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FISCAL IMPACT REPORT

ORIGINAL DATE 2/5/19

SPONSOR Soules LAST UPDATED _____ HB _____

SHORT TITLE Public Education Commission, CA SJR 9

ANALYST Hawker

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY19	FY20	FY21	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		NFI				

Parenthesis () indicate expenditure decreases

SOURCES OF INFORMATION

LFC Files

Responses Received From

New Mexico Attorney General (NMAG)

SUMMARY

Synopsis

Senate Joint Resolution 9 proposes to amend Article 12, Section 6 of the Constitution of New Mexico. If approved by the voters, the proposed amendment will replace the public education commission with a nine-member state member board of education. Five of the members will be elected and four will be appointed. The board of education will appointment a superintendent of public education who will replace the Public Education Secretary.

The board of education shall determine public school policy, distribute public school funds and control and manage the public education department and the administration, operation and finance of public schools. The appointed superintendent is to be a qualified, experienced and licensed New Mexico school administrator or school superintendent. This superintendent shall manage the public education department as directed by the school board.

SJR9 provides for a transition period. School board members shall serve staggered terms.

The amendment proposed by SJR9 shall be submitted to the people for their approval or rejection at the next general election or at any special election prior to that date that may be called for that purpose.

FISCAL IMPLICATIONS

There will be election costs to include voting on the resolution in the next general election.

SIGNIFICANT ISSUES

Currently Article 12, Section 6 of the Constitution of New Mexico establishes a ten member public education commission and a secretary of public education. The Secretary of public education is appointed by the Governor and confirmed by the Senate.

As proposed by SJR9 the districts of the five elected members of the state board of education will be the same as the public regulation commission's districts. Elected board members must be residents of the district from which they are elected. An elected board member who permanently removes their residence from the district or no longer maintains a residence in the district from which the member was elected shall be deemed to have resigned.

SJR9 proposes four members of the state board of education be appointed at-large by the Governor, by and with the advice and consent of the Senate.

During the transition period from the public education commission to the state board of education, the elected members of the commission shall serve as the state board of education until January 1 following the general election in 2022. At that election, the five elected positions shall be elected and the Governor shall appoint, with the Senate's consent the four appointed at-large positions.

VKH/gb