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## FISCAL IMPACT REPORT



SPONSOR: Cervantes DATE TYPED: 2/2/02 HB 395

SHORT TITLE: AG Open Meetings Act Training SB \_\_\_\_\_

ANALYST: J. Sandoval

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY02	FY03	FY02	FY03		
	\$100.0			Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC files

#### Responses Received From

Attorney General

The New Mexico State Department of Education

#### No Response

The Department of Finance and Administration

### SUMMARY

House Bill appropriates \$100.0 from the general fund to the Attorney General for the purpose of providing training to officials of local governments, including school districts, on the requirements of the Open Meetings Act.

### FISCAL IMPLICATIONS

The appropriation of \$100.0 contained in this bill is a recurring expense to the general fund . Any unexpended or unencumbered balance remaining at the end of fiscal year 2003 shall revert to the general fund.

### ADMINISTRATIVE IMPLICATIONS

This bill will aid the Attorney General's Office in efforts to provide training and information on the Open Meetings Act.

## **TECHNICAL ISSUES**

- The term “officials of local governments” is not defined. In the context of school districts, it is unclear as to whether the training would be made available only to school board members, or would include appropriate school district administrators.
- Section 22-2-2(X) provides that the State Board of Education is to establish and implement a plan that provides for technical assistance to local school boards through workshops and other in-service training; no plan may, however, require mandatory attendance by any member of a local school board.

## **POSSIBLE QUESTIONS**

1. Why is additional funding being requested for a program that already exists in the Office of the Attorney General and the State Department of Education?
2. How many violations of the Open Meetings Act have there been in the past year?

**JFS/njw**