## SENATE JOINT RESOLUTION 5

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

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INTRODUCED BY

## A JOINT RESOLUTION

PROPOSING TO AMEND THE CONSTITUTION OF NEW MEXICO TO PROVIDE FOR AN ONGOING LIMITED AUTHORIZATION FOR STATEWIDE PUBLIC SCHOOL GENERAL OBLIGATION BONDS FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, EXPANDING OR REPAIRING PUBLIC SCHOOL BUILDINGS AND TO PROVIDE LIMITS ON THE TOTAL AMOUNT OF SUCH BONDS THAT MAY BE OUTSTANDING AND LIMITS ON THE PROPERTY TAX THAT MAY BE LEVIED TO PAY THE PRINCIPAL AND INTEREST DUE ON SUCH BONDS.

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

Section 1. It is proposed to amend Article 9, Section 8 of the constitution of New Mexico to read:

"A. No debt other than those specified <u>in</u>

Subsection B of this section or in the preceding section shall be contracted by or on behalf of this state, unless authorized by law for some specified work or object; which law shall . 135150.1

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provide for an annual tax levy sufficient to pay the interest and to provide a sinking fund to pay the principal of such debt within fifty years from the time of the contracting No such law shall take effect until it shall have been submitted to the qualified electors of the state and have received a majority of all the votes cast thereon at a general election; such law shall be published in full in at least one newspaper in each county of the state, if one be published therein, once each week for four successive weeks next No debt shall be so created if the preceding such election. total indebtedness of the state, exclusive of the [debts of the territory, and the several counties thereof, assumed by the state debts created pursuant to Subsection B of this section, would thereby be made to exceed one percent of the assessed valuation of all the property subject to taxation in the state as shown by the preceding general assessment.

B. The state may issue statewide public school
general obligation bonds for the purpose of providing funds to
enable school districts to acquire, construct, expand or
repair public school buildings and related land and
infrastructure. The bonds shall be issued pursuant to the
following provisions:

(1) the bonds shall be issued upon the certification to the governor by a state agency, designated by law as the body authorized to make such certification, that

1	the proceeds are needed for the purpose of this subsection;
2	(2) each public school project to be
3	benefited by a bond issue shall be funded in an amount
4	determined pursuant to a formula established by law in which
5	formula each school district shall have an opportunity to
6	<u>parti ci pate;</u>
7	(3) no public school project shall be
8	benefited by a bond issue unless the designated state agency
9	has determined that the project qualifies for funding pursuant
10	to criteria established by law;
11	(4) the legislature shall, by law, establish
12	such reporting requirements and oversight functions as it
13	deems necessary; provided that the legislature shall not
14	specify any school district or public school project as a
15	recipient of the bond proceeds;
16	(5) upon the issuance of bonds pursuant to
17	this subsection, the governor or the governor's designee shall
18	provide for an annual tax levy on all property subject to
19	taxation in the state in an amount sufficient to pay the
20	principal and interest due on the bonds; and
21	(6) no bonds shall be issued if:
22	(a) the total amount of outstanding
23	bonds issued pursuant to this subsection would exceed two
24	percent of the assessed valuation of all the property subject
25	to taxation in the state as shown by the preceding general
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- 3 -

## assessment; or

(b) the annual tax levy necessary to pay the maximum principal and interest due in any subsequent calendar year on all outstanding bonds issued pursuant to this subsection would exceed three mills on each dollar of the assessed valuation of all the property subject to taxation in the state as shown by the preceding general assessment."

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 which may be called for that purpose.

- 4 -