



# VOTER GUIDE

NEW MEXICO LEAGUE OF WOMEN VOTERS

Available online at [www.lwvnm.org/VGuide2018](http://www.lwvnm.org/VGuide2018)

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# GENERAL ELECTION NOVEMBER 6, 2018

A General Election will be held on Tuesday, November 6, 2018. A General Election is held the first Tuesday after the first Monday in November in even numbered years. **If you are a citizen of the United States, 18 years of age or older on Election Day, and registered to vote, you may vote in this General Election.**

**For Keres, Southern Tiwa and Navajo language assistance please contact the County Clerk's Office.**

## Bernalillo County Clerk

505-468-1291  
1 Civic Plaza NW 6th Floor  
Albuquerque, NM 87102  
[www.bernco.gov/clerk/elections](http://www.bernco.gov/clerk/elections)

## How to Use This Guide

Information on registering to vote and on voting in person at the polls on Election Day is provided here on Page 1.

Information on early and absentee voting in **Bernalillo County** is provided on Page 2.

A listing of candidates for federal, state, and local offices, for judicial retention, and information on ballot issues is provided inside the Guide. The Table of Contents at the right will help you find the information.

## How to Vote on Election Day

Polls will be open from 7:00 a.m. to 7:00 p.m. on November 6. You must be registered to vote by 5:00 p.m. on Tuesday, October 9, to vote on Election Day.

Precinct voting has been consolidated into Vote Convenience Centers. Information on your county's Vote Convenience Center locations is available online through the Secretary of State's office at [www.nmvote.org](http://www.nmvote.org) or by contacting your County Clerk.

## How to Register to Vote

You must be registered to vote by 5:00 p.m. on Tuesday, October 9, to vote in this election. Voter registration applications are available online (at the County Clerks' and Secretary of State's websites) and at many public places including the County Clerk's office, all public libraries and Motor Vehicle Division offices.

## Voter Identification

**TO VOTE** - When you go to vote in person, either Early Voting or on Election Day, you can choose to identify yourself by stating your name, year of birth, and registration address or presenting a physical form of identification such as

- a current and valid photo identification with or without an address
- or a document that shows your name and address (the address is not required to match your registration address) such as a utility bill, bank statement, government check, paycheck, student or tribal identification card or other government document

**TO REGISTER** - When you **register to vote**, identification is required only if you are registering for the first time in New Mexico and you are registering by mail. If you are registering by mail you can submit any current and valid photo ID, a current utility bill, bank statement, government check, paycheck, student or tribal ID, or any other document that shows your name and current address with the registration form.

**If you registered to vote by mail and did not provide a valid form of identification, then *the first time you vote in New Mexico, either in person or absentee*, you will need to show or submit one of the required forms of identification.**

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**The League of Women Voters of New Mexico** is pleased to offer this Voter Guide for the 2018 General Election. The League believes that democratic government depends on the informed and active participation of its citizens. We are nonpartisan – we do not support or oppose any candidate or political party.

**Disclaimer**

The information in this Voter Guide has been carefully assembled and compiled to assure maximum accuracy. However, the **LWVNM** assumes no responsibility either for correctness of all the information furnished to the League by candidates or other organizations or for errors or omissions.

# EARLY AND ABSENTEE VOTING

## EARLY VOTING IN BERNALILLO COUNTY

**Keres, Southern Tiwa and Navajo language Interpreters will be available on site at Early Voting and Election Day locations on Indian Lands.**

Absentee In-Person Voting begins at the Bernalillo County Clerk's Annex – 1500 A Lomas Blvd NW on October 9. This location will be open Monday Saturday, November 3, 8:00 a.m. to 8:00 p.m.

Early Voting at all other locations begins Saturday, October 20 through Saturday, November 3, 2018. Voting day and hours of operation are Monday - Saturdays from 8:00 a.m. - 8:00 p.m.

**98th & Central Shopping Center**, 120 98th St NW, Suite B101 & B102

**Alameda West** – 10131 Coors Blvd. NW Suite C-02

**Bernalillo County Visitor & Cultural Center**, 6080 Isleta Blvd SW

**Caracol Plaza**, 12500 Montgomery Blvd NE, Suite 101

**Central Mercado**, 301 San Pedro Dr SE, Suite B, C, D, & E

**Clerk's Annex**, 1500 A Lomas Blvd NW

**Daskalos Center**, 5339 Menaul Blvd NE, Middle Suite

**Desiderio Community Center**, 117 Tribal Rd 7036, To'Hajiilee, NM

Tuesday - Saturday 8 a.m.- 5 p.m.

**Four Hills Shopping Center**, 13140 Central Ave SE, Suite 1420

**Holly Plaza**, 6500 Holly Ave NE, Suite A-6

**Isleta Elderly Center**, Tribal Rd 40, Building 79, Isleta, NM

Tuesday - Saturday 8 a.m. - 5 p.m.

**Los Altos Center** – 4200 Wyoming Ave NE, Suites B-2

**Los Ranchos Villa**, 6601 4th St NW, Suites E & F

**Petroglyph Plaza**, 8201 Golf Course Rd NW, Suite D-1

**South Valley Multi-Purpose Center**, 2008 Larrazolo Rd SW

**The Shoppes at 6001 San Mateo** – 6001 San Mateo NE Suite B3

**Tijeras City Hall**, 12 Camino Municipal, Tijeras, NM

**University of New Mexico**, Student Union Building, Lobo A & B

**West Bluff Center**, 5201 Ouray Rd NW, Suite D-2

## HOW TO VOTE BY ABSENTEE BALLOT IN BERNALILLO COUNTY

**Request a Ballot** - By Phone - (505-243-8683), In person at the Bernalillo County Clerk's Office or online at [www.nmvote.org](http://www.nmvote.org). Absentee ballot applications must be returned to the County Clerk by mail, in person or online. Absentee ballots will be mailed to qualified applicants beginning on Tuesday, October 9, 2018 and will continue through Friday, November 2, 2018 at 5:00 p.m.

**Return your Absentee Ballot** - You may return your completed absentee ballot by mail, in person to the County Clerk's Office or on Election Day at any of the polling locations prior to 7:00 p.m.

Blind or Visually Impaired Voters may request an absentee application at [www.nmvote.org](http://www.nmvote.org) and receive an electronic absentee ballot. This ballot delivery method will allow voters to use their own non-visual or low-vision technology to mark their ballot in the comfort of their own homes.

**Absentee ballots must be received at the Bernalillo County Clerk's Office or at a polling location by 7:00 p.m. on Tuesday, November 6, 2018.**

## IMPORTANT INFORMATION ABOUT ABSENTEE VOTING

- Any person qualified to vote may vote by absentee ballot.
- Absentee ballots delivered in person must be returned by the voter, a member of the voter's immediate family, or a caregiver.
- If you apply for an absentee ballot and receive it, you must vote that ballot.

You will not be issued another ballot if the original ballot is destroyed, discarded, or delivered to the polls unvoted. If you apply for but do not receive the absentee ballot, you may go to the County Clerk's office or to a Vote Convenience Center during regular voting hours and, after executing an Affidavit of Nonreceipt will be permitted to vote on a replacement ballot.

## Write-In Voting

Write-in voting is permitted on the paper ballot as long as the person you vote for is qualified as a write-in candidate. A write-in vote can only be counted if the name written in is the name of a declared write-in candidate and shows one of the following: two initials and last name; first name, middle initial or name and last name; first and last name; or full name.

## Provisional Ballots

You will be issued a provisional ballot if your name does not appear on the roster when voting in person during Early Voting or on Election Day or if you are a first-time voter who registered by mail **and you did not provide the required identification.**

## Voting Offenses

Voters must report voting offenses to the County Clerk, the District Attorney, or the Secretary of State. Voting offenses are –

- Any form of campaigning within 100 feet of a building containing a polling place on Election Day and within 100 feet of the door through which voters may enter to vote at any Early Voting site.
- Using or possessing or carrying alcoholic beverages within 200 feet of a polling place.
- False voting including voting or offering to vote when not qualified, voting in another's name, voting more than once in a single election, or asking or helping another person to commit a voting offense.

**CANDIDATES****FEDERAL OFFICES****UNITED STATES SENATOR**

Represents New Mexico in the United States Senate, which has 100 members, two from each state. Candidates must be at least 30 years old, a citizen of the United States for at least nine years, and a resident of the state from which elected. One New Mexico seat is up for election this year. Elected statewide for six-year staggered term. Salary: \$174,000.

**MARTIN T. HEINRICH**

Democrat

**GARY E. JOHNSON**

Libertarian

**MICK RICH**

Republican

**UNITED STATES REPRESENTATIVE**

Represents New Mexico in the United States House of Representatives, which has 435 members elected from districts based on population. New Mexico is entitled to three members. Candidates must be at least 25 years old, a United States citizen for seven years, and must be a resident of New Mexico. Elected by district for two-year term. Salary: \$174,000.

**DISTRICT 1****DEBRA A. HAALAND**

Democrat

**LLOYD J. PRINCETON**

Libertarian

**JANICE E. ARNOLD-JONES**

Republican

**DISTRICT 2****XOCHITL TORRES SMALL**

Democrat

**YVETTE HERRELL**

Republican

**NEW MEXICO STATE OFFICES****GOVERNOR**

Head of the executive branch and the highest state official in New Mexico. Appoints and supervises directors of executive departments, appoints members of boards and commissions, and signs or vetoes statutes enacted by the Legislature. Must be at least 30 years old, a United States citizen, and have resided continuously in New Mexico for five years preceding his/her election. Four-year term with no more than two terms in succession. Salary: \$110,000.

**MICHELLE LUJAN GRISHAM**

Democrat

**STEVE PEARCE**

Republican

**LIEUTENANT GOVERNOR**

Serves as Acting Governor when the Governor is out of the state, provides constituent services, presides over the New Mexico Senate and can vote in the event of a tie. In a general election the Lieutenant Governor is elected jointly with the Governor. Must be at least 30 years old, a United States citizen, and have resided continuously in New Mexico for the five years preceding his/her election. Four-year term with no more than two terms in succession. Salary: \$85,000.

**HOWIE C. MORALES**

Democrat

**MICHELLE GARCIA HOLMES**

Republican

**SECRETARY OF STATE**

New Mexico's chief elections officer, overseeing the entire election process. Regulates lobbyist activity and reporting of campaign finances, and maintains records vital to commerce and industry in New Mexico. Must be at least 30 years old, a citizen of the United States, and have resided continuously in New Mexico for five years preceding his/her election. Four-year term with no more than two terms in succession. Salary: \$85,000.

**MAGGIE TOULOUSE OLIVER**

Democrat

**GINGER G. GRIDER**

Libertarian

**GAVIN S. CLARKSON**

Republican

**STATE AUDITOR**

Assures that the financial affairs of every state and local entity are thoroughly examined and audited each year and determines that such audits conducted by independent auditors are made in a competent manner. Must be at least 30 years old, a United States citizen, and have resided continuously in New Mexico for five years preceding his/her election. Four-year term with no more than two terms in succession. Salary: \$85,000.

**BRIAN S. COLÓN**

Democrat

**WAYNE A. JOHNSON**

Republican

**STATE TREASURER**

Serves as the state's banker and is entrusted with receiving, keeping, and disbursing state money; deposits funds in financial institutions to invest; and oversees the short-term investment fund. Must be at least 30 years old, a United States citizen, and have resided continuously in New Mexico for five years preceding his/her election. Four-year term with no more than two terms in succession. Salary: \$85,000.

**TIM EICHENBERG**

Democrat

**ARTHUR L. CASTILLO**

Republican

## ATTORNEY GENERAL

The state's legal officer, legal counsel to state government, and guardian of the public interest. Represents the state before courts or agencies and provides legal opinions upon request of the Legislature, state officials or district attorneys. Must be an attorney licensed by the New Mexico Supreme Court, at least 30 years old, a citizen of the United States, and have resided continuously in New Mexico for the five years preceding his/her election. Four-year term with no more than two terms in succession. Salary: \$95,000.

### HECTOR BALDERAS

Democrat

### A. BLAIR DUNN

Libertarian

### MICHAEL EUGENE HENDRICKS

Republican

## COMMISSIONER OF PUBLIC LANDS

Leads the State Land Office, which manages 9 million acres of land and 13 million acres of mineral rights held in trust to support public schools, universities, hospitals, charitable purposes and penitentiaries. Must be at least 30 years of age, a United States citizen, and have resided continuously in New Mexico for five years preceding his/her election. Four- year term with no more than two terms in succession. Salary: \$90,000.

### STEPHANIE GARCIA RICHARD

Democrat

### MICHAEL G. LUCERO

Libertarian

### PATRICK H. LYONS

Republican

## STATE REPRESENTATIVE

Represents his/her district in the New Mexico House of Representatives, which has 70 members elected from districts based on population. Together with other representatives enacts "reasonable and appropriate" laws, represents constituents in the district and serves on standing or interim committees. Legislature meets for 60 days in odd-numbered years and 30 days in even-numbered years. Must be at least 21 years old and a resident of the district from which elected. Two-year term, no term limits. \$161 per diem plus mileage.

### DISTRICT 69

### HARRY GARCIA

Democrat

UNOPPOSED

## PUBLIC REGULATION COMMISSIONER

Member of five-person commission that regulates the utilities, telecommunications and motor carrier industries. Also oversees pipeline and fire safety. Must be a citizen of the United States and reside in the district he/she represents. Must also certify that he/she has at least ten years of specified professional experience or combined professional experience and education in an area regulated by the commission. Elected by district. Four-year staggered term. Districts 2, 4, and 5 are up for election this year. Salary: \$90,000.

### DISTRICT 4

### THERESA A. BECENTI-AGUILAR

Democrat

UNOPPOSED

## PUBLIC EDUCATION COMMISSIONER

Member of ten-person commission that is advisory to the Secretary of Education. Commission authorizes and monitors all state-chartered charter schools. Must be 18 years of age, a United States citizen, and reside in the district he/she represents. Four- year staggered terms. Districts 2, 3, 5, 6 and 7 are up for election this year. \$95 per diem plus mileage.

### DISTRICT 6

### MICHAEL M. CHAVEZ

Republican

UNOPPOSED

## NEW MEXICO STATE JUDICIAL OFFICES

Judicial vacancies are filled through appointment by the Governor from a list of nominees submitted by a judicial nominating committee. At the next regular election the judicial position is filled in a partisan election in which the appointed judge must participate and win the most votes to retain the seat. Judges serve for terms of a set number of years, after which they must win a 57% "yes" vote in retention elections to keep their seats.

## JUSTICE OF THE SUPREME COURT

Serves as one of five justices on the highest court in New Mexico. It is the court of last resort and has supervisory control over all lesser courts and attorneys licensed in the state. Required to hear appeals from the Public Regulation Commission, election challenges and criminal cases when a defendant is sentenced to the death penalty or life imprisonment. Has discretionary authority to review rulings of the Court of Appeals and questions of law certified to it by the Court of Appeals or federal court. Must be 35 years old, have practiced law for 10 years, and have resided in New Mexico for the last three years. Elected statewide for eight-year term. Salary: Chief Justice, \$141,818; Associate Justice, \$139,818.

### MICHAEL E. VIGIL

Democrat

### GARY L. CLINGMAN

Republican

## JUDGE OF THE COURT OF APPEALS

Serves as one of ten judges on the intermediate court between the district courts and the Supreme Court. Judges sit in panels of three. Court reviews appeals in all cases, except criminal cases involving sentences of death or life imprisonment, appeals from the Public Regulation Commission, and cases involving habeas corpus. Must be 35 years old, have practiced law for 10 years, and have resided in New Mexico for the last three years. Elected statewide for eight-year term. Salary: Chief Judge, \$134,727; Judge, \$132,827.

### Position 1

### KRISTINA BOGARDUS

Democrat

### STEPHEN G. FRENCH

Republican

### Position 2

### JACQUELINE R. MEDINA

Democrat

### HANK BOHNOFF

Republican

**JUDGE OF THE COURT OF APPEALS** *(continued)*

**Position 3**

**BRIANA H. ZAMORA**

Democrat

**EMIL J. KIEHNE**

Republican

**Position 4**

**MEGAN P. DUFFY**

Democrat

**DANIEL JOSE GALLEGOS**

Republican

**Position 5**

**JENNIFER L. ATTREP**

Democrat

UNOPPOSED

**DISTRICT COURT JUDGE**

There are 13 district courts in New Mexico. Hold jury trials for contract, real property rights and estate contests and torts cases. Generally have exclusive jurisdiction over appeals concerning domestic relations, mental health, administrative agencies, lower court decisions, criminal cases and juvenile jurisdiction. Must be at least 35 years old, practiced law for 6 years and must be a resident of the district from which elected. Six-year term. Salary: \$126,186.

**2nd JUDICIAL DISTRICT DIVISION 25**

**JANE C. LEVY**

Democrat

UNOPPOSED

**BERNALILLO COUNTY OFFICES**

**BERNALILLO COUNTY COMMISSIONER**

Serves on 5-member Commission. Together with other members of the County Commission, represents the County and its interests in all cases not otherwise provided for by law, and appoints elections officials to fill vacancies. Commission is responsible for County government budget, county ordinances and resolutions, and zoning and business regulation in unincorporated areas, and sets policy for the operations of County government. Must be at least 18 years of age and a resident of district from which elected. Four-year term no more than two terms in succession. Salary: \$34,005.

**District 1**

**M. DEBBIE O'MALLEY**

Democrat

UNOPPOSED

**BERNALILLO COUNTY ASSESSOR**

Determines property value of homes, businesses and other taxable properties within the county and prepares the property tax rolls for the County Treasurer. Must be at least 18 years of age and a resident of the county. Four-year term with no more than two terms in succession. Salary: \$75,327.

**TANYA R. GIDDINGS**

Democrat

UNOPPOSED

**BERNALILLO COUNTY SHERIFF**

Enforces the provisions of all county ordinances; aids in the arrest and detention of escaped prisoners; and serves and executes all process, writs, and orders directed to him/her by magistrate judges and certain others directed by municipal judges. Must be at least 18 years of age and resident of county. Four-year term with no more than two terms in succession. Salary: \$78,555.

**MANUEL GONZALES, III**

Democrat

**LOUIS G. GOLSON**

Republican

**PROBATE JUDGE**

Serves as one of 33 judges in the state. Court has limited jurisdiction, no jury trials. Hears cases of informal probate, uncontested estates. Must be at least 18 years of age and a resident of the county from which elected. Four-year term. Salary: \$33,143.

**CRISTY JO CARBÓN-GAUL**

Democrat

UNOPPOSED

**JUDICIAL RETENTION**

**JUDGE OF THE COURT OF APPEALS - Retention**

Voters at a retention election may vote either "yes" or "no" for each individual judge for retention. To retain the office, a judge standing for retention must receive 57% "yes" votes of all the votes cast on the question of retention.

**J. MILES HANISEE**

**BERNALILLO COUNTY METROPOLITAN COURT JUDGE**

One of 19 judges. Courts have limited jurisdiction, jury trials. Hear these types of cases: Tort, contract, landlord/tenant rights up to \$10,000, felony preliminary hearings, misdemeanor, DWI/DUI, domestic violence and other traffic violations. Must be at least 18 years old and a member of the New Mexico Bar licensed to practice law in this state. Four-year term. Salary: \$119,877.

**BERNALILLO COUNTY METROPOLITAN COURT - Retention**

Voters at a retention election may vote either "yes" or "no" for each individual judge for retention. To retain the office, a judge standing for retention must receive 57% "yes" votes of all the votes cast on the question of retention.

**Division 1**

**VICTOR E VALDEZ**

**Division 2**

**CHRISTINE EVE RODRIGUEZ**

**Division 3**

**RENEE TORRES**

**Division 4**

**COURTNEY BRYN WEAKS**

**Division 5**

**FRANK A SEDILLO**

**BERNALILLO COUNTY**  
**METROPOLITAN COURT - Retention** *(continued)*

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**Division 6**

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**MARIA I DOMINGUEZ**

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**Division 7**

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**ROSEMARY COSGROVE-AGUILAR**

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**Division 8**

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**JILL M MARTINEZ**

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**Division 9**

---

**YVETTE K GONZALES**

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**Division 10**

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**EDWARD L BENAVIDEZ**

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**Division 11**

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**SANDRA ENGEL**

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**Division 12**

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**DANIEL E RAMCZYK**

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**Division 13**

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**MICHELLE CASTILLO DOWLER**

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**Division 14**

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**VIDALIA G CHAVEZ**

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**Division 15**

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**KENNY C MONTOYA**

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**Division 17**

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**HENRY A ALANIZ**

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**Division 18**

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**ROSIE LAZCANO ALLRED**

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**Division 19**

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**LINDA S ROGERS**

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# PROPOSED CONSTITUTIONAL AMENDMENTS

## Constitutional Amendment 1:

"PROPOSING AMENDMENTS TO ARTICLE 6 OF THE CONSTITUTION OF NEW MEXICO TO GIVE THE LEGISLATURE AUTHORITY TO PROVIDE FOR APPELLATE JURISDICTION BY STATUTE."

## Constitutional Amendment 2:

"PROPOSING AN AMENDMENT TO ARTICLE 5 OF THE CONSTITUTION OF NEW MEXICO TO CREATE AN INDEPENDENT STATE ETHICS COMMISSION WITH JURISDICTION TO INVESTIGATE, ADJUDICATE AND ISSUE ADVISORY OPINIONS CONCERNING CIVIL VIOLATIONS OF LAWS GOVERNING ETHICS, STANDARDS OF CONDUCT AND REPORTING REQUIREMENTS AS PROVIDED BY LAW."

### ANALYSIS

The NM Legislature is asking voters to approve two amendments to the NM Constitution that they passed through joint resolutions this spring. **The League has condensed the material provided by the NM Legislative Council Service (LCS) staff, which has no opinion on the proposals.** Below are summaries of each proposed amendment and some of the possible arguments for and against. The LCS makes no claim for the validity or consistency of the arguments presented, nor does the League. Find the full LCS analysis here:

[https://www.nmlegis.gov/Publications/New\\_Mexico\\_State\\_Government/Constitutional\\_Amendment/Constitutional\\_Amendments\\_2018.pdf](https://www.nmlegis.gov/Publications/New_Mexico_State_Government/Constitutional_Amendment/Constitutional_Amendments_2018.pdf)

**Constitutional Amendment 1** proposes to allow the legislature to change the processes of appealing court decisions by enactment of a state statute. Currently the NM Constitution requires appeals of probate, magistrate and metropolitan court rulings to be decided initially by a district court before going to the court of appeals. A constitutional amendment would be needed to currently change that appeals process.

### ARGUMENTS FOR Proposed Constitutional Amendment 1

1. Could save both time and money for parties involved in appeals.

Appeals of some lower court decisions would go directly to the court of appeals instead of first going to district courts for intermediate rulings.

2. Could reduce caseloads in district courts.

District courts would benefit from having fewer cases. The public could benefit if district courts resolved cases more quickly by having a reduced caseload.

3. Would reduce unnecessary layers of appeal conducted at public expense.

Currently, some decisions have up to three levels of review, while other decisions with more serious penalties have up to two levels of review. Appeals of lower court decisions on traffic violations and other relatively minor offenses have new trials in district courts before they are allowed in the court of appeals and possibly supreme court. In contrast, appeals of felony criminal cases and other serious offenses go from district court to the court of appeals and possibly the supreme court.

### ARGUMENTS AGAINST Proposed Constitutional Amendment 1

1. May increase the number of cases in the appellate courts.

Adding appeals from lower courts could mean that traditional cases would get less time and fewer resources. Changing the process might not benefit litigants.

2. May not result in greater court efficiencies and related cost-savings.

Lawyers, judges, and court staff would have to learn a new process. The courts of appeals may need more money to handle the increased caseloads.

3. District courts may be best suited to establish a record for review.

Probate judges and magistrate judges in 31 of 33 counties are not required to be licensed attorneys. A case appealed from one of these courts may benefit from a new trial in a district court presided by a judge with more experience and training. (District court judges must be at least 35 years old and have practiced law for at least six years.

### ..... Proposed Constitutional Amendment 2. ....

#### A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE 5 OF THE CONSTITUTION OF NEW MEXICO TO CREATE AN INDEPENDENT STATE ETHICS COMMISSION WITH JURISDICTION TO INVESTIGATE, ADJUDICATE AND ISSUE ADVISORY OPINIONS CONCERNING CIVIL VIOLATIONS OF LAWS GOVERNING ETHICS, STANDARDS OF CONDUCT AND REPORTING REQUIREMENTS AS PROVIDED BY LAW.

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

# PROPOSED CONSTITUTIONAL AMENDMENTS

SECTION 1. It is proposed to amend Article 5 of the constitution of New Mexico by adding a new section to read:

"A. The "state ethics commission" is established as an independent state agency under the direction of seven commissioners, no more than three of whom may be members of the same political party, whose terms and qualifications shall be as provided by law. The governor shall appoint one commissioner. One commissioner each shall be appointed by the president pro tempore of the senate, the minority floor leader of the senate, the speaker of the house of representatives and the minority floor leader of the house of representatives, all as certified by the chief clerks of the respective chambers. Two commissioners, who shall not be members of the same political party, shall be appointed by the four legislatively appointed commissioners.

B. The state ethics commission may initiate, receive, investigate and adjudicate complaints alleging violations of, and issue advisory opinions concerning, standards of ethical conduct and other standards of conduct and reporting requirements, as may be provided by law, for state officers and employees of the executive and legislative branches of government, candidates or other participants in elections, lobbyists or government contractors or seekers of government contracts and have such other jurisdiction as provided by law.

C. The state ethics commission may require the attendance of witnesses or the production of records and other evidence relevant to an investigation by subpoena as provided by law and shall have such other powers and duties and administer or enforce such other acts as further provided by law."

SECTION 2. The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at the next general election or at any special election prior to that date that may be called for that purpose.

**Constitutional Amendment 2** proposes establishing a state ethics commission with authority as provided by law over state officers and employees of the executive and legislative branches; candidates and other participants in elections; lobbyists; government contractors or seekers of government contracts, and possibly other areas. The commission would be empowered to require witnesses to appear or individuals to submit records and relevant evidence. The seven-member commission would also issue advisory opinions concerning standards of ethical conduct.

## **ARGUMENTS FOR Proposed Constitutional Amendment 2**

1. New Mexico's ethics laws are not coordinated now and are inconsistent across agencies.

Establishment of a state ethics commission could result in a review existing laws governing ethics and help develop more consistent interpretations and more efficient enforcement of those laws.

2. NM is one of only 6 states without a state ethics commission.

Voters and legislators in New Mexico and across the nation recognize the need for a commission dedicated to investigating complaints alleging violations of ethical conduct. The agency could prevent ethical misconduct by providing information and issuing advisory opinions. The legislature would determine how the commission receives and investigates complaints of unethical conduct and the qualifications and duties of the commissioners.

3. Establishing an ethics commission in the Constitution of New Mexico makes it more permanent than if it were created in statute.

Many previous attempts by the legislature to establish a state ethics commission by law have failed because of political differences. Once an ethics commission is approved by voters to be in the Constitution, it would take another constitutional amendment to eliminate it.

## **ARGUMENTS AGAINST Proposed Constitutional Amendment 2**

1. A constitutional amendment is not necessary to create a state ethics commission. Under existing law, multiple state agencies already have oversight over ethics matters affecting their respective branches of government. Broadening or amending those agencies' powers or duties to meet any unmet needs might be more efficient than creating another oversight entity.

2. Before the commission could function, the legislature would first have to pass laws granting the commission its powers and duties and setting the qualifications and terms of the commissioners.

3. A state ethics commission could duplicate efforts to combat unethical behavior already prohibited in law and could be costly. There have been several successful prosecutions of public officers and employees for violating laws governing ethical conduct. Improving current laws and enforcement procedures could be accomplished without the expense of creating a whole new agency.



# STATE BOND QUESTIONS

## 2018 General Obligation Bonds and Taxes

A bond represents a debt for money borrowed by a government to finance capital improvement projects. The State of New Mexico promises to repay the amount borrowed, plus interest, over a period of time for each General Obligation bond that is approved by voters. The bonds are called "General Obligation" because payment of the debt service (principal plus interest) is a general obligation of the State and its property owners through property taxation. According to the Board of Finance Division of the NM Department of Finance and Administration, the specific amount of property taxes collected in a given year is attributable to a number of factors, including the amount of debt service required for existing general obligation bonds, the projected debt service required for the new bond issue, the latest assessed valuation of net taxable property, cash balances in bond debt service accounts, the date of issuance, and the actual interest rate obtained on the bond sale. Based on the assumption that all four bond issues will be passed by voters, the property tax year 2018 mil levy has been set at 1.36 mils, which is the same as the 2016 and 2017 rates. The State Board of Finance estimates that over a ten-year period, the four issues on the ballot would cost approximately \$8.91 per \$100,000 of asset value. Of the annual average \$8.91, Bond Issue A accounts for \$0.58, Bond Issue B accounts for \$0.69, Bond Issue C accounts for \$0.33, and Bond Issue D accounts for \$7.31.

### 2018 Capital Projects General Obligation Bond Act

The New Mexico Legislature passed the 2018 Capital Projects General Obligation Bond Act detailing projects that would be funded by these bonds. No bonds will be issued or sold under the act until the state's registered voters have voted upon and approved the bonds. Each bond is voted upon separately with a "For" or "Against" question.

**Summary:** The four 2018 bond issues ask for voter approval to issue general obligation bonds as follows:

**Bond Issue A**, in an amount not to exceed \$10,770,000 to make capital expenditures for certain senior citizen facility improvements, construction, and equipment acquisition projects;

**Bond Issue B**, in an amount not to exceed \$12,876,000 to make capital expenditures for academic, public school, tribal, and public library resource acquisitions;

**Bond Issue C**, in an amount not to exceed \$6,137,000 to make capital expenditures for the purchase of school buses; and

**Bond Issue D**, in an amount not to exceed \$136,230,000 to make capital expenditures for certain higher education, special schools and tribal schools capital improvements and acquisitions.

The total for all four questions, including bond issuance costs, is **\$166,013,000**. A complete breakdown of the designated projects under each bond issue can be found on the New Mexico Legislature's website: <https://nmlegis.gov/Sessions/18%20Regular/final/SB0094.pdf>

### Bond Question A – Aging and Long-Term Services Department

The 2018 Capital Projects General Obligation Bond Act authorizes the issuance and sale of senior citizen facility improvement, construction and equipment acquisition bonds. Shall the state be authorized to issue general obligation bonds in an amount not to exceed ten million seven hundred seventy thousand dollars (\$10,770,000) to make capital expenditures for certain senior citizen facility improvement, construction and equipment acquisition projects and provide for a general property tax imposition and levy for the payment of principal of, interest on and expenses incurred in connection with the issuance of the bonds and the collection of the tax as permitted by law?

For \_\_\_\_\_ Against \_\_\_\_\_

### Bond Question B – Library Acquisitions

The 2018 Capital Projects General Obligation Bond Act authorizes the issuance and sale of library acquisition bonds. Shall the state be authorized to issue general obligation bonds in an amount not to exceed twelve million eight hundred seventy- six thousand dollars (\$12,876,000) to make capital expenditures for academic, public school, tribal and public library resource acquisitions and provide for a general property tax imposition and levy for the payment of principal of, interest on and expenses incurred in connection with the issuance of the bonds and the collection of the tax as permitted by law?

For \_\_\_\_\_ Against \_\_\_\_\_

### Bond Question C – School Buses

The 2018 Capital Projects General Obligation Bond Act authorizes the issuance and sale of bonds for the purchase of school buses. Shall the state be authorized to issue general obligation bonds in an amount not to exceed six million one hundred thirty- seven thousand dollars (\$6,137,000) to make capital expenditures for the purchase of school buses and provide for a general property tax imposition and levy for the payment of principal of, interest on and expenses incurred in connection with the issuance of the bonds and the collection of the tax as permitted by law?

For \_\_\_\_\_ Against \_\_\_\_\_

### Bond Question D – Higher Education Facilities

The 2018 Capital Projects General Obligation Bond Act authorizes the issuance and sale of higher education, special schools and tribal schools capital improvement and acquisition bonds. Shall the state be authorized to issue general obligation bonds in an amount not to exceed one hundred thirty- six million two hundred thirty thousand dollars (\$136,230,000) to make capital expenditures for certain higher education, special schools and tribal schools capital improvements and acquisitions and provide for a general property tax imposition and levy for the payment of principal of, interest on and expenses incurred in connection with the issuance of the bonds and the collection of the tax as permitted by law?

For \_\_\_\_\_ Against \_\_\_\_\_

Each question set forth in this section includes a specific work or object to be financed by the bonds. If any such question is not approved by a majority vote of the electorate at the state's 2018 general election, the issuance of bonds for the work or object specified by the question shall be excluded from and shall not be part of the 2018 Capital Projects General Obligation Bond Act. The failure of a question to be approved the electorate at the 2018 general election shall not affect those questions that are approved at the election.

General Obligation Bond Projects Chart by County

[https://nmlegis.gov/Publications/Capital\\_Outlay/Projects%20Requested%20by%20County%20w%20Purpose%2018.pdf](https://nmlegis.gov/Publications/Capital_Outlay/Projects%20Requested%20by%20County%20w%20Purpose%2018.pdf)

General Obligation Bond Projects Chart by Agency

[https://nmlegis.gov/Publications/Capital\\_Outlay/Projects%20Requested%20by%20Agency%20w%20Purpose%2018.pdf](https://nmlegis.gov/Publications/Capital_Outlay/Projects%20Requested%20by%20Agency%20w%20Purpose%2018.pdf)

# BERNALILLO COUNTY BOND QUESTIONS

Bernalillo County will ask voters to authorize the issuance of General Obligation bonds for the 2018 bond cycle (years 2019-2020) totaling \$38,700,000. The projects have been grouped according to their general purposes into six ballot questions. General Obligation Bonds are grouped by purpose so that voters have the option of approving one purpose and not another. Once approved, the bond funds must be used for the approved purpose only.

### General Obligation (GO) Bonds and Taxes

A bond represents a debt of money borrowed by a government to generate revenue for and fund capital improvement projects. The government promises to repay the amount borrowed, plus interest, over a period of time. The bonds are called "General Obligation" because payment of the debt service (principal plus interest) is a general obligation of the county and its property owners.

GO bonds require approval by the voters and are repaid from a portion of the property taxes. GO bonds must be sold within three years of voter approval, and must be fully spent on capital (bricks and mortar) projects, not on daily operations or maintenance, within four years of the bond sale. All projects slated for GO bond funding are included in Bernalillo County's six-year Capital Improvement Plan. Because old bonds are retired as the new bonds are requested, passage of the bonds will generally not result in a property tax increase.

#### Bond Question No. 1. LIBRARY BONDS

**Shall Bernalillo County, New Mexico, be authorized to issue its general obligation bonds, in one series or more, in an aggregate principal amount not exceeding \$1,750,000 for the purpose of purchasing library materials and resources for the libraries within Bernalillo County, New Mexico, said bonds to be payable from general (ad valorem) taxes to be issued and sold at such time or times, upon such terms and conditions as the Board of County Commissioners may determine and as permitted by law?**

Purchase materials for the City/County library branches . . . . . \$1,750,000

#### Bond Question No. 2. PUBLIC SAFETY FACILITIES AND OTHER COUNTY BUILDINGS BONDS

**Shall Bernalillo County, New Mexico, be authorized to issue its general obligation bonds, in one series or more, in an aggregate principal amount not exceeding \$16,750,000 for the purpose of acquiring property, planning, designing, upgrading, constructing, remodeling, equipping and otherwise improving, County facilities and fleet, including but not limited to health and public safety facilities, fire station and law enforcement facilities, youth and visitors centers, said bonds to be payable from general (ad valorem) taxes and to be issued and sold at such time or times, upon such terms and conditions as the Board of County Commissioners may determine and as permitted by law?**

Youth Service Center Facility - Remodel . . . . .	\$1,400,000
Alvarado Square - Chambers . . . . .	\$3,500,000
Bernalillo County Sheriff's Office and Bernalillo County Fire Department, and Metropolitan Detention Center training facility and/or Helicopter Hangar & Air Support Facility - Purchase land for and design a combined / integrated training academy facility for BCSO and BCFD, including air support facilities for the BCSO helicopter. . . . .	\$4,500,000
Public Building Upgrades - Systems and ADA - Replace aging building systems in various County buildings. . . . .	\$3,600,000
Bernalillo County General Fleet Vehicle and Heavy Equipment Fleet Replacement . . . . .	\$1,500,000
Fire Station Remodel - Station TBD . . . . .	\$1,000,000
Rt. 66 Visitors Center on West Central . . . . .	\$750,000
Emergency Mobile Radio System (Old name; Land Mobile Radio; Interoperable Radio / Communications System) - Either fix or replace the entire system, infrastructure, and equipment for emergency communications between public safety agencies of different jurisdictions. . . . .	\$500,000

#### Bond Question No. 3. PARKS AND RECREATION BONDS

**Shall Bernalillo County, New Mexico, be authorized to issue its general obligation bonds, in one series or more, in an aggregate principal amount not exceeding \$4,950,000 for the purpose of acquiring property, planning, designing, upgrading, constructing, equipping and otherwise improving park and recreational facilities within the County, including but not limited to parks, playgrounds, open space, cultural facilities, community recreation centers, pools, and necessary redevelopment of facilities, construction and improvements required by the Americans with Disabilities Act, said bonds to be payable from general (ad valorem) taxes and to be issued and sold at such time or times, upon such terms and conditions as the Board of County Commissioners may determine and as permitted by law?**

Paradise Hills Community Center and Annex - Building and Site Improvements - Expanded parking and improved circulation among several recreation sites along corridor. . . . .	\$500,000
Swede Scholar Mesa del Sol Regional Indoor Sports Complex Facility . . . . .	\$250,000
Aquatic Redevelopment - Upgrades to existing pools . . . . .	\$100,000
Ball Field Redevelopment - Ball Field Redevelopment countywide . . . . .	\$600,000
Park Redevelopment - Improve various County parks . . . . .	\$100,000
Playground Redevelopment - Improve playgrounds in response to annual audit findings . . . . .	\$200,000
ADA Audit Upgrades for Parks and Rec - per 2013 ADA audit of Bernalillo County Parks and Rec facilities . . . . .	\$100,000
Tom Tenorio Park Improvements - Ballfield redevelopment . . . . .	\$1,700,000
South Valley Aquatics Facility - Redevelop entire pool and support structures	\$500,000
Mid-North Valley Recreational Facility - Design and construct a new regional facility. . . . .	\$200,000
Loma Linda Community Center Gym - To plan, design, construct and equip facility improvements to the Loma Linda Community Center . . . . .	\$500,000
Crestview Bluff Open Space - COA . . . . .	\$100,000
Wells Park Land Purchase - COA . . . . .	\$100,000

# BERNALILLO COUNTY BOND QUESTIONS

## Bond Question No. 4. TRANSPORTATION BONDS

Shall Bernalillo County, New Mexico, be authorized to issue its general obligation bonds, in one series or more, in an aggregate principal amount not exceeding \$8,500,000 for the purpose of acquiring property, planning, designing, upgrading, constructing, equipping, repairing and otherwise improving transportation facilities within the County, including but not limited to roads and related non-motor vehicle pathways, bridges, traffic calming, guardrails, bike lanes, sidewalks, paving, landscaping, traffic signals and other street improvements and necessary construction and improvements required by the Americans with Disabilities Act, said bonds to be payable from general (ad valorem) taxes and to be issued and sold at such time or times, upon such terms and conditions as the Board of County Commissioners may determine and as permitted by law?

Districts 1, 4, and 5 Road Paving and Rehab - Place asphalt pavement on unincorporated area dirt and graveled roadways or the replacement of substantially deteriorated paved roadways . . . . .	\$2,500,000
Sunport Extension - Broadway Blvd to I-25 - Extend Sunport Blvd from Broadway Blvd to I-25. . . . .	\$500,000
Bridge Blvd Redevelopment - Reconstruct Bridge Blvd from Coors to Isleta Blvd. . . . .	\$1,200,000
Roadway Striping, Traffic Calming, and Guardrails - Replace roadway striping, traffic calming, pavement markings, and guardrails as needed . . . . .	\$450,000
2nd Street SW Roadway south of Rio Bravo to Salida Sandia - Design and construct roadway improvements . . . . .	\$375,000
Districts 1, 2, 3, 4 and 5 Bikelanes and Trails, Sidewalks, ADA and Transit Improvements - Develop bikelanes or trails by Commission District. Funding includes 5% trail monies . . . . .	\$1,500,000
County Arterial Program - CAP-COOP-School Bus program must comply with Department of Transportation (DOT) arterial road program. County must match \$0.25 for every \$0.75 granted by NMDOT . . . . .	\$300,000
Atrisco Vista Boulevard - Reconstruct the section between Double Eagle and Paseo Del Norte (2 miles) as a two-lane with bike lanes. Purchase right of way for section between Paseo Del Norte and Southern Blvd does not exist (2 miles to county line and 1.5 miles to Southern Blvd). Construct two-lane roadway with bike lanes. . . . .	\$500,000
Rio Bravo Adaptive Signals - Rio Bravo Blvd - Coors Blvd to University Blvd . . . . .	\$175,000
Rio Bravo Blvd and Prince St Intersection - Add crosswalk, install pedestrian signals, ADA ramps, lighting . . . . .	\$500,000
Unser Sound Wall. . . . .	\$500,000

## Bond Question No. 5. STORM DRAINAGE AND UTILITIES BONDS

Shall Bernalillo County, New Mexico, be authorized to issue its general obligation bonds, in one series or more, in an aggregate principal amount not exceeding \$5,500,000 for the purpose of acquiring property, designing, upgrading, constructing, equipping, repairing and otherwise improving utility infrastructure, including but not limited to storm sewer, wastewater, water, drainage and fiber optic systems and facilities within Bernalillo County, New Mexico, said bonds to be payable from general (ad valorem) taxes and to be issued and sold at such time or times, upon such terms and conditions as the Board of County Commissioners may determine and as permitted by law?

Browning Street Drainage Improvement Project - Design of road improvements and drainage structures along Browning from Anaheim Avenue to Modesto Avenue . . . . .	\$900,000
Barcelona-Flora Vista-Isleta-Shadyside-Valverde to Armijo Drain Storm Drains - Component of the South Valley Flood Damage Reduction Project ID #2173 . . . . .	\$2,850,000
Garduño Road Storm Drain - Construct storm drain on Garduño Rd both east & west of 4th St. Construct outfalls to the Paseo Del Norte ponds. Will partially remove floodplain. . . . .	\$1,450,000
Fiber Optics Design and Installation - Fiber Optic as an essential County utility and incorporate its installation with other utility work when possible . . . . .	\$300,000

## Bond Question No. 6. PUBLIC HOUSING BONDS

Shall Bernalillo County, New Mexico, be authorized to issue its general obligation bonds, in one series or more, in an aggregate principal amount not exceeding \$1,250,000 for the purpose of acquiring property, designing, upgrading, planning, constructing and equipping housing facilities within the County, including but not limited to energy efficiency and other improvements for multifamily housing units for low-income, homeless, senior and disabled populations, said bonds to be payable from general (ad valorem) taxes and to be issued and sold at such time or times, upon such terms and conditions as the Board of County Commissioners may determine and as permitted by law?

Senior and Disabled Multifamily Units - Modernize multifamily rental units	\$500,000
Publicly Owned Housing for the Homeless - Tiny house project in conjunction with the City of Albuquerque and nonprofit organizations . . . . .	\$750,000

## **LWVNM VOTER GUIDE 2018**

**The League of Woman Voters of New Mexico presents this special edition of the 2018 General Election Voter Guide.**

**The guide is produced by the League in coordination with the Native American Voting Task Force.**

**This Voter Guide was prepared with the assistance of many League volunteers and with a generous grant from the Thornburg Foundation.**



### **Information Sources:**

New Mexico Secretary of State's Office

New Mexico Legislative Council Service

Board of Finance Division of the New Mexico Department of Finance and Administration

Administrative Office of the Courts

Common Cause New Mexico

County Clerks' staff and websites.