

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill Number: SJR 16a

50th Legislature, 1st Session, 2011

Tracking Number: .185083.1

Short Title: School Elections with Other Elections, CA

Sponsor(s): Senator Eric. C. Griego and Others

Analyst: Kevin Force

Date: March 14, 2011

AS AMENDED

The Senate Rules Committee amendments require school elections be held at different time from partisan elections.

Original Bill Summary:

SJR 16 proposes to amend Article 7, Section 1 of the Constitution of New Mexico to provide that school elections may be held with other elections.

Fiscal Impact:

As a proposed amendment to the state constitution, SJR 16 does not contain an appropriation.

Fiscal Issues:

According to the Fiscal Impact Report (FIR) for HJR 16 (identical to SJR 16):

- upon receipt of a certified proposed constitutional amendment, the county clerk shall include it in the proclamation to be issued and shall publish the full text of each proposed amendment in accordance with the constitution of New Mexico;
- although the county clerk includes the proposed amendments in the proclamation, it is the responsibility of the state to pay for the costs associated with the publication; and
- the approximate cost per constitutional amendment is \$104,000;

In reference to the Secretary of State's Office (SOS):

- the FIR notes that the joint resolution does not specify which other election school elections are to be held with, which raises issues of:
 - partisan elections;
 - which agency will bear the costs related to these elections; and
 - districts and precincts that do not have the same boundaries;
- if school elections were added to general election ballots, the additional cost would be minimal, except in Bernalillo County;

- estimates indicate there might be a 10 percent increase in the cost of ballots (ballots in Bernalillo County usually cost one dollar per ballot); and
- if school elections are not added to general election ballots, individual school districts will continue to bear these costs.

Substantive Issues:

Currently, the *School Election Law* requires school board elections to be held on the first February of odd-numbered years. If SJR 16 passes and is approved by the voters, the *School Election Law* must be amended as well.

According to the Public Education Department's analysis of SJR 16:

- If the proposed amendment is approved, SJR 16 may be seen as the state availing itself of the greater voter turnout of general elections:
 - according to the US Census Bureau statistics for 2006, New Mexico had a population of 1,954,599;
 - 84 percent of that number were over the age of 18;
 - in 2007, there were 1,077,318 registered voters in New Mexico;
 - holding school board elections at the same time as general elections would enhance voter participation in school board elections; and
 - for example, in 2007, according to the Secretary of State's Voter Registration Statistics Report, there were 96,929 registered voters in Doña Ana County, but only 1,317 voters participated in the 2007 Doña Ana County school board elections.¹
- Also, according to the voter registration statistical report on the SOS website, the Albuquerque Public Schools district had 350,547 registered voters as of November 7, 2006², but according to *The Albuquerque Journal* only about 12,295 voters participated in that election, approximately 3.7 percent of potential voters.³

Background:

According to a report from the National School Boards Association (NSBA), school elections:

- were originally separated from general elections in order to “remove politics from education”;
- are often isolated from more “high-profile” campaigns in an effort to maintain that separation; and
- suffer from low voter turnout when separated from general elections (for example, districts that hold their elections on the same day as national or state elections report turnouts of up to 18 percent higher).

According to a recent survey by NSBA, the various states schedule their school board elections at different times of the year, with little conformity as to whether the elections are held on, or near, general election day, or at some other time of year entirely. For instance:

¹ nmpolitics.net

² <http://www.sos.state.nm.us/pdf/COUNTY117.PDF>

³ <http://www.abqjournal.com/abqnews/abqnewsseeker-mainmenu-39/10567-updated-apsnm-election-results-.html>

- Arizona holds its school board elections on general election day;
- Colorado's elections are scheduled for the first Tuesday after the first Monday in November of odd-numbered years; and
- Delaware holds its school board elections on the second Tuesday of May.

In recent years, legislation similar to SJR 16 has been proposed, for example in the 2007 and 2008 regular legislative sessions, but it has not passed.

Related Bills:

SJR 7 Increase Size of Certain School Boards, CA
HB 264 School Board Election, Appointment Limits
HB 277 School Board Campaign Reporting Act
HJR 11 Hold School Elections with General, CA
HJR 16 School Elections with Other Elections, CA