

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 and previously issued FIRs are available on the NM Legislative Website (www.nmlegis.gov) and may also be obtained from the LFC in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

SPONSOR Lopez ORIGINAL DATE 2/1/18
 LAST UPDATED _____ HB _____

SHORT TITLE Removal of Educational Regents, CA SJR 13

ANALYST Amacher

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY18	FY19	FY20	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		Indeterminate Minimal Fiscal Impact			Nonrecurring	Election Fund
			See Narrative	See Narrative	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Relates to SJR1/aSRC and SJR 8

SOURCES OF INFORMATION

LFC Files
 Secretary of State (SOS)
 Higher Education Department (HED)

SUMMARY

Synopsis of Senate Joint Resolution

Senate Joint Resolution 13 proposes an amendment to Article 12, Section 13 of the state constitution to provide for the removal of regents of state educational institutions for violations of conflict of interest standards established by law. The resolution is to be submitted for approval by the people of the state in the next general election (November 2018) or any special election called for that purpose.

FISCAL IMPLICATIONS

The Secretary of the State’s (SOS) Office supports and understands the legislature’s prerogative to place constitutional amendments before the voters of the state. For the purposes of determining the cost involved, the SOS notes that, under Section 1-16-13 NMSA 1978, the SOS is required to print the full text of each proposed constitutional amendment, in both Spanish and English, in an amount equal to 10 percent of the registered voters in the state. In order to comply with this requirement for the 2016 general election, the SOS printed approximately 129,000 copies of the “Voter Guide” at a total cost of \$19,041. Printing costs differ depending upon the

number and length of proposed constitutional amendments.

The SOS is also constitutionally required to publish the full text of each proposed constitutional amendment once a week for four weeks preceding the election in newspapers in every county in the state. In 2016, the SOS spent \$245,918 for the required newspaper publications which included printing one 1.5 page (332 words) constitutional amendment at a total cost of \$15,803 (the rest of the publication cost was for printing the full general obligation bond, as required in that bill each year). This publication cost is dependent upon the number and length of the constitutional amendments that are proposed to the voters.

Furthermore, the number of constitutional amendments proposed may also impact the page size of the ballot, or if the ballot size is caused to become greater than one page, front and back, which may increase the cost of producing the ballots for the general election. In addition to the cost of the ballot, there may be time added to the voting process, which would require additional ballot printing systems in order to ensure a smooth and efficient voting process within the bounds of national best practices.

The Higher Education Department notes on other legislation related to board of regents, regent members are allowed reimbursement of certain per diem expenses. Higher education institutions may realize minor increases in per-diem and mileage costs association with additional board members.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

SJR 13 relates to SJR1/aSRC. The Senate Rules Committee amendment to the constitution makes clear that at least three names shall be on the list provided by the nominating committee from which the Governor may then nominate members of the Board of Regents. The Legislature is tasked in determining the appointment, terms, powers, and duties of the nominating committees. The effective date of this legislation is July 1, 2019. The resolution is to be submitted for approval by the people of the state in the next general election (November 2018) or any special election called for that purpose.

SJR 13 relates to SJR 8. Senate Joint Resolution 8 proposes an amendment to the constitution to increase and make uniform the number of members of boards of regents of all higher education institutions, except for the New Mexico School for the Deaf, the New Mexico Military Institute and the New Mexico School for the Blind and Visually Impaired; and to decrease their terms of office. The effective date of this legislation is July 1, 2019. The resolution is to be submitted for approval by the people of the state in the next general election (November 2018) or any special election called for that purpose.

JMA/sb