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FISCAL IMPACT REPORT

SPONSOR: Swisstack DATE TYPED: 2/19/03 HB 369/aHGUAC

SHORT TITLE: Arroyo Flood Control Authority Bond Elections SB _____

ANALYST: Chavez

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
			NFI		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

SUMMARY

Synopsis of HGUAC Amendment

The House Government and Urban Affairs Committee amendment strikes “as provided” and inserts “pursuant to the procedures set forth” when referencing the Mail Ballot Election Act.

Synopsis of Original Bill

House Bill 369 amends Section 72-19-28 NMSA 1978 of the “Southern Sandoval County Arroyo Flood Control Act” pertaining to elections. The bill includes a provision that elections for the issuance of bonds may be by mail-in ballot as provided in the “Mail Ballot Election Act,” Section 1-23-1 to Section 1-23-7 NMSA 1978.

Significant Issues

The “Mail Ballot Election Act provides that any bond election, any election on the imposition of a mill levy or a property tax rate for a specified purpose or any special election at which no candidates are to be nominated for or elected to office can be conducted by all mail ballots. The Act provides that mail ballot elections shall be used exclusively for voting in those elections specified in Section 1-23-3 NMSA 1978.

Section 72-19-28 NMSA 1978 currently states an election for the issuance of bonds shall be conducted at any time approved by the board in accordance with the election laws of New Mex-

ico. It is unclear why the language provided in this bill is necessary, since the “Mail Ballot Election Act” is an election law of New Mexico which provides for local government (meaning “any county, school district or incorporated municipality) by resolution of its governing body to conduct by all mailed ballots any bond election.

FISCAL IMPLICATIONS

No appropriation is contained in this bill. The Secretary of the Southern Sandoval County Arroyo Flood Control Authority will provide to the Sandoval County Clerk supplies and assistance as necessary to conduct elections authorized by the Southern Sandoval County Arroyo Flood Control Act pursuant to Section 72-19-33 NMSA 1978.

FC/njw;yr