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FISCAL IMPACT REPORT

SPONSOR	<u>Steinborn/Correa Hemphill/Moores</u>	LAST UPDATED	<u>1/23/2024</u>
	Board of Regents Nominating Committees,	ORIGINAL DATE	<u>1/23/2024</u>
SHORT TITLE	<u>CA</u>	BILL NUMBER	<u>Senate Joint Resolution 2</u>
		ANALYST	<u>Hanika-Ortiz</u>

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT* (dollars in thousands)

SoS/State Educational Institutions	FY24	FY25	FY26	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Election Costs	No fiscal impact	\$75.0 - \$85.0	No fiscal impact	\$75.0 - \$85.0	Nonrecurring	General Fund
Enactment Costs	No fiscal impact	Indeterminate but minimal	Indeterminate but minimal	Indeterminate but overall, minimal	Recurring	Various

Parentheses () indicate expenditure decreases.
 *Amounts reflect most recent analysis of this legislation.

Sources of Information

LFC Files

Agency Analysis Received From
 New Mexico Attorney General (NMAG)
 Secretary of State (SoS)

Agency Analysis was Solicited but Not Received From
 Higher Education Department (HED)
 Council of University Presidents (CUP)
 Community College Associations

SUMMARY

Synopsis of Senate Joint Resolution 2

Senate Joint Resolution 2 proposes a constitutional amendment asking voters to approve or reject an amendment to Article 12, Section 13, New Mexico Constitution to provide for nominating committees for appointing non-student members of boards of regents of state educational institutions.

The joint resolution provides the amendment be put before the voters at the next general election (November 2024) or a special election called for the purpose of considering the amendment. The amendment would only be effective if approved by voters.

FISCAL IMPLICATIONS

Regents are typically eligible for travel reimbursement, pursuant to each school's travel reimbursement policies. It is presumed the nominating committees will be treated the same.

If the bill passes, the constitutional amendment might be decided by the voters in the next general election which is in FY25. It might also be decided by a special election prior to that time. In either event, under Section 1-16-4 NMSA 1978 and the New Mexico Constitution, the SoS is required to print samples of the text of each constitutional amendment in both Spanish and English in an amount equal to 10 percent of the registered voters in the state. SoS is also required to publish the samples once a week for four weeks preceding the election in newspapers in every county. Further, the number of constitutional amendments on the ballot may impact the ballot page size or cause the ballot to be more than one page, increasing costs. The estimated cost per constitutional amendment is \$75 thousand to \$85 thousand, depending on the size and number of ballots and if additional ballot stations are needed.

SoS notes it also produces a general election voter guide at a cost of approximately \$41.5 thousand.

SIGNIFICANT ISSUES

The Legislature will provide for the appointment, terms, and powers of nominating committees.

NMAG provided the following:

An issue may arise when there is a vacancy in the nominating committee. The Amendment requires no more than 50 percent of the committee shall be members of the same political party. There is a concern that if one member of the nominating committee resigns, the committee would be out of compliance with the Constitution until another is appointed.

PERFORMANCE IMPLICATIONS

An amendment that is approved by a majority of voters becomes part of the Constitution.

OTHER SUBSTANTIVE ISSUES

Should the constitutional amendment be approved by voters, nominating committees will be established for each state institution in Article 12, Section 11 of the Constitution. The institutions are University of New Mexico, New Mexico State University, New Mexico Highlands University, Western New Mexico University, Eastern New Mexico University, New Mexico Institute of Mining and Technology, New Mexico Military Institute, New Mexico School for the Blind and Visually Impaired, New Mexico School for the Deaf, and Northern New Mexico State School.

OTHER SUBSTANTIVE ISSUES

An amendment may be needed to provide for vacancies on nominating committees. For instance, with consent of the Senate, allowing a student to serve out the vacating member's term.

AHO/rl/ne/al