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## FISCAL IMPACT REPORT

ORIGINAL DATE 02/18/07  
 LAST UPDATED 03/11/07    **HB** \_\_\_\_\_

SPONSOR Jennings

SHORT TITLE Community College Board Member Elections    **SB** 984/aHF1

ANALYST Williams

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY07	FY08		
	NFI		

(Parenthesis ( ) Indicate Expenditure Decreases)

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY07	FY08	FY09	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
<b>Total</b>	Minimal					

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Higher Education Department (HED)

New Mexico Independent Community Colleges

### SUMMARY

#### Synopsis of HF1 Amendment

House Floor Amendment #1 to Senate Bill 984 deletes the term “governing” to read “A. The branch community college board of a branch community college may, by adoption of a resolution, establish a board...”

#### Synopsis of Original Bill

Senate Bill 984 would authorize the board of a two-branch branch campus to establish a new

governing board. The governing board would have five members who would be elected to staggered terms from single-member districts within the branch community college districts. These districts must be compact and contiguous and composed of relatively equal populations. The board may adopt a resolution for the districts to coincide with the county commission districts if the county commission has five districts and the boundaries of the county and branch community college district are identical. Board members must reside in the districts from which they are elected. The board may redistrict one time after each federal decennial census.

### **FISCAL IMPLICATIONS**

The bill does not include an appropriation.

### **SIGNIFICANT ISSUES**

This legislation would create a third option for the structure of a branch community college board. First, 21-14-2 NMSA 1978 provides that the local public school board or multiple public school boards may constitute the board of a community college that is a branch of a university. As well, 21-14-2.2 provides that a five-member board elected at large may serve as the board.

HED notes the legislation “does not address the implications of the parent institutions’ oversight of branch community colleges with a separate governing board. Branch campuses are governed by the board of regents of the parent institution. Moreover, the boards that are currently in place for branch campuses (whether elected or identified through some other means) serve exclusively in an advisory role. The branch campuses derive their authority from the parent institutions’ board of regents for all matters of policy and governance. This bill could affect the established policy authority of parent institutions’ over branch community college governance.”

HED continues to discuss the current role of branch community college boards as advisory to the boards of regents of parent institutions. In contrast, HED notes under this legislation “governing board members of the branch community colleges would serve as the administrative and fiscal entities of the branches.”

### **ADMINISTRATIVE IMPLICATIONS**

There may be minimal additional costs associated with new elections in multiple board districts.

### **TECHNICAL ISSUES**

What would happen when the new option for a districted board was implemented if two or more of the existing board members lived in a single district? Would they continue to serve until their original terms expired?

### **OTHER SUBSTANTIVE ISSUES**

The Community College Act provides options for election of the college board on an at large basis (21-13-8 NMSA 1978) or from single member district (21-13-8.1 NMSA 1978).