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FISCAL IMPACT REPORT

SPONSOR: H	urt DATE TYPED: 01/22/02	HB	
SHORT TITLE:	No Legislative Mandates Without Funding	SB	SJR 5
	ANALY	ST:	Burch

APPROPRIATION

Appropriation Contained		Estimated Add	1	Recurring or Non-Rec	Fund Affected
FY02	FY03	FY02	FY03		
			\$30.0	Nonrecurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC files Secretary of State

SUMMARY

Synopsis of Bill

Senate Joint Resolution 5 proposes to add a new section to Article 4 of the New Mexico Constitution that prohibits the Legislature from enacting unfunded mandates by law to the state or any agency, political subdivision, institution or instrumentality of the state.

Significant Issues

Article X, Section 8 of the New Mexico Constitution currently provides that state rules or regulations mandating new activities or services to cities or counties without funding them do not have the force of law.

FISCAL IMPLICATIONS

If passed, this question would appear on the ballot in the November 2002 general election. The Secretary of State reports it costs \$30.0 to place an item on the ballot for advertising and printing. Included in the cost is: (1) the publishing of constitutional amendments in English and Spanish for four consecutive weeks in one newspaper in each county of the state; (2) the oral translation and radio broadcast into the Native American languages of Tewa, Tiwa, Towa, Keres, Zuni, Mescalero

Apache, Jicarilla Apache and Navajo; and (3) the printing of amendments booklets in English and Spanish (including Spanish language translation cost) and distribution to all county clerks (100,000 booklets were printed for 2000 general election). Therefore, there would be a nonrecurring cost to the general fund of \$30.0 in FY03. This legislation does not include an appropriation needed to fund these costs.

ADMINISTRATIVE IMPLICATIONS

The Secretary of State reports the proliferation of constitutional amendments is having a serious impact on some of New Mexico's counties' voting systems because of ballot crowding.

DKB/ar