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HOUSE BILL 61

42ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1996

INTRODUCED BY

PAULINE K. GUBBELS

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AN ACT

RELATING TO PUBLIC SCHOOLS; INCREASING TO FOUR YEARS THE AMOUNT OF TIME A PROPERTY TAX MAY BE IMPOSED FOR CAPITAL IMPROVEMENTS IN A SCHOOL DISTRICT; AMENDING SECTIONS OF THE PUBLIC SCHOOL CAPITAL IMPROVEMENTS ACT.

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

Section 1. Section 22-25-3 NMSA 1978 (being Laws 1975 (S.S.), Chapter 5, Section 3, as amended) is amended to read:

"22-25-3. AUTHORIZATION FOR LOCAL SCHOOL BOARD TO SUBMIT QUESTION OF CAPITAL IMPROVEMENTS TAX IMPOSITION. -- Any local school board may adopt a resolution to submit to the qualified electors of the school district the question of whether a property tax should be imposed upon the net taxable value of property allocated to the school district under the Property Tax Code at a rate not to exceed that specified in the resolution

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1 for the purpose of capital improvements in the school district.

2 The resolution shall:

3 A. identify the capital improvements for which the
4 revenue proposed to be produced will be used;

5 B. specify the rate of the proposed tax, which shall
6 not exceed two dollars (\$2.00) on each one thousand dollars
7 (\$1,000) of net taxable value of property allocated to the
8 school district under the Property Tax Code;

9 C. specify the date an election will be held to
10 submit the question of imposition of the tax to the qualified
11 electors of the district; and

12 D. limit the imposition of the proposed tax to no
13 more than [~~three~~] four property tax years. "

14 Section 2. Section 22-25-5 NMSA 1978 (being Laws 1975
15 (S.S.), Chapter 5, Section 5, as amended) is amended to read:

16 "22-25-5. CONDUCT OF ELECTION--NOTICE--BALLOT. --

17 A. An election on the question of imposing a tax
18 under the Public School Capital Improvements Act may be held in
19 conjunction with a regular school district election or may be
20 conducted as or held in conjunction with a special school
21 district election, but the election shall be held prior to July
22 1 of the property tax year in which the tax is proposed to be
23 imposed. Conduct of the election shall be as prescribed in the
24 School Election Law for regular and special school district
25 elections.

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1 B. The resolution required to be published as notice
2 of the election under Section 1-22-4 or 1-22-5 NMSA 1978 shall
3 include as the question to be submitted to the voters whether a
4 property tax at a rate not to exceed the rate specified in the
5 authorizing resolution should be imposed for the specified
6 number of property tax years not exceeding [~~three~~] four years
7 upon the net taxable value of all property allocated to the
8 school district for the capital improvements specified in the
9 authorizing resolution.

10 C. The ballot shall include the information
11 specified in Subsection B of this section and shall present the
12 voter the choice of voting "for the public school capital
13 improvements tax" or "against the public school capital
14 improvements tax". "

15 Section 3. Section 22-25-8 NMSA 1978 (being Laws 1975
16 (S.S.), Chapter 5, Section 8, as amended) is amended to read:

17 "22-25-8. TAX TO BE IMPOSED FOR A MAXIMUM OF [~~THREE~~] FOUR
18 YEARS.--A tax imposed in a school district as a result of an
19 election under the Public School Capital Improvements Act shall
20 be imposed for one, two [~~or~~], three or four years commencing
21 with the property tax year in which the election was held. The
22 local school board may discontinue, by resolution, the Public
23 School Capital Improvements Act tax levy at the end of the
24 first, [~~or~~] second or third year of the levy. The local school
25 board shall direct that the Public School Capital Improvements

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1 Act tax levy be decreased by the amount required for any year in
2 which the decrease is required by operation of the rate
3 limitation provisions of Section 7-37-7.1 NMSA 1978. "

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State of New Mexico House of Representatives

FORTY- SECOND LEGISLATURE

SECOND SESSION, 1996

January 23, 1996

Mr. Speaker:

Your RULES AND ORDER OF BUSINESS COMMITTEE, to
whom has been referred

HOUSE BILL 61

has had it under consideration and finds same to be
GERMANE in accordance with constitutional provisions.

Respectfully submitted,

Barbara A. Perea Casey,

Chairperson

Adopted _____

Not Adopted _____

(Chief Clerk)

(Chief Clerk)

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Date _____

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4 The roll call vote was 8 For 0 Against

5 Yes: 8

6 Excused: Lujan, Olguin, Pederson, Ryan, Taylor, Wallach,

7 S. Williams

8 Absent: None

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10 H0061RC1

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State of New Mexico House of Representatives

FORTY- SECOND LEGISLATURE

SECOND SESSION, 1996

January 31, 1996

Mr. Speaker:

Your EDUCATION COMMITTEE, to whom has been referred

HOUSE BILL 61

has had it under consideration and reports same with
recommendation that it DO PASS, and thence referred to the
TAXATION AND REVENUE COMMITTEE.

Respectfully submitted,

Samuel F. Vigil, Chairman

FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996

HEC/HB 61

Page 8

1
2
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Adopted _____ Not Adopted _____

(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 9 For 0 Against

Yes: 9

Excused: Trujillo, SM Williams, Wright

Absent: None

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State of New Mexico House of Representatives

**FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996**

February 9, 1996

Mr. Speaker:

**Your TAXATION AND REVENUE COMMITTEE, to whom has
been referred**

HOUSE BILL 61

**has had it under consideration and reports same with
recommendation that it DO PASS.**

Respectfully submitted,

Jerry W. Sandel, Chairman

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FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996

HTRC/HB 295

Page 10

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Adopted _____ Not Adopted _____

(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 12 For 0 Against

Yes: 12

Excused: Gallegos

Absent: None

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FORTY- SECOND LEGISLATURE
SECOND SESSION, 1996

1 HTRC/HB 295

Page 11

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FORTY- SECOND LEGISLATURE
SECOND SESSION, 1996

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February 13, 1996

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10 Mr. President:

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12 Your WAYS AND MEANS COMMITTEE, to whom has been
13 referred

14

HOUSE BILL 61

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17 has had it under consideration and reports same with
18 recommendation that it DO PASS.

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Respectfully submitted,

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TITO D. CHAVEZ, Chairman

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Adopted _____ Not Adopted _____

FORTY- SECOND LEGISLATURE
SECOND SESSION, 1996

1 HTRC/HB 295

Page 12

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(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 5 For 0 Against

Yes: 5

No: 0

Excused: Campos, Rhodes, Romero

Absent: None

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Underscored material = new
[bracketed material] = delete