

**FORTY-FOURTH LEGISLATURE
SECOND SESSION, 2000**

SB 311/a

February 8, 2000

Mr. President:

Your **EDUCATION COMMITTEE**, to whom has been referred

SENATE BILL 311

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 1, line 12, after the semicolon insert "PROVIDING FOR PROPERTY TAXING AUTHORITY;"

2. On page 2, line 23, strike "and".

3. On page 3, line 1, strike the period and quotation mark and insert "; and" and between lines 1 and 2 insert the following:

"(9) authorize the imposition of a property tax levy for the purpose of funding the operations of the McKinley county learning center and provide for an election to submit the proposal to the voters of the district."

Section 2. A new section of Chapter 21 NMSA 1978 is enacted to read:

"[NEW MATERIAL] LEARNING CENTER TAX LEVY AUTHORIZED-- ELECTION.--

A. The local advisory board of the Gallup branch of the university of New Mexico may adopt a resolution authorizing, for McKinley county learning center operational purposes, the imposition of a property tax upon the taxable value of property in the district. The total tax imposition that may be authorized pursuant to this section shall not exceed a rate of five dollars (\$5.00) on each one thousand dollars (\$1,000) of taxable value of property in each district. A tax authorized pursuant to this section may not be imposed for a period of more than six years.

B. The tax authorized in Subsection A of this section shall not be imposed unless the question of authorizing the imposition of the tax is submitted to the voters of the district at a regular school district election or a special election called for that purpose.

**FORTY-FOURTH LEGISLATURE
SECOND SESSION, 2000**

SEC/SB 311

Page 2

C. A resolution adopted pursuant to Subsection A of this section shall specify:

- (1) the rate of the proposed tax;
- (2) the date of the election at which the question of imposition of the tax will be submitted to the voters of the district;
- (3) the period of time the tax is authorized to be imposed; and
- (4) the proposed use of the revenues from the proposed tax.

D. The election required by this section shall be called, conducted and canvassed as provided in the School Election Law.

E. If a majority of the voters voting on the question votes for a McKinley county learning center tax levy pursuant to a resolution adopted pursuant to this section, the tax shall be imposed. The tax rate shall be certified by the department of finance and administration and imposed, administered and collected in accordance with the provisions of the Oil and Gas Ad Valorem Production Tax Act, the Oil and Gas Production Equipment Ad Valorem Tax Act, the Copper Production Ad Valorem Tax Act and the Property Tax Code.

F. If a majority of the voters voting on the question votes against a McKinley county learning center tax levy pursuant to a resolution adopted pursuant to this section, the tax shall not be imposed. The board shall not again adopt a resolution authorizing the imposition of a tax levy pursuant to this section for at least two years after the date of the resolution that the voters rejected.

G. The board may discontinue by resolution the imposition of any tax authorized pursuant to this section. The discontinuance resolution shall be mailed to the department of finance and administration no later than June 15 of the year in which a tax rate pursuant to this section is not to be

**FORTY-FOURTH LEGISLATURE
SECOND SESSION, 2000**

SEC/SB 311

Page 3

certified."".

4. Renumber the succeeding section accordingly.,
and thence referred to the **FINANCE COMMITTEE.**

Respectfully submitted,

Cynthia Nava, Chairman

Adopted _____

Not

Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 6 For 1 Against

Yes: 6

No: Boitano

Excused: Gorham, Jennings, Nava

Absent: None

S0311ED1

.131870.1