

Bipartisan Makeover of PRC

Voters started the job of overhauling the scandal-scarred Public Regulation Commission when they endorsed three constitutional changes in November. Now it's up to lawmakers to finish the work.

The Legislature in this 60-day session must flesh out the voter-approved restructuring of the powerful regulatory panel: setting qualifications for PRC members, transferring its corporate reporting unit to the secretary of state, and shifting insurance regulation to an independent superintendent.

"The rubber meets the road during the legislative session," said Rep. Tom Taylor, R-Farmington, the former GOP leader in the House who is co-sponsoring the three measures with newly elected House Speaker Ken Martinez, D-Grants.

The bills also have been introduced in the Senate, each with a different, bipartisan set of sponsors.

Think New Mexico, the independent think tank that promoted the reforms, calls the PRC – which was created in 1996 by combining two regulatory bodies – the "accidental agency." The PRC constitutional amendment slipped through the Legislature with minimal scrutiny and then squeaked past voters on a clogged general election ballot.

The result was the most powerful regulatory agency in the country – with oversight of utilities, telecommunications, insurance, transportation, pipelines, the fire marshal and more.

Its list of problems included two commissioners who had to resign because of felony convictions.

Despite support from voters for restructuring the agency, figuring out the details won't necessarily be easy.

The simplest change, on its face, is the bill shifting the corporate reporting unit to the Secretary of State's Office: It would require just technical changes in the corporations law. The thornier questions – how big the unit would be, exactly where it would be housed – could be handled in the state budget, or administratively.

The qualifications for commissioners, however, must be outlined in the law. Currently, they must only be 18, have lived in the state for a year, and not be convicted felons in order to hold the \$90,000-a-year positions.

"That one will require a considerable amount of discussion," Taylor said.

His bill would require the five PRC members to have at least a bachelor's degree in a relevant field or seven or more years of related professional experience. Sitting commissioners would be grandfathered.

An alternative version, introduced in the Senate, would require both a bachelor's degree and seven years of experience in a related field.

The third bill would establish an office of superintendent of insurance as an independent agency. As provided in the constitutional amendment, an "insurance nominating committee" would appoint the superintendent.

The House legislation would create a nine-member committee – four appointed by the Legislature, four by the governor and the ninth selected by the other eight – that would appoint the superintendent to a four-year term. But there's likely to be debate over that proposed structure.

Bipartisan Makeover of PRCLawmakers Take On Voter-Backed Task

regulatory overhaul

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