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LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS
53rd Legislature, 1st Session, 2017

Bill Number	<u>SM22</u>	Sponsor	<u>Campos</u>
Tracking Number	<u>.206012.1</u>	Committee Referrals	<u>SRC/SEC</u>
Short Title	<u>Study Branch & Community College Statutes</u>		
Analyst	<u>Rogne</u>	Original Date	<u>2/8/17</u>
		Last Updated	<u></u>

BILL SUMMARY

Synopsis of Bill

Senate Memorial 22 (SM22) creates a Branch and Community College Task Force appointed by the Secretary of the Higher Education Department (HED), along with the secretary of the Public Education Department (PED) and branch and community college presidents, to review the adequacy, appropriateness and alignment of branch and community college statutes and to make recommendations for statutory changes.

FISCAL IMPACT

SM22 does not contain an appropriation.

According to HED, implementing SM22 will require additional study, review, and resource assessment to ascertain the total financial impact of this request.

SUBSTANTIVE ISSUES

SM22 would request the secretary of HED, in consultation with the secretary of PED and branch and community college presidents, to appoint a “branch and community college task force” to review all relevant New Mexico statutes pertaining to the organization and operation of two-year postsecondary educational institutions for adequacy, appropriateness, and alignment and to develop recommendations for modification to be presented to the second session of the Fifty-Third Legislature. The task force membership would include geographic and demographic representation that is reflective of New Mexico, and would present its recommendations to the appropriate legislative committees by December 1, 2017 and for consideration by the 2018 Legislature.

The memorial would require the branch and community college task force to study seven articles in Chapter 21 of the New Mexico Statutes Annotated (NMSA) that create the statutory law governing branch and community colleges as well as technical-vocational institutions and learning centers. The statues listed in SM22 are as follows:

- 21-14 NMSA 1978, under which the branch community colleges of New Mexico State University, the University of New Mexico, and Eastern New Mexico University currently operate;
- 21-13 NMSA 1978, the Community College Act;
- 21-16 NMSA 1978, the Technical and Vocational Institute Act;
- 21-14A NMSA 1978, the Off-Campus Instruction Act;
- 21-2A NMSA 1978, the College District Tax Act;
- 21-16A NMSA 1978, the Learning Center Act;
- 21-13A NMSA 1978, the Workforce Training Act.

SM22 would require a review and update of these statutes as some provisions may be obsolete, duplicative, or no longer relevant. Review would also ensure the legal framework relating to two-year postsecondary educational institutions is adequate, appropriate, and aligned to current and future requirements.

ADMINISTRATIVE IMPLICATIONS

SM22 asks HED to perform an extensive legal analysis for adequacy, appropriateness and alignment with current functions and provide recommendations for modifications. According to HED, there are over 100 different sections in the 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. HED noted undertaking such a review of statutes and updating them will enable processes to be more efficient.

SM22 includes new functions or assignments for HED. Additional staffing may be required. The preliminary review indicates an increase in administrative responsibilities for HED.

SOURCES OF INFORMATION

- LESC Files
- Higher Education Department

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