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## FISCAL IMPACT REPORT

SPONSOR Neville/Wirth ORIGINAL DATE 2/28/19  
LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_  
SHORT TITLE PRC Commissioner Continuing Education SB 537  
ANALYST Gaussoin

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

	FY19	FY20	FY21	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>			Indeterminate but minimal			

(Parenthesis ( ) Indicate Expenditure Decreases)

Relates to an appropriation in the General Appropriation Act

### **SOURCES OF INFORMATION**

LFC Files

#### Responses Received From

Public Regulation Commission (PRC)

### **SUMMARY**

#### Synopsis of Bill

Senate Bill 537 amends the Public Regulation Commission Act to allow commissioners to earn continuing education credit through courses endorsed by universities, nonprofits, or a nationally recognized trade organizations relevant to the commission's work, in addition to courses endorsed by the National Association of Regulatory Utility Commissioners or by a relevant licensing or professional organization. In addition, commissioners could earn credit through online courses, as well as in-person classes.

The effective date is not specified. If signed into law, the bill would become effective 90 days following adjournment, or June 14, 2019.

### **FISCAL IMPLICATIONS**

Allowing commissioners to attend online classes from a wider range of providers could reduce travel and educational costs associated with fulfilling the continuing education requirement. However, any fiscal impact from this reduction is likely to be limited.

## **SIGNIFICANT ISSUES**

Current law requires commissioners to attend, in-person or online, an ethics certification course offered by a New Mexico postsecondary institution in their first year and every year after taking office. Commissioners must also complete at least 32 additional hours of association-endorsed relevant course work every year they serve; however, the law does not specify if those courses must be in-person or can be taken online. The law calls for commissioners who do not meet the requirement to stop being paid until the requirement is met.

PRC reports courses endorsed by the National Association of Regulatory Utility Commissioners are limited in number and location and are not online.

News reports from November 2018 indicated a commissioner, no longer in office, had submitted fake certificates for nonqualifying classes, while another commissioner, also no longer in office, had not completed the 32 hours. Earlier news reports, from June 2018, indicated four of five commissioners were out of compliance with the educational requirement.

## **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

The House Appropriations Finance Committee Substitute for House Bills 2 and 3 would appropriate \$85.8 million to PRC.

HFG/sb