FISCAL IMPACT REPORT

SPONSOR: Komadina   DATE TYPED: 3/17/03   HB _____

SHORT TITLE: Supreme Court Justice Elections   SB   SJR 16 _____

                                                        ANALYST: Chavez _____

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
NFI	NFI		$32.0	Non-recurring	General Fund
			See Narrative		

(Parenthesis ( ) Indicate Expenditure Decreases)

SOURCES OF INFORMATION

Secretary of State (SOS)
Administrative Office of the Courts (AOC)
LFC Files

SUMMARY

Synopsis of Bill

Senate Joint Resolution 16 proposes an amendment to Article 6 of the Constitution to provide for five supreme court judicial districts. Justices that serve at the time of adoption of this amendment shall be randomly assigned to the districts and shall be eligible for a retention election by the voters of that justice's district at the next general election preceding the end of the term for which that justice was elected prior to adoption of this amendment.

Significant Issues

The Administrative Office of the Courts (AOC) indicates that if this resolution is passed, every citizen could vote for only one of the five justices whereas presently every citizen can vote for all five justices.

Section 33 of the New Mexico Constitution provides that each justice of the supreme court shall have been elected to that position in a partisan election prior to being eligible for a non-partisan retention election. Thereafter, each justice shall be subject to retention or rejection on a non-partisan ballot. Retention of the judicial office shall require at least fifty-seven percent of the

vote cast on the question of retention or rejection. Each justice of the supreme court shall be subject to retention or rejection in like manner at the general election every eighth year.

The Secretary of State (SOS) indicates that counties will experience an increase in ballot combinations and printing costs.

FISCAL IMPLICATIONS

This bill does not contain an appropriation. However, an estimated non-recurring cost to the general fund of $32.0 is expected because of the cost to the SOS for advertising and printing to place an item on the ballot. This non-recurring cost will likely be realized in FY05 since the next general election is in November 2004 unless a special election is called prior to the general election for that purpose.

ADMINISTRATIVE IMPLICATIONS

The SOS indicates that maps and a list of precincts must be prepared by their office for the counties.

TECHNICAL ISSUES

1. On page 2, line 2, since the bill only references the "supreme court" the words "or judge" are not necessary.

POSSIBLE QUESTIONS

1. What method will be used to determine the formation of the judicial districts?
2. How will the formation of the judicial districts impact the current conduct and business of the court?

FC/yr/ls