

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current FIRs (in HTML & Adobe PDF formats) are available on the NM Legislative Website (legis.state.nm.us). Adobe PDF versions include all attachments, whereas HTML versions may not. Previously issued FIRs and attachments may be obtained from the LFC in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

ORIGINAL DATE 01/27/12

SPONSOR Smith LAST UPDATED _____ HB HJR 18

SHORT TITLE Leave From Work For Legislators SB _____

ANALYST Chabot

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

| | FY12 | FY13 | FY14 | 3 Year Total Cost | Recurring or Nonrecurring | Fund Affected |
|--------------|------|---------|------|----------------------|------------------------------|------------------|
| Total | | \$104.0 | | \$104.0 | Nonrecurring | General Fund |

(Parenthesis () Indicate Expenditure Decreases)

Relates to HJR 5

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts (AOC)

Attorney General Office (AGO)

Secretary of State (SOS)

SUMMARY

Synopsis of House Joint Resolution 18

House Joint Resolution 18 proposes to amend Article 4 of the New Mexico Constitution to require a legislator who receives a salary paid from public money to elect to take annual leave or leave without pay for attendance at legislative sessions and meetings.

FISCAL IMPLICATIONS

The SOS reports that in accordance with Section 1-16-4 NMSA 1978, upon receipt of the certified proposed constitutional amendment or other question from the Secretary of State, the county clerk shall include it in the proclamation to be issued and shall publish the full text of each proposed constitutional amendment or other question in accordance with the constitution of New Mexico.

Although the county clerk includes the proposed amendments in the clerk's proclamation, it is the responsibility of the State to pay for the costs associated with the publication per Section 1-16-13 NMSA 1978, including printing samples of the text of each constitutional amendment in both Spanish and English in an amount equal to ten percent of the registered voters of the state.

House Joint Resolution 18. – Page 2

There are currently 1.7 million registered voters in the state. Voters whose election mail is returned as undeliverable will be sent the proper notice under federal law in 2012, and if they do not vote in the next two federal elections, may be purged in 2015. Under these timelines, the voter roll is expected to increase until the purge in 2015.

The SOS reports that in 2010, the publication cost was \$520,000 for 5 constitutional amendments, or approximately \$104,000 per amendment. Although the SOS is continually seeking ways to reduce publication costs, it believes the 2010 figure is a reasonable projection for 2012 costs, given the increasing number of voter registrations.

SIGNIFICANT ISSUES

AGO states it is unclear whether the proposed amendment intends to cover (1) private employees with a government contract, as well as (2) private employees whose position is paid for by a government grant. In both cases, these private sector employees receive “a salary paid from public money.”

TECHNICAL ISSUES

The resolution should clarify issues raised by the AGO in Significant Issues.

GAC/amm