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FISCAL IMPACT REPORT

SPONSOR Soules ORIGINAL DATE 2/10/16
LAST UPDATED _____ HB _____

SHORT TITLE Elected and Appointed Board of Education, CA SJR 20

ANALYST Fernandez

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY16	FY17	FY18	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		See Fiscal Implications				

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

No Response

Public Education Department (PED)

SUMMARY

Synopsis of Bill

Senate Joint Resolution 20 proposes to amend Article 12, Section 6 of the Constitution of New Mexico to create a 10 member State Board of Education comprised of 5 elected and 5 appointed members to set public school policy and to appoint a Superintendent of Public Education.

FISCAL IMPLICATIONS

This bill does not contain an appropriation. The Secretary of State estimates the cost of placing a constitutional amendment on the ballot to be \$104 thousand based on 2010 actual expenditures. This includes all necessary printing and publication of materials. The next general election is in 2016 or FY17.

SIGNIFICANT ISSUES

SJR 20 proposes to amend the constitution to remove the current Public Education Commission and replace with a ten member "State Board of Education". The State Board of Education would determine public school policy, distribute public school funds and control, manage and direct the public education department as well as oversee the administration, operation and finance of public schools.

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The State Board of Education would be responsible for appointing the Superintendent of Education who is a qualified, experienced and licensed educational administrator to manage the Public Education Department as directed by the board. Currently, the Constitution requires the Secretary of Public Education to be appointed by the Governor and confirmed by the Senate.

Five members of the state board shall be elected for staggered terms of four years, are required to be residents of the state board of education district. If a board member moves or does not reside in the district, they shall be deemed to have resigned.

Five members of the State Board of Education are appointed by the Governor, one from each of the five state board of education districts, for staggered terms of 4 years, with the advice and consent of the Senate.

Members of the Public Education Commission elected on or before the 2016 general election shall constitute the State Board of Education, if this amendment is approved, until their terms expire, and the districts from which the public education commission were elected shall constitute the state board of education districts until changed by law in the year following each federal decennial census.

This joint resolution if approved in the next general election would overturn the constitutional amendment approved in 2003 creating the Public Education Department as a cabinet level agency with a Secretary of Education appointed by the Governor.

CTF/jo