedures for the public regulation commission nominating committee.

E. A commission member may be removed by impeachment for accepting anything of value from a person or entity whose charges for services to the public are regulated by the commission, malfeasance, misfeasance or neglect of duty.”

SECTION 2. It is proposed to amend Article

11, Section 2 of the constitution of New Mexico to read:

"The public regulation commission shall have responsibility for regulating public utilities [including electric, natural gas and water companies; transportation companies, including common and contract carriers; transmission and pipeline companies, including telephone, telegraph and information transmission companies; and] as provided by law. The public regulation commission may have responsibility for regulation of other public service companies in such manner as the legislature shall provide. [The public regulation commission shall have responsibility for regulating insurance companies and others engaged in risk assumption as provided by law until July 1, 2013.]"

SECTION 3. The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at the next general election or at any special election prior to that date that may be called for that purpose.



## Constitutional Amendment 2

PROPOSING TO AMEND ARTICLE 20, SECTION 3 OF THE CONSTITUTION OF NEW MEXICO TO PERMIT THE ADJUSTMENT BY LAW OF TERMS OF NONSTATEWIDE ELECTED OFFICERS AND TO STANDARDIZE THE DATE AN OFFICER BEGINS TO SERVE.

For: \_\_\_\_\_ Against: \_\_\_\_\_



### Purpose

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Constitutional Amendment 2 proposes to amend Article 20, Section 3 of the Constitution of New Mexico to allow the legislature to adjust the term of a state, county or district officer to align or stagger the election of officers for a particular state, county or district office throughout the state. No statewide elective office would be subject to adjustment. The proposed amendment also clarifies that officers elected to fill a vacancy in office shall take office on the first day of January following their election.



## Arguments For

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1. Provides the legislature with the constitutional authority to ensure uniformity of elections and balance the number of offices on the ballot. This constitutional amendment is a natural and necessary extension of the legislature's intent demonstrated by the passage of House Bill 407 (2019). This law changed and updated numerous provisions throughout the Election Code to standardize the election dates for certain elected officials and balance out the number of county and district officers on the ballot in any given election year. In a legal case that followed the passage of this law, the New Mexico Supreme Court ultimately held, in part, that if the legislature wishes to alter the election dates of officers whose terms are enumerated in the constitution for the purpose of ensuring uniformity, this must be first permitted through a constitutional amendment. This amendment would effectively amend the Constitution of New Mexico to allow for the enforcement of those statutory provisions.

2. Provides the legislature with a tool to address election cycle concerns without requiring individual constitutional amendments for each office. Without

this constitutional amendment, if the legislature determines that it is necessary to change the election cycle in which a state, county or district officer is elected to provide for consistency in the timing of elections for that office or to balance the number of offices appearing on the ballot, the legislature must first pass and the voters must adopt a constitutional amendment for each relevant office. The legislature is prohibited from extending or shortening the terms of constitutional officers to stagger or align them on the same ballot in the same election year without a constitutional amendment being presented to and adopted by the voters. If stand-alone constitutional amendments must be adopted to address these election cycle concerns, the one-time adjustments to the terms of individual offices in the constitution will clutter the constitution with provisions that are temporal in nature, which is antithetical to the enduring nature of constitutions. This proposed constitutional amendment, however, would allow the legislature to adjust the number of offices on the presidential or gubernatorial general election ballot without needing to propose a constitutional amendment for each relevant office, thus allowing the legislature to expediently address these election concerns when they arise and preventing the constitution from being filled with temporary provisions.

3. Includes protections against legislative overreach in amending terms of certain elected officers. The

proposed amendment protects against legislative overreach in arbitrarily changing the terms of certain elected officers by requiring the legislature to adopt specific legislative findings supporting an adjustment. In order for the legislature to make an adjustment, the legislature must find that the adjustment is necessary for consistency in the timing of elections for that office or to balance the number of offices appearing on the ballot. This requirement is unique and requires a level of deliberateness and intention by the legislature. The proposed amendment also limits the reach of any law by limiting a one-time adjustment to two years. This limitation effectively adjusts a term no more than necessary to accomplish the desired alignment. Further, persons elected to affected offices are protected and not penalized. In running for a second term for an office, if the person's first term is extended, the extended term is only to be counted as one term, and a shortened term is not to be considered a term for the purposes of any limitation on the number of terms an officer may serve.

**4. Addresses election cycle issues and increases efficiency.** Balancing the number of contests appearing on a ballot during alternating election cycles and implementing a standardized start date for all newly elected officers may help alleviate issues created by an overloaded or long ballot and increase efficiency in the state's administration of elections and training. An overloaded or long ballot

may result in longer lines at the ballot box and voter fatigue when there are "too many" offices up for grabs. A more balanced ballot could provide voters with a better opportunity to educate themselves about the candidates and their positions, and therefore make more informed choices. A balanced ballot could also create the perception among voters that there is an equal number of important races during alternating election cycles, thereby increasing voter turnout. In addition, balancing the number of contests appearing on a ballot between election cycles and implementing a standardized start date for all newly elected officers may increase efficiency by allowing the state to plan for, organize and carry out the election and training of statewide and non-statewide officers at the same time.



## Arguments Against

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1. Expands the legislature's constitutional power over election policy and requires use of legislative findings that are not typical of constitutional provisions. The proposed amendment expands the legislature's constitutional power over election policy issues and could be legally challenged. It requires a legislative finding that an adjustment is

necessary "to provide for consistency in the timing of elections for that office or to balance the number of offices appearing on the ballot". While this provides some guidance, it may allow the legislature to amend terms for other reasons as long as the finding states that it is meant to provide for consistency or balance. This possibility for other motivating reasons demonstrates that the finding requirement may not be as exacting as it may appear. Furthermore, this finding requirement does not exist in any other provision of the Constitution of New Mexico and is generally at odds with legislative style.

2. May not be narrowly tailored to address the problem the proposed constitutional amendment is trying to solve. There are a small number of state, county and district positions throughout the state that may need to be aligned on the same ballot or staggered in different election cycles. The proposed constitutional amendment may be overly broad and not sufficiently tailored to address the problem it is trying to solve. The constitutional amendment does not address only those offices that are in need of being aligned or staggered on the presidential or gubernatorial general election ballots, but it gives the legislature broad discretion to change the election cycle in which a state, county or district officer is elected, provided that the legislature includes the required finding in the legislation that adjusts the election cycles.

3. Shortening or lengthening of terms may be inequitable. As a result of this amendment, some incumbent officeholders will gain an extra two years in office, while others will serve terms that expire two years early for reasons unrelated to their performance. Incumbents seeking reelection after a shortened term could be disadvantaged by the adjustment because they will have had only two years in office to accomplish their goals, gain constituent support and prepare for a reelection campaign. Additionally, during the period when election cycles are being synchronized, term limits will not apply to the affected offices. At the time of an election, voters elect candidates and candidates run for office with the expectation that the winner will serve a four-year term and that term limits will apply. Whether an incumbent's term is shortened or extended, the end result may implicate the democratic process and may be inequitable to both voters and officeholders because it occurs retroactively after the officer has been elected. This amendment may undermine their expectations and act against their interests.

4. Benefits to voters are unclear. Proposed changes to election policy require careful scrutiny; in particular, assessing whether and how the changes would affect voters' ability to participate in the election process. This amendment does not provide any clear benefit to voters. Whether all New Mexico voters are scheduled to vote for their county or

district officers during the same election cycle serves no purpose for voters. The residents of a county or a district are the only voters who are eligible to participate in an election for officers of the county or district, and are, therefore, unaffected by the outcomes of corresponding contests held in other parts of the state. Without evidence that the existing election cycle distribution burdens voters, there is no clear justification for a constitutional amendment that would allow a change to the status quo.

*Source:*

*[https://www.nmlegis.gov/Publications/New\\_Mexico\\_State\\_Government/Constitutional\\_Amendment/Constitutional\\_Amendments\\_2020.pdf](https://www.nmlegis.gov/Publications/New_Mexico_State_Government/Constitutional_Amendment/Constitutional_Amendments_2020.pdf)*

## Full Text of Legislation

*Note:*

*Underscored material = new language proposed for insertion  
[Bracketed material] = existing language proposed for deletion*

### **HOUSE JOINT RESOLUTION 8 - Proposed Constitutional Amendment 2**

**PROPOSING TO AMEND ARTICLE 20, SECTION 3 OF THE CONSTITUTION OF NEW MEXICO TO PERMIT THE ADJUSTMENT BY LAW OF TERMS OF NONSTATEWIDE ELECTED OFFICERS AND TO STANDARDIZE THE DATE AN OFFICER BEGINS TO SERVE.**



BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

**SECTION 1.** It is proposed to amend Article 20, Section 3 of the constitution of New Mexico to read:

"A. The term of office of every state, county or district officer, except [those elected at the first election held under this constitution, and] those elected to fill vacancies, shall commence on the first day of January next after [his] the officer's election.

B. A state, county or district officer elected to fill a vacancy in office shall take office on the first day of January next after the officer's election to serve the remainder of the unexpired term for that office.

C. The term of a state, county or district officer may be adjusted by law to align or stagger the election of officers for a particular state, county or district office throughout the state. Any such adjustment shall require a legislative finding that the adjustment is to provide for consistency in the timing of elections for that office or to balance the number of offices appearing on the ballot. The term of any officer affected by such adjustment shall not be shortened or extended by more than two years. An extended term shall be counted as one term for the purposes of any limitation on the number of terms an officer may serve. A shortened term shall not be counted as a term and shall be disregarded for the purposes of any limitation on the number of terms an officer may serve. No statewide elective office may be adjusted pursuant to this subsection."

**SECTION 2.** The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at the next general election or at any special election prior to that date that may be called for that purpose.

## **Proposed: General Obligation Bonds**

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### **Ballot Questions**

The following three general obligation bond questions will appear on all ballots for the General Election on November 3, 2020:

#### **Bond Question A:**

"The 2020 Capital Projects General Obligation Bond Act authorizes the issuance and sale of senior citizen facility improvement, construction and equipment acquisition bonds. Shall the state be authorized to issue general obligation bonds in an amount not to exceed thirty-three million two hundred ninety-two thousand one hundred forty-one dollars (\$33,292,141) to make capital expenditures for certain senior citizen facility improvement,

construction and equipment acquisition projects and provide for a general property tax imposition and levy for the payment of principal of, interest on and expenses incurred in connection with the issuance of the bonds and the collection of the tax as permitted by law?"

For: \_\_\_\_\_ Against: \_\_\_\_\_

### **Bond Question B:**

"The 2020 Capital Projects General Obligation Bond Act authorizes the issuance and sale of library acquisition bonds. Shall the state be authorized to issue general obligation bonds in an amount not to exceed nine million seven hundred fifty-one thousand four hundred thirty-three dollars (\$9,751,433) to make capital expenditures for academic, public school, tribal and public library resource acquisitions and provide for a general property tax imposition and levy for the payment of principal of, interest on and expenses incurred in connection with the issuance of the bonds and the collection of the tax as permitted by law?"

For: \_\_\_\_\_ Against: \_\_\_\_\_

## Bond Question C:

"The 2020 Capital Projects General Obligation Bond Act authorizes the issuance and sale of higher education, special schools and tribal schools capital improvement and acquisition bonds. Shall the state be authorized to issue general obligation bonds in an amount not to exceed one hundred fifty-six million three hundred fifty-eight thousand four hundred seventy-five dollars (\$156,358,475) to make capital expenditures for certain higher education, special schools and tribal schools capital improvements and acquisitions and provide for a general property tax imposition and levy for the payment of principal of, interest on and expenses incurred in connection with the issuance of the bonds and the collection of the tax as permitted by law?

For: \_\_\_\_\_ Against: \_\_\_\_\_



## Explanation of General Obligation Bonds and Taxes

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A bond represents a debt for money borrowed by a government to finance capital improvement projects. The State of New Mexico promises to repay the amount borrowed, plus interest, over a period of time for each General Obligation Bond that is approved by voters. The bonds are called “General Obligation” because payment of the debt service (principal plus interest) is a general obligation of the State and its property owners through property taxation.

According to the Board of Finance, Division of the NM Department of Finance and Administration, the specific amount of property taxes collected in a given year is attributable to a number of factors, including the amount of debt service required for existing general obligation bonds, the projected debt service required for the new bond issue, the latest assessed valuation of net taxable property, cash balances in bond debt service accounts, the date of issuance, and the actual interest rate obtained on the bond sale.

## 2020 Capital Projects General Obligation Bond Act (Senate Bill 207)

The New Mexico Legislature passed the 2020 Capital Projects General Obligation Bond Act detailing projects that would be funded by these bonds. No bonds will be issued or sold under the act until the state's registered voters have voted upon and approved the bonds. Each bond is voted upon separately with a "For" or "Against" question.



### **Purpose**

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The three 2020 bond issues ask for voter approval to issue general obligation bonds as follows:

**BOND ISSUE A**, in an amount not to exceed thirty-three million two hundred ninety-two thousand one hundred forty-one dollars (\$33,292,141) to make capital expenditures for certain senior citizen facility improvement, construction and equipment acquisition;

The following projects have been specifically designated for funding by the sale of Bond Issue A:

Acoma Pueblo Senior Center-Ren	\$68,225
Acoma Pueblo Senior Center-Vehicles	\$109,476
Alamo Senior Center-Vehicles	\$76,000
Alamo Senior Center-Equip	\$36,503
Alb Casa Kitchen Site-Vehicles	\$52,320
Anthony Community Center-Vehicles	\$249,000
Aztec Senior Center-Ren	\$363,000
Baahaali CHP Senior Center-Ren	\$810,000
Baca CHP Senior Center-Improve Code	\$22,000
Barelas Senior Center-Ren	\$114,400
Belen Senior Center-Vehicles	\$260,000
Bernalillo Senior Center-Vehicles	\$20,250
Bonnie Dallas Senior Center-Equip	\$51,160
Bonnie Dallas Senior Ctr-Improve Code	\$65,000
Bonnie Dallas Senior Center-Ren	\$200,000
Carrizozo Senior center-Vehicles	\$45,822
Chichilta CHP Senior Ctr-Improve Code	\$950,000
Cimarron Senior Center-Vehicles	\$55,000
Crownpoint CHP Sr Ctr-Improve Code	\$880,000
Crownpoint CHP Senior Center-Ren	\$101,100
Crystal CHP Senior Center-Vehicles	\$50,000
Del Rio Senior Center-Construct	\$200,000
Deming Senior Center-Renovate	\$22,876
Deming Senior Center-Ren	\$255,092
Deming Senior Center-Vehicles	\$140,170
Dona Ana Community Center-Ren	\$100,000
Eagle Nest Senior Center-Ren	\$274,800
East Mesa/Sage Café Sr Ctr-Construct	\$930,000
Ena Mitchell Senior Center-Equip	\$29,777
Gallup Senior Center-Equip	\$20,000

Gallup Senior Center-Vehicles	\$75,000
Gila Senior Center-Ren	\$50,000
Gila Senior Center-Vehicles	\$67,826
Highland Senior Center-Ren	\$359,200
Highland Senior Center-Vehicles	\$81,782
Hillcrest Senior Center-Construct	\$4,703,946
Hondo Senior Center-Equip	\$42,240
Hondo Senior Center-Vehicles	\$22,172
Isleta Pueblo Elder Center-Construct	\$370,000
Isleta Pueblo Elder Center-Vehicles	\$75,000
La Loma Senior Center-Vehicles	\$50,365
Lake Arthur Joy Center-Ren	\$93,833
Las Vegas Senior Center-Code	\$315,000
Las Vegas Senior Center-Improve Code	\$1,135,700
Las Vegas Senior Center-Ren	\$50,000
Logan Senior Center-Ren	\$40,000
Logan Senior Center-Vehicles	\$48,109
Magdalena Senior Center-Improve Code	\$33,755
Manuelito CHP Senior Center-Plan	\$110,000
Mariano Lake CHP Senior Ctr-Construct	\$1,614,293
Mary Esther Gonzales Sr Ctr-Construct	\$2,484,852
Mary Esther Gonzales Senior Ctr-Plan	\$358,865
Mary Esther Gonzales Sr Ctr-Vehicles	\$827,000
Meadowlark Senior Center-Ren	\$301,716
Meadowlark Senior Center-Vehicles	\$119,788
Melrose Senior Center-Vehicles	\$30,000
Mexican Springs CHP Sr Ctr-Improve Code	\$213,000
Midway Joy Center-Ren	\$84,716
Midway Joy Center-Vehicles	\$51,728
Mimbres Senior Center-Ren	\$50,000
Munson Senior Center-Construct	\$974,000
Nageezi Senior Center-Plan	\$338,710
Palo Duro Senior Center-Vehicles	\$81,782



Placitas Community Center-Vehicles	\$45,000
Pueblo Pintado CHP Sr Ctr-Construct	\$2,800,000
Radium Springs Community Center-Ren	\$116,000
Ramah CHP Senior Center-Construct	\$380,000
Raton Senior Center-Ren	\$165,000
Raton Senior Center-Vehicles	\$110,000
Raymond G. Sanchez Cmty Center-Ren	\$110,000
Red Rock CHP Senior Center-Construct	\$1,420,000
Rio Bravo Senior Meal Site-Plan	\$145,025
Roswell Joy Center-Equip	\$51,000
Roswell Joy Center-Ren	\$107,473
Roswell Joy Center-Vehicles	\$312,645
Ruidoso Community Center-Ren	\$44,077
Ruidoso Downs Zia Senior Ctr-Vehicles	\$22,172
San Felipe Pueblo Senior Ctr-Equip	\$36,000
San Felipe Pueblo Sr Ctr-Improve Code	\$1,190,000
San Ildefonso Pueblo Senior Center-Ren	\$28,106
San Jose Senior Center-Ren	\$760,000
San Miguel Senior Center-Vehicles	\$225,000
Sandoval County Senior Ctrs-Vehicles	\$101,650
Santa Clara Pueblo Adult Daycare-Improve Code	\$154,300
Santa Clara Pueblo Adult Daycare-Ren	\$103,000
Santa Clara Pueblo Adult Daycare-Vehicles	\$70,750
Santa Clara Pueblo Senior Center-Equip	\$42,000
Santa Clara Senior Center-Equip	\$73,404
Santa Clara Senior Center-Vehicles	\$55,000
Silver City Senior Center-Vehicles	\$33,435
Smith Lake CHP Senior Center-Ren	\$800,000
Springer Senior Center-Vehicles	\$55,000
Taos County Senior Center-Vehicles	\$220,456
Thoreau CHP Senior Ctr-Improve Code	\$1,000,000
Tohatchi Senior Center-Plan	\$350,000
Veguita Senior Center-Improve Code	\$84,591

**BOND ISSUE B**, in an amount not to exceed nine million, five hundred dollars (\$9,500,000) to make capital expenditures for academic, public school, tribal and public library resource acquisitions;

The following projects have been specifically designated for funding by the sale of Bond Issue B:

**Cultural Affairs Department:** \$3 million for equipment, library furniture, fixtures and supplemental library resource acquisitions, including print, non-print and electronic resources, collaborative library resources and information technology projects, and for the purchase and installation of broadband internet equipment and infrastructure at non-tribal public libraries statewide; and \$500 thousand for equipment, library furniture, fixtures and supplemental library resource acquisitions, including print, non-print and electronic resources, collaborative library resources and information technology projects, and for the purchase and installation of broadband internet equipment and infrastructure at tribal libraries statewide.

**Higher Education Department:** \$3 million for supplemental library resource acquisitions, including books, equipment, electronic resources and collaborative library resources and information technology projects, for academic libraries statewide.

**Public Education Department:** \$3 million for equipment and supplemental library resource acquisitions, including print, non-print and electronic resources, at public school libraries statewide.

**BOND ISSUE C**, in an amount not to exceed one hundred fifty-five million, nine hundred seventy-three thousand, nine hundred sixty-seven dollars (\$155,973,967) to make capital expenditures for certain higher education, special schools and tribal schools.

The following higher education, special schools and tribal schools have been specifically designated for funding by the sale of Bond C:

CCC Roof & Parking Lot Improvement	\$750,000
CCC Security Improvement -GO	\$325,000
CNMCC Student Svcs Fclty Construct	\$13,000,000
Dine College Shiprock Agr Mltprps Ctr-Const	\$1,300,000
ENMU Infrastructure Upgrades	\$1,000,000
ENMU Roosevelt Science Hall PH2-GO	\$7,000,000
ENMU Roswell Surveillance & Lighting Sys Equip	\$1,800,000
ENMU Ruidoso Nexus Video Infra PH 2 & 3	\$1,500,000
IAIA Academic & Museum Collection Facility-Ren	\$700,000
LCC HVAC Improve	\$1,000,000
MCC Central Student Service Ctr Ren Phase 2	\$400,000
Navajo Tech Univ Science & Trades Bldg Ren	\$1,400,000
NMBVI Tapia Building Ren	\$938,967
NMHU Sininger Hall Ren	\$7,000,000
NMIMT Kelly Hall Construction	\$10,000,000
NMJC Safety & Security Improve	\$2,000,000

NMJC Watson Hall Ren	\$2,000,000
NMMI Roofs Ren	\$3,000,000
NMSD Dining Hall Ren PH 3	\$5,300,000
NMSU Agr Sci Ctr Improve Statewide	\$3,000,000
NMSU Agr Sci Research Fclties Modernize	\$18,000,000
NMSU Milton Hall Data Ctr Upgrade & Replace	\$3,000,000
NMSU Alamogordo Mechanical Duct Work	\$900,000
NMSU Alamogordo Physical Plant Bldg Ren	\$900,000
NMSU Carlsbad Site, Parking & Infra Improve	\$1,500,000
NMSU Dona Ana Security & Infra Improve	\$1,860,000
NMSU Grants Martinez Hall Ren	\$1,300,000
NNMSS Parking Drain & Infra Improve	\$2,500,000
SFCC Infra Improve	\$2,000,000
SFIS Storm Drain & Infra Improve	\$700,000
SIPI Infra Improve	\$1,000,000
SJC Infra Improve	\$3,500,000
UNM Academic & Research Infra Improve	\$13,200,000
UNM Health Sci Ctr Nursing Bldg Construct	\$30,000,000
UNM Gallup Ctr for Career Tech Ren	\$3,000,000
UNM Los Alamos Workforce Dvlp & Cte Lab Ren	\$1,700,000
UNM Taos Klauer Campus Site Improve	\$2,000,000
UNM Valencia Fire Safety Improve	\$1,500,000
WNMU Harlan & Fleming Ren & Infra Improve	\$4,000,000



## **Fiscal Implications**

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According to revenue estimators, general obligation bond (GOB) capacity is approximately \$199,200,000, or approximately 0.29 percent of net taxable value of property. Authorizing no more than the stated capacity maintains a flat mill levy. Issuance and sale of general obligation bonds requires approval by the electorate at the November 2020 general election. General obligation bonds are payable from ad valorem (property) taxes levied on all property in the state subject to property taxation. The bonds are backed by the full faith and credit of the state. If approved by the voters, the general obligation bonds are expected to be issued by the State Board of Finance in January or February 2021. If the general obligation bonds are ratified by the voters, and issued in January or February 2021, funds authorized in this bill will be available to the recipients in the spring of 2021. The state agencies and state institutions to which money has been appropriated in this bill shall be responsible for monitoring the projects funded in the bill to ensure compliance with the laws and Constitution of New Mexico and shall cause to be reverted any unexpended or unencumbered balance remaining at the earlier of the third full fiscal year after

issuance of the bonds or the termination or completion of the specific project. Reverted funds shall be deposited in the debt service fund established by the state treasurer for the purpose of paying the principal and interest on the state's general obligation bonds.

The total for all three questions, including bond issuance costs, is \$199,200,000. Based on the assumption that all three bond issues will be passed by voters, the property tax year 2020 mill levy has been set at 1.36 mills, which is the same as the 2018 and 2019 rates. The State Board of Finance estimates that over a ten-year period, the three issues on the ballot would cost approximately \$10.99 per \$100,000 of asset value. Of the annual average \$10.99, Bond Issue A accounts for \$1.83, Bond Issue B accounts for \$0.54, and Bond Issue C accounts for \$8.62.

A complete breakdown of the designated projects under each bond issue can be found on the New Mexico Legislature's website:

*<https://nmlegis.gov/Sessions/20%20Regular/final/SB0207.pdf>*

*Source: NM Department of Finance and Administration.*

## Additional Resources

Additional information on the proposed constitutional amendments and general obligation bonds can be found at the following sites:

### **Senate Joint Resolution 1 - Constitutional Amendment 1:**

<https://www.nmlegis.gov/Sessions/19%20Regular/final/SJR01.pdf>

### **House Joint Resolution 8 – Constitutional Amendment 2:**

<https://www.nmlegis.gov/Sessions/20%20Regular/final/HJR08.PDF>

### **Senate Bill 207 – General Obligation Bonds:**

<https://www.nmlegis.gov/Sessions/20%20Regular/final/SB0207.PDF>

### **General Obligation Bond Projects Chart by County:**

[https://www.nmlegis.gov/Publications/Capital\\_Outlay/Chart%20Funded%20Projects%20by%20County%203A%20GOB%20-%20SB%20207,%202020.pdf](https://www.nmlegis.gov/Publications/Capital_Outlay/Chart%20Funded%20Projects%20by%20County%203A%20GOB%20-%20SB%20207,%202020.pdf)

### **The League of Women Voters of New Mexico:**

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

### **The New Mexico Secretary of State’s Office:**

[www.sos.state.nm.us](http://www.sos.state.nm.us)