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## FISCAL IMPACT REPORT

ORIGINAL DATE 2/12/07

SPONSOR Garcia, M.H. LAST UPDATED 2/28/07 HB HJR 10/aHJC

SHORT TITLE School Board Recall Election Voters, CA SB \_\_\_\_\_

ANALYST Ortiz

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY07	FY08		
	NFI		

(Parenthesis ( ) Indicate Expenditure Decreases)

Relates to HB 146, SJR 18, SB 928

### SOURCES OF INFORMATION

LFC Files

Responses Received From  
Public Education Department (PED)

### SUMMARY

#### Synopsis of HJC Amendment

House Judiciary Committee amendment requires that a petition and vote by the voters of the school district must be conducted for the recall of any elected local school board member.

#### Synopsis of Original Bill

House Joint Resolution 10, School Board Recall Election Voters, amends Article 12, Section 14 of the constitution to identify the following criteria for an elected local school board member to be subject to a recall by the voters of the school district:

1. A member elected from a single-member district, only the voters of that single-member district may vote to recall the member; or
2. A member elected at large from the school district, the voters of the school district may vote to recall that member.

**SIGNIFICANT ISSUES**

The Public Education Department states that as this is a resolution to submit a proposed amendment to the New Mexico Constitution at the next general election, the proposed change could only take effect if the public votes in favor of it. Should the amendment be voted for in the affirmative, it would limit who can vote to recall school board members.

The change proposed by this bill would represent a departure from the current language at Article XII, Section 14 of the New Mexico Constitution, which provides, “Any elected local school board member is subject to recall by the voters *of the school district* from which elected.”

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

This joint resolution relates to HB 146, School Board Recall Petitions & Elections, SJR 18, Albuquerque School Board Election, and SB 928, Election of Certain School District Boards.

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

The proposed constitutional amendment will not be submitted to the public at the next general election.

EO/mt