

PRC Members Split Over Proposed Agency Overhaul

SANTA FE — Members of the Public Regulation Commission are divided over proposals to overhaul the regulatory agency and impose more qualifications on candidates for the \$90,000-a-year job.

Commissioners Ben Hall and Theresa Becenti-Aguilar on Tuesday opposed an independent think tank's recommendations for streamlining the commission's duties and requiring certain educational or professional qualifications for members.

Hall said the proposed qualifications on PRC members aren't necessary and won't ensure that commissioners act with integrity.

Commission Chairman Pat Lyons and Commissioner Jason Marks support revamping the agency, which regulates utilities, telecommunications, insurance rates and motor carriers such as taxis, moving vans and ambulances.

A constitutional amendment approved by voters in 1996 established the PRC by merging two state regulators.

"I think it's time to change things here. This big mega-agency hasn't worked," Lyons, a former Republican state senator, said in an interview.

The proposals by Think New Mexico were part of a report released during the weekend. They came shortly after a second commissioner was forced out of office.

Jerome Block Jr. pleaded guilty last week to felony charges, including misuse of a state-issued credit card, and has agreed to resign as part of his plea agreement with the attorney general's office. Commissioner Carol Sloan was ousted last year after being convicted of attacking a woman who allegedly had an affair with her husband.

The think tank's report recommends commissioners have a minimum of a bachelor's degree from an accredited college or five years of professional experience in law, engineering, economics or accounting.

Currently, a PRC candidate needs only to be 18, a New Mexico resident for at least one year and have no felony convictions.

Hall pointed out there are no educational or professional qualifications for people to become governor or president.

"As far as keeping corruption out of any elected office, I don't know how you do it. A college education doesn't do it," said Hall.

Lyons said the proposed qualifications are necessary because of the complex regulatory questions that come before commissioners.

Fred Nathan, the think tank's executive director, said commissioners are similar to judges because they must balance evidence and evaluate laws in making decisions. But appellate and district court judges, unlike PRC members, must be lawyers.

"If you have a job like this in the private sector where you are making decisions involving tens of millions of dollars, I would rather doubt the only qualifications you would set for that is that you are 18, you have lived in the state for a year and you don't have a felony," Nathan said.

Becenti-Aguilar suggested that voters need to give greater scrutiny to PRC candidates.

"Be cautious. Look at their background. Learn more about the candidates that are running. That's the message that I would like to send to the people of New Mexico," she said at a news conference with Hall.

The report recommended creating a cabinet-level executive branch agency to handle insurance regulation and move some other PRC operations, such as the fire marshal's office and ambulance regulation, to other agencies. According to the report, the PRC should focus on setting rates and regulating service of electric,

water and natural gas utilities as well as telecommunications companies.

Overhauling the PRC duties will require a change in the state Constitution. The Legislature must approve a proposal, which voters would need to adopt.

By Barry Massey / The Associated Press
