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FISCAL IMPACT REPORT

SPONSOR: Romero DATE TYPED: 3/17/03 HB

SHORT TITLE: School District Election Timing, CA SB SJR 23

ANALYST: Chavez

APPROPRIATION

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

(Parenthesis () Indicate Expenditure Decreases)

Conflicts with SB 854

SOURCES OF INFORMATION

Secretary of State (SOS)
 New Mexico State Department of Education (NMSDE)
 LFC Files

SUMMARY

Synopsis of Bill

Senate Joint Resolution 23 proposes to amend Article 7, Section 1 of the New Mexico Constitution to provide that school elections be held with the general election. Additionally, the resolution updates the constitution to reflect the voting age pursuant to federal law.

Currently, school elections are held at different times from other elections.

Additionally, persons over the age of twenty-one who meet certain residential requirements, are not mentally incompetent, and have not been convicted of a felonious or infamous crime shall be qualified to vote at all elections for public officers.

Significant Issues

This bill proposes to address the issue of low voter turnout for school-elections. However, the

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Secretary of State (SOS) indicates that the proposal in this bill is technologically impossible because the school districts pre-date the creation of any other voting districts and they cross county lines. The SOS indicates that this proposal could not be accomplished without a substantial impact to county government. Additionally, the number of ballot combinations would increase. Further, there would be an impact on the capacity of current voting systems. Thus, there may be a need for additional systems.

It is uncertain whether this will be a cost saving measure because of the changes that would need to be implemented in order to carry out the provisions of this bill. The SOS indicates that the federal money due the state once it is fully funded in the amount of 22 million from the Help America Vote Act could not be used for this purpose. The money available is earmarked for the acquisition of voting systems for the visually impaired and also for language minorities. The balance of the funds are to be used for voter and poll worker education.

The SOS indicates that an alternative method to resolving the issue of low voter turnout for school elections would be to hold these elections in November of the off years since people are accustomed to voting in November and thus, the voter turnout may increase.

FISCAL IMPLICATIONS

No appropriation is contained in this bill. 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 held prior to the general election for this purpose.

ADMINISTRATIVE IMPLICATIONS

The SOS indicates that the administrative implications to the SOS would be minimal. However, the impact to the county government as indicated by the SOS could be substantial.

CONFLICT

Senate Bill 854 proposes to amend the School Election Law to require that the proclamation for a regular school election be filed by the superintendent on the last Wednesday of November of the even-numbered year immediately preceding the date of the election.

The New Mexico State Department of Education indicates that if this resolution is adopted revisions will need to be made in Sections 1-22-1 through 1-22-19 NMSA 1978 pertaining to School Election Law. Additionally, it is indicated that provisions will be required to ensure the transition of terms of office for local school board members.

FC/njw