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## FISCAL IMPACT REPORT

ORIGINAL DATE 2/20/15  
 LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_

SPONSOR Sharer

SHORT TITLE PRC Appointed By Governor, CA SJR 13

ANALYST Clark

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

	FY15	FY16	FY17	FY18	4 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>			\$15.2		\$15.2	Nonrecurring	General Fund (SOS Budget)
<b>Total</b>				(\$455.5)	(\$455.5)	Recurring	General Fund (PRC Budget)

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

Responses Received From  
 Public Regulation Commission (PRC)

### SUMMARY

#### Synopsis of Bill

Senate Joint Resolution 13 proposes amending the New Mexico constitution to change the Public Regulation Commission (PRC) from a five-member elected commission to a three-member commission appointed by the governor with the advice and consent of the Senate. The three members would initially be appointed from each of the state’s congressional districts; thereafter, the members would be appointed from districts as provided by law. No more than two commissioners may be from a single party. Commissioners shall be appointed for staggered four-year terms; initial appointments shall be two commissioners to serve two-year terms and one commissioner to serve a four-year term. Finally, the resolution removes the 2012 requirement for “increased” qualifications for commissioners.

### FISCAL IMPLICATIONS

Under Section 1-16-13 NMSA 1978 and the New Mexico constitution, the Secretary of State (SOS) is required to print samples of the text of each constitutional amendment, in both Spanish

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and English, in an amount equal to 10 percent of the registered voters in the state. SOS is also required to publish them once a week for four weeks preceding the election in newspapers in every county in the state. In 2014, SOS estimated the cost per constitutional amendment to be \$15,217. However, if the ballot size is greater than one page, front and back, it would increase the cost of conducting the general election. In addition to the cost of the ballot, there will be added time for processing voters to vote and would mean additional ballot printing systems would be required to avoid having lines at voting convenience centers. The fiscal impact is shown for FY17, because that will be the next general election.

There would also be a positive, recurring fiscal impact to PRC by reducing the number of commissioners and commissioner assistants from five of each to three of each. Based on the current operating budget, the agency's savings would be approximately \$456 thousand annually. However, this impact would not occur until the FY18 operating budget due to the timing requirements for a vote on the constitutional amendment and subsequent legislation enacting the provisions of the amendment.

### **SIGNIFICANT ISSUES**

PRC notes the joint resolution would not affect the agency's regulatory authority. Additionally, it is possible that with two fewer commissioners, the workload on other staff members might be reduced to some degree.

JC/bb