

AN ACT
RELATING TO ELECTRIC GENERATION; PROVIDING FOR LOCAL
GOVERNING BODY CONSTRUCTION PERMITTING OF GAS-FIRED ELECTRIC
GENERATION FACILITIES; ENACTING A NEW SECTION OF THE AIR
QUALITY CONTROL ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the Air Quality Control Act is enacted to read:

"LOCAL GOVERNING BODY AUTHORITY-- CONSTRUCTION PERMITS--
-ELECTRIC GENERATION FACILITIES.--

A. A local governing body may receive a construction permit for a gas-fired electric generation facility with a one hundred megawatt or less generating capacity in accordance with the Air Quality Control Act and may transfer the permit to the owner or operator of a facility that meets the specifications of the permit.

B. A facility that receives a construction permit transferred from a local governing body shall notify the department within thirty days of receiving the transferred construction permit. The permit shall be effective for that facility when the department receives notification of the transfer. The local governing body that transfers the construction permit shall notify the owner or operator of the local electric distribution company and the public regulation

