

BALLOT QUESTIONS and UPCOMING RULE-MAKING HEARINGS YOU MAY WANT TO ATTEND

They are about to be hosted by the New Mexico Secretary of State

This is the 10th article in a series of posts addressing the changes made to the New Mexico Election Code during the 2019 legislative session.

Presented by
THE NEW MEXICO ELECTION INTEGRITY PROJECT
(a task force sponsored by The New Mexico Justice Project)

Article #10

WHAT EXACTLY is a BALLOT QUESTION?

The most recent version of the Election Code contains a long list:

A. A state ballot question includes any:

- (1) proposed amendment to the constitution of New Mexico, as provided in a joint resolution passed by the legislature;
- (2) tax authorization for general obligation bonds or mill levy, as provided by law;
- (3) referendum, as provided in Article 4, Section 1 of the constitution of New Mexico;
- and
- (4) other questions, as provided by statute or the constitution of New Mexico.

B. A local government ballot question includes any:

- (1) tax authorization for bond sales, mill levy or gross receipts tax, as required by law;
- (2) recall of county, school board or certain municipal officers, as provided by law or by municipal home rule charter;
- (3) petition for the creation of a special district or consideration of a statutory local option, as provided by law;
- (4) referendum on local governing body taxation authority, as provided by law;
- (5) referendum on local government ordinances, as provided by the charter of a home rule municipality, by an incorporated or urban county or by law;
- (6) change in the laws of a home rule municipality, as provided by the municipal charter or by law;
- (7) changes in the charter of an incorporated or urban county, as provided by the charter of the incorporated or urban county or by law; and
- (8) other questions, as provided by state statute or the constitution of New Mexico

WHAT WILL THE RULE CHANGES DO?

The rules being proposed by the Secretary of State would significantly change the present procedure for voting on local ballot questions and empower the Secretary of State to decide how much or how little of a proposed change in law that voters will be allowed to see on the ballot.

In addition to preventing voters from reading information that could be crucial to the voters' decision-making on ballot questions, the proposed rules appear to exceed the the authority granted to the Secretary of State.

PUBLIC HEARING ON THE RULE

Public hearings on the proposed new rules will be held in:

- Santa Fe on Monday, July 29
- Albuquerque on Tuesday, July 30
- Las Cruces on Wednesday, July 31.

In our second article on this same subject, Article # 11, we will discuss the reasons that Secretary Toulouse-Oliver's proposed new rule appears to violate the new statutes.