

**MINUTES  
for the  
NINETY-SIXTH MEETING  
of the  
PUBLIC SCHOOL CAPITAL OUTLAY OVERSIGHT TASK FORCE**

**December 17, 2024  
State Capitol, Room 322  
Santa Fe**

The ninety-sixth meeting of the Public School Capital Outlay Oversight Task Force was called to order by Senator William P. Soules, chair, on Tuesday, December 17, 2024, at 12:42 p.m. in Room 322 of the State Capitol in Santa Fe.

**Present**

Sen. William P. Soules, Chair  
Rep. Jack Chatfield  
LeAnne Gandy  
Ashley Leach, Designee for Secretary of  
Finance and Administration Wayne  
Propst  
Rep. Tara L. Lujan, Designee for Rep.  
Javier Martínez  
Sen. George K. Muñoz  
Secretary-Designate Mariana Padilla  
Amber L. Romero  
Stan Rounds  
Sen. Mimi Stewart

**Advisory Members**

**Absent**

Rep. G. Andrés Romero, Vice Chair  
Johnny Benavidez  
Julie Lucero  
Rep. Tanya Mirabal Moya  
Cindy Montoya  
Brandy Murphy  
Sen. Shannon D. Pinto  
Sen. Joshua A. Sanchez  
Rep. Nathan P. Small

Rep. Brian G. Baca  
Rep. Ambrose Castellano  
Rep. Yanira Gurrola  
Sen. Leo Jaramillo  
Sen. Michael Padilla  
Sen. Benny Shendo, Jr.

**Staff**

Simon D. Suzuki, Staff Attorney, Legislative Council Service (LCS)  
Clinton Turner, Research and Fiscal Policy Analyst, LCS  
Cristina Vasquez, Staff Attorney, LCS

## **Minutes Approval**

Because the task force will not meet again this year, the minutes for this meeting have not been officially approved by the task force.

## **Guests**

The guest list is in the meeting file.

## **Handouts**

Handouts and other written testimony are in the meeting file and posted on the legislature's website.

## **References to Webcast**

The time reference noted next to each agenda item in this document is cross-referenced to the webcast of the task force meeting, which can be found at [www.nmlegis.gov](http://www.nmlegis.gov), under the "Webcast" tab. The presentations made and task force discussions for agenda items can be found on the recorded webcast for this meeting.

## **Tuesday, December 17**

### **Welcome and Introductions (12:42 p.m.)**

Senator Soules welcomed task force members, guests and presenters to the meeting. Task force members and staff introduced themselves.

### **Developments in *Board of Education of the Zuni Public School District, et al. v. State of New Mexico and the Public School Capital Outlay Council* (12:44 p.m.)**

Mr. Suzuki presented on the December 2, 2024 order issued by the New Mexico Supreme Court (the court) in *Board of Education of the Zuni Public School District, et al. v. State of New Mexico and the Public School Capital Outlay Council*. Mr. Suzuki advised the task force that the court held that the case was moot and ordered a remand to the district court for further proceedings and that this decision effectively upheld the Public School Capital Outlay Act.

### **Update from the Public School Facilities Authority (PSFA) (1:06 p.m.)**

Iris Romero, executive director, PSFA, provided a general update on the PSFA's work. Ms. Romero was joined by Ryan Parks, deputy directory, PSFA, who presented on the proposed changes to the adequacy standard for public school buildings as well as the PSFA's operating budget for fiscal year (FY) 2026. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=PSCO&Date=12/17/2024&ItemNumber=2>.

**Severance Tax Bonding Capacity (2:16 p.m.)**

Ms. Leach presented on the estimated severance tax bonding capacity for public school capital projects through FY 2029. The presentation materials can be found here: <https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=PSCO&Date=12/17/2024&ItemNumber=3>.

**Update from the Public School Capital Outlay Council (PSCOC) (2:25 p.m.)**

Joe Guillen, chair, PSCOC, provided a general update on the PSCOC's work and discussed the applications that the PSCOC approved for both design-phase and construction-phase projects for the current grant cycle. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=PSCO&Date=12/17/2024&ItemNumber=4>.

**Approval of Minutes (2:49 p.m.)**

On a motion made and seconded, and without objection, the task force approved the minutes of the ninety-fourth and ninety-fifth meetings of the task force.

**Review of Proposed Legislation (2:50 p.m.)**

Cally Carswell, principal analyst, Capital Outlay, Legislative Finance Committee, and Mark A. Montoya, senior policy analyst, Legislative Education Study Committee, proposed on behalf of the task force a bill (228682.1) to amend the Public School Capital Outlay Act that would extend through FY 2027 a provision that temporarily allows for reductions of a school district's share of the total cost of a capital outlay project and would eliminate certain criteria that the PSCOC must consider to adjust a school district's share of a project.

***Motion for endorsement:*** On a motion made and seconded, the task force unanimously voted to endorse 228682.1.

On behalf of the task force, Mr. Rounds proposed a joint resolution (228788.1) to amend Article 8, Section 2 of the Constitution of New Mexico to increase the annual levy on real and personal property to twenty-two mills and mandate an annual statewide tax levy amounting to two mills for distribution for the support of public schools.

***Motion for endorsement:*** A motion for endorsement of 228788.1 was not made.

The presentation materials and proposed legislation can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=PSCO&Date=12/17/2024&ItemNumber=5>.

**Adjournment**

There being no further business before the task force, the meeting adjourned at 3:38 p.m.