

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current and previously issued FIRs are available on the NM Legislative Website (www.nmlegis.gov) and may also be obtained from the LFC in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

SPONSOR Armstrong, G/Ramos **ORIGINAL DATE** 1/30/19
LAST UPDATED 2/28/19 **HB** 300/aHSEIC/aHF1#1

SHORT TITLE Rural Electric Co-op Proxy Voting & Quorums **SB** _____

ANALYST Martinez

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY19	FY20		
NFI	NFI	NFI	NFI

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Public Regulation Commission (PRC)

SUMMARY

Synopsis of HF1#1 Amendment

The House Floor Amendment #1 to House Bill 300, as amended, strikes the reference to proxy ballots in the title of the bill, consistent with the HSEIC amendment.

Synopsis of HSEIC Amendment

The House State Government, Elections and Indian Affairs Committee amendment to House Bill 300 strikes the reference to proxy ballots from the provision governing the establishment of a quorum at meetings of members of an electric cooperative, so only mail in ballots and members present may be considered.

Synopsis of Original Bill

House Bill 300 applies to the establishment of a quorum at meetings of members of rural electric cooperatives, normally called for the transaction of business. This bill does not change the existing requirement that 5 percent of all members present in person constitutes a quorum unless the bylaws prescribe a greater or lesser number for a quorum. However, this bill permits cooperative bylaws to allow for mail-in or proxy ballots to be considered in establishing a quorum. Such a quorum would only be to vote on a matter as stated in the notice and on the

ballots provided to members.

Section 2 (B) clarifies that a delegate who has voted by proxy or by mail on an issue or question shall not vote in person on the same issue in question.

FISCAL IMPLICATIONS

HB 300 carries no appropriation and will have no fiscal impact on the PRC.

SIGNIFICANT ISSUES

None for the PRC. This matter appears to be within the purview of the rural electric cooperatives.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The establishment of quorums for meetings of members of rural electric cooperatives will remain consistent with the existing statute which requires 5 percent of members be present unless the cooperative bylaws prescribe a different number.

JM/sb