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## FISCAL IMPACT REPORT

SPONSOR Payne ORIGINAL DATE 2/6/15  
LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_

SHORT TITLE Public Employee Bargaining Public Meetings SB 264

ANALYST Jorgensen

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

|              | FY15 | FY16    | FY17    | 3 Year<br>Total Cost | Recurring or<br>Nonrecurring | Fund<br>Affected |
|--------------|------|---------|---------|----------------------|------------------------------|------------------|
| <b>Total</b> | None | Unknown | Unknown | Unknown              | Recurring                    |                  |

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Department of Workforce Solutions (DWS)

Public Employees Labor Relations Board (PELRB)

State Personnel Office (SPO)

### SUMMARY

#### Synopsis of Bill

Senate Bill 264 amends the Public Employee Bargaining Act (PEBA) to require that all public employee collective bargaining sessions at which the public employer and the exclusive union representative are present to be open public meetings at all times. SB 264 also amends PEBA to require reasonable notice of these meetings to be given by publication on the “appropriate state agency” website prior to meetings.

SB 264 continues to permit strategy meetings preliminary to agency-employee negotiations to be closed.

### FISCAL IMPLICATIONS

PELRB notes:

Under the provisions of SB 264, there will be an increased likelihood that the parties will need a neutral location to conduct bargaining session in order to avoid disruptive demonstrations by supporters of either side. Each local public body or state agency will incur costs associated with providing proper notice of, and holding a public meeting in a neutral location when the bargaining teams meet.

Additionally, if enactment of the provisions leads to more disruptive hearings (see discussion in *significant issues*), both parties to the negotiations may incur higher costs as negotiations take longer to conclude.

## **SIGNIFICANT ISSUES**

According to SPO:

- Different unions will likely attend each other's negotiations, in an attempt to negotiate the same contract provisions, and gain a negotiation advantage over the employer.
- Open sessions would likely discourage open and honest communication between the parties, making negotiations more formal, and likely less productive.
- Allowing the public to view bargaining would have a chilling effect to the parties, as the parties would likely be less willing to express their honest opinions with spectators viewing such negotiations.
- Open meetings could also lead to parties posturing and show-boating in front of general members to pressure the other negotiating party to agree to certain provisions, instead of engaging in productive discussions.

## **OTHER SUBSTANTIVE ISSUES**

SB 264 requires the publication of meeting dates on the website of the appropriate agency, though does not define appropriate agency leaving it unclear as to whether the agency participating in the negotiations should post notice, or if notice should be posted by another agency such as SPO or PELRB.

CJ/je