

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill No: *SB 679

49th Legislature, 1st Session, 2009

Short Title: Community College District Expansions

Sponsor(s): Senator Pete Campos

Analyst: Eilani Gerstner

Date: February 26, 2009

Bill Summary:

SB 679 amends, recompiles, and repeals several articles of Chapter 21, *State and Private Education Institutions*, to combine the requirements for expansion of community college districts and technical and vocational districts and add the resulting section to the *College District Tax Act*.

More specifically, SB 679 provides that:

- qualified voters of a school district, portion of a school district, or group of school districts may petition the Higher Education Department (HED), rather than the Public Education Department (PED), to be added to the community college district or technical and vocational institute district; and
- HED will:
 - conduct a survey of the petitioning school district or districts and conduct research to determine whether the addition of the petitioning area will promote improved education service in that area and, if so,
 - call an election within the petitioning area and in the established community college or technical and vocational institute district.

* SB 679 contains an emergency clause.

Fiscal Impact:

SB 679 contains no appropriation.

HED notes that, although fiscal implications cannot be quantified at this time, the provisions in SB 679 could affect the operating budgets of community colleges since a portion of their operational funding is derived from taxes on property values in the college's district.

Issues:

According to HED's analysis of SB 679,

- the provisions in current law for adding school districts to existing community college districts are unusable because they refer to statutory provisions that were repealed in 1998; and

- currently there are two separate statutory procedures for adding school districts to community college districts and to technical and vocational districts; SB 679 repeals both provisions and collapses them into one statutory provision, providing one procedure for both.

Finally, HED notes that there are currently no technical and vocational districts in New Mexico. In 2005, the remaining technical and vocational institutes (Mesalands and Luna) became community colleges.

Background:

The purpose of the *College District Tax Act* is to provide a uniform procedure for the authorization, imposition, and collection of tax levies for the operation of college districts and the issuance of college district general obligation and revenue bonds for capital improvements in a college district. The act applies to all educational institutions included in the *Community College Act*, the *Technical and Vocational Institute Act*, and the *Off-Campus Instruction Act*.

Related Bills:

None as of 02-26-2009.