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FISCAL IMPACT REPORT

ORIGINAL DATE 2/10/17

SPONSOR Campos LAST UPDATED _____ HB _____

SHORT TITLE Study Branch & Community College Statutes SM 22

ANALYST Dulany

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY17	FY18	FY19	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		NFI				

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From
Higher Education Department (HED)

SUMMARY

Synopsis of Bill

Senate Memorial 22 requests HED to appoint a branch and community college task force to conduct a thorough review of all relevant New Mexico statutes of adequacy, appropriateness, and alignment and to develop recommendations for modification to be presented to the second session of the 53rd Legislature.

FISCAL IMPLICATIONS

SM 22 does not have a significant fiscal impact. In a similar memorial from the 2015 regular legislative session, New Mexico Independent Community Colleges noted that, given other departmental initiatives and institutional priorities, it may be difficult for presidents, directors, and other leadership staff to participate fully in such a task force.

SIGNIFICANT ISSUES

A similar memorial was passed during the 2016 session.

HED notes there are 100 different sections in the six articles of chapter 21 NMSA listed in the memorial. Because these laws were enacted over a period of time greater than 45 years, the

probability of conflict between statutory sections is high. In addition, other sections of NMSA not listed specifically in the memorial may also be affected.

As noted in the memorial, certain sections of current statute appear outdated or irrelevant to current practice. As an example, Chapter 21, Article 14, which governs branch community colleges, sets forth provisions that a branch community college board may award an appropriate certificate upon completion of an educational curriculum and program leading to alternative certification for degreed individuals pursuant to Section 22-10-3.5 NMSA 1978; however, Section 22-10-3.5 NMSA 1978 was repealed in 2003. As another example, the Ruidoso Branch Community College was established through this portion of statute in 2005; however, no other branch community colleges are referenced in Article 14.

In an agency analysis for the version of this memorial that passed in 2016, PED stated law for two-year postsecondary institutions are included in a variety of statutes, including Chapter 21, Article 14 NMSA 1978, the Community College Act, the Technical and Vocational Institute Act, the Off-Campus Instruction Act, the College District Tax Act, the Learning Center Act, and the Workforce Training Act. The department suggested existing statutes may be misaligned with current and future needs.

ADMINISTRATIVE IMPLICATIONS

The sponsor may want to introduce this as a joint memorial to provide additional emphasis on the importance of the memorial.

HED staff would be required to take on administrative tasks related to the task force, including research of current statutes, organizing the task force meetings, and writing the required report.

TD/al/jle