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SENATE BILL 231

46TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2004

INTRODUCED BY

Joseph A. Fidel

AN ACT

RELATING TO COUNTIES; AUTHORIZING COLLECTION OF REASONABLE  
FRANCHISE FEES AND OTHER COMPENSATION FROM PUBLIC UTILITIES AND  
TELECOMMUNICATIONS COMPANIES.

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

Section 1. Section 62-1-3 NMSA 1978 (being Laws 1909,  
Chapter 141, Section 3, as amended) is amended to read:

"62-1-3. USE OF HIGHWAYS AND STREETS--POWER OF COUNTY  
COMMISSIONERS.--The boards of county commissioners of the  
several counties are authorized to permit corporations  
organized pursuant to Section 62-1-1 NMSA 1978, public  
utilities under the Public Utility Act and companies that  
provide public telecommunications service pursuant to the New  
Mexico Telecommunications Act to use the public highways and  
the streets and alleys of unincorporated towns for their pipes,

underscored material = new  
[bracketed material] = delete

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1 poles, wires, cables, conduits, towers, transformer stations  
2 and other fixtures, appliances and structures; provided that  
3 such use shall not unnecessarily obstruct public travel; and  
4 provided further that the boards of county commissioners and  
5 municipal authorities of incorporated cities and towns are  
6 authorized to grant franchises not exceeding twenty-five years'  
7 duration to corporations for such purposes within their  
8 respective jurisdictions. A board of county commissioners is  
9 authorized to impose [~~charges for reasonable actual expenses~~  
10 ~~incurred in the granting of any franchise pursuant to this~~  
11 ~~section~~] and collect reasonable franchise fees and to require  
12 reasonable compensation for the use of the public highways and  
13 the streets and alleys of unincorporated towns. "

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