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FISCAL IMPACT REPORT

ORIGINAL DATE 01/25/10

SPONSOR Cote LAST UPDATED _____ HM 6

SHORT TITLE NMSU Course On Elected Official Ethics SB _____

ANALYST Haug

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY10	FY11		
	NFI	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Relates to HB 43, SB 43, SB 108

SOURCES OF INFORMATION

LFC Files

Responses Received From

New Mexico State University (NMSU)
Higher Education Department (HED)

SUMMARY

Synopsis of Bill

House Memorial 6 requests New Mexico State University to develop a model course on ethics for public officials and make recommendations on how the course can be made available to public officials and that the model ethics course be made available to the state's public officials and become part of their orientation training.

FISCAL IMPLICATIONS

According to NMSU, there are no fiscal impacts as a result of the memorial in that New Mexico State University has received a grant from the Daniels Foundation to develop ethics programs. In conjunction with seven other universities in the western United States, each institution will develop ethics curriculum to be shared with each of the partner universities. It is anticipated within two years that NMSU's ethics program development for elected official will be completed and available

SIGNIFICANT ISSUES

New Mexico's public officials hold positions of trust and are expected to act in the best interests of the state.

What is considered to be acceptable behavior in the private sector may not be acceptable behavior in the public sector.

Public officials need to be prepared to make decisions that are in the best interests of the public.

Laws may define what is unacceptable and illegal, but they do not describe all situations or conditions that people in positions of trust need to know in order to make ethical decisions that best reflect the public trust that is vested in them.

Requiring continuing education and orientation is a preventive approach that may prevent elected officers and others who hold positions of public trust from unknowingly making decisions that violate laws, regulations or guidelines or that otherwise may not be in the best interests of the public.

Some education and training on ethics for public officers and employees is currently required by the Governmental Conduct Act and further training is required by ethics commission legislation being considered by the second session of the forty-ninth legislature.

Requiring ongoing education and orientation on the nature of public service and ethical behavior in the public sector well serves both New Mexico's public officials and the public at large.

New Mexico's universities have extensive resources and numerous experts who are well-acquainted with the interplay of law, morality, ethics, power and politics.

The HED states:

In 2007, Governor Bill Richardson signed into law the Governmental Conduct Act which set ethics standards for state officials, state employees, candidates and their families. The act also reestablished the Governor's Task Force on Ethics Reform and set limits on gifts to state officials and strengthened conflict of interest laws.

As a result, some education and training on ethics for public officers and employees is currently required by the Governmental Conduct Act. HM6 would further such training through a curriculum established by New Mexico State University (NMSU), a comprehensive research institution with experts well acquainted with the interplay of law, morality, ethics, power and politics.

Recently, NMSU has been awarded a \$1.25 million grant over a five year grant period by the Daniels Fund to develop an ethics program within its college of business as part of the Daniels Fund Ethics Initiative. According to NMSU, this program will incorporate ethics training of state officials as part of its curriculum.

RELATIONSHIP

House Memorial 6 relates to House Bill 43, Senate Bill 43, and Senate Bill 108, all of which are concerned with establishment of a State Ethics Commission.

GH/svb