

FORTY-FIFTH LEGISLATURE
SECOND SESSION, 2002

SB 3/a

February 5, 2002

Mr. President:

Your PUBLIC AFFAIRS COMMITTEE, to whom has been referred

SENATE BILL 3, as amended

has had it under consideration and reports same with recommendation that it DO PASS, amended as follows:

1. Strike Senate Corporations and Transportation Committee Amendment 4.

2. On page 4, between lines 19 and 20, insert the following new section:

"Section 2. Section 63-7-20 NMSA 1978 (being Laws 1951, Chapter 194, Section 1, as amended) is amended to read:

"63-7-20. UTILITY AND CARRIER INSPECTION--FEE. --

A. Each utility and carrier doing business in this state which is subject to the control and jurisdiction of the commission by virtue of the provisions of Article 11 of the constitution of New Mexico with respect to its rates and service shall pay annually to the commission a fee in performance of its duties as now provided by law.

B. Every cellular service company and wireless telecommunications company doing business in the state shall pay annually to the commission a fee in performance of its duties as now provided by law.

C. The fee for carriers shall not exceed one-fourth of one percent of its gross receipts from business transacted in New Mexico for the preceding calendar year. The fee for utilities, cellular service companies and wireless telecommunications companies shall not exceed one-half of one percent of its gross receipts from business transacted in New Mexico for the preceding

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calendar year. This sum shall be payable annually on or before January 20 or in equal quarterly installments on or before January 20, April 20, July 20 and October 20 in each year. No [similar] additional fee for the same purpose shall be imposed by the Public Regulation Commission upon the utility or carrier.

D. In the case of utilities or carriers engaged in interstate business, the fees shall be measured by the gross receipts of the utilities or carriers from intrastate business only for the preceding calendar year and not in any respect upon receipts derived wholly or in part from interstate business.

E. As used in this section, "utility" includes telephone companies and transmission companies. "".

3. On page 9, line 24, strike the closing quotation mark.

4. On page 9, between lines 24 and 25, insert the following new subsection:

"E. Nothing in this section shall limit the commission's authority, pursuant to the provisions of Section 63-9H-6 NMSA 1978, to require annual verification from a carrier, already designated by the commission as an eligible telecommunications carrier, that the carrier continues to meet the requirements for designation as an eligible telecommunications carrier. "".

5. Renumber the succeeding sections accordingly.

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Respectfully submitted,

Dede Feldman, Chairman

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 4 For 1 Against

Yes: 4

No: Feldman

Excused: Boitano, Komadina, Romero, Sanchez, B.

Absent: None

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