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FISCAL IMPACT REPORT

SPONSOR:	Hobbs	DATE TYPED:	05/05/99	HB	3
SHORT TITLE:	Post of Duty for PRC			SB	
				ANALYST:	Valenzuela

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY99	FY2000	FY99	FY2000		
(There are Fiscal Implications if this bill is <u>not</u> passed - see narrative)					

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to

SOURCES OF INFORMATION

LFC Files

SUMMARY

Synopsis of Bill

House Bill 3 adds a new subsection to the "Public Regulation Commission Act". The new subsection requires each commissioner to devote full time to the position, designates the "post of duty" for the elected commissioners as Santa Fe, New Mexico, and prohibits mileage and per diem reimbursement for travel from the commissioners home districts and Santa Fe.

Significant Issues

The Mileage and Per Diem Act clearly states a public officer can receive reimbursement for travel expenses from their "post of duty" to official meetings and business, as long as it is not regular and frequent travel. The "Public Regulation Commission Act" failed to define the "post of duty" for the commissioners. Consequently, in an effort to receive travel reimbursements to commission meetings in Santa Fe, the Public Regulation Commissioners voted to designate their "post of duty" as their home districts, which would have allowed them to file for travel reimbursements.

The legislative appropriation to the Public Regulation Commission, however, did not include funding for these travel expenses. In fact, the Legislature increased each commissioner's salaries to offset these potential increased costs of residing in Santa Fe.

FISCAL IMPLICATIONS

House Bill 3 does not contain an appropriation, however, if the bill is not enacted, Commissioners would be able to file for travel reimbursements. The estimated costs range from \$30.0 to \$50.0 a year,

dependent upon the number and duration of Commission meetings.

ADMINISTRATIVE IMPLICATIONS

The administrative impact of House Bill 3 is negligible.

POSSIBLE QUESTIONS

- What are the anticipated expenditures for Commissioner travel, if House Bill 3 is not enacted?
- The Attorney General (AG) recently issued an opinion on this issue. Please summarize the AG's findings.

MFV/gm