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FISCAL IMPACT REPORT

SPONSOR	<u>Moore/Ivey-Soto</u>	ORIGINAL DATE	<u>2/6/18</u>	HB	
		LAST UPDATED	<u>2/15/18</u>		<u>178/aSRC/aSFI#1/</u>
SHORT TITLE	<u>Nomination of Lieutenant Governor</u>	SB			<u>aHJC</u>
		ANALYST			<u>Romero</u>

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY18	FY19		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From
Secretary of State (SOS)

SUMMARY

Synopsis of HJC Amendment

The House Judiciary Committee amendment removes entirely all items as part of Senate Floor Amendment #1.

Synopsis of SFI#1 Amendment

The Senate Floor Amendment #1 provides language to require the Lieutenant Governor nominee of a major political party to be selected by the party's gubernatorial nominee.

Synopsis of SRC Amendment

The Senate Rules Committee amendment to SB 178 changes the effective date of the legislation. Effective May 16, 2018 will be Sections 3, 4, 8, and 9. Effective January 1, 2019 will be Sections 1, 2, 5, 6, and 7.

Synopsis of Original Bill

Senate Bill 178 adds a new section to the Election Code authorizing political parties to adopt rules that provide for a process of nominating a Lieutenant Governor to be chosen to run with the

party's nomination for Governor on the general election ballot. The bill also provides that an independent candidate for Governor shall declare joint candidacy with a candidate for Lieutenant Governor.

FISCAL IMPLICATIONS

No fiscal impact.

SIGNIFICANT ISSUES

According to the Secretary of State:

“Currently, voters participating in the primary election nominate the Lieutenant Governor to appear on the general election ballot. The New Mexico Constitution Article 5, Section 1, require the Governor and Lieutenant Governor to be elected jointly by a single vote applicable to both offices. The proposed legislation would eliminate the position of lieutenant governor from the primary election ballot and would instead allow the party to choose the Lieutenant Governor who will appear jointly with the party's gubernatorial candidate.

The proposed legislation also provides for a joint declaration of candidacy of Governor and Lieutenant Governor for independent candidates. This proposed change in Article 8 would address a hole in current law which does not provide for the situation in which an uneven number of independent candidates for Governor and Lieutenant Governor may qualify for candidacy and the requirement of Article 5, Section 1 of the constitution which requires the running mates to be elected jointly on the general election ballot.”

ALTERNATIVES

The Secretary of State also provided the following:

“The sponsors of the bill may wish to consider an amendment to Section 1-8-48 to modify the declaration of candidacy for independent candidates to provide for a joint declaration of candidacy from independent Governor and Lieutenant Governor candidates. Conversely, the proposed amendment in Section 1-8-45 could be amended to provide for language authorizing the SOS to prescribe a new form.”

IR/al/sb