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FISCAL IMPACT REPORT

ORIGINAL DATE 02/24/09

SPONSOR Griego, P. LAST UPDATED _____ HB _____

SHORT TITLE Commercial Wind Facility Regulation Study SJM 45

ANALYST Baca

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY09	FY10		
	None		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY09	FY10	FY11	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
Total		\$0.1			Nonrecurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

SUMMARY

Synopsis of Bill

Senate Joint Memorial 45 requests the New Mexico Legislative Council appoint a task force to study the need for improved regulation of commercial wind facilities.

FISCAL IMPLICATIONS

SJM 45 contains no appropriation. However, cost could be incurred to cover expenses for non-public sector members who serve on the task force.

SIGNIFICANT ISSUES

legislative council be requested to form a task force for the 2009 interim to study the need for improved regulation of commercial wind facilities in New Mexico; and BE IT FURTHER

RESOLVED that at least six public members be appointed to the task force and that they represent communities and interests that have been affected by the siting of commercial wind facilities in the state.

ADMINISTRATIVE IMPLICATIONS

SJM 45 requests the Legislative Council form a task force for the 2009 interim to study the need for improved regulation of commercial wind facilities in New Mexico; and further requests that that at least six public members be appointed to the task force and that they represent communities and interests that have been affected by the sitting of commercial wind facilities in the state.

OTHER SUBSTANTIVE ISSUES

Reasons for SJM 45 cited in the bill are the following:

- utility-scale wind-powered electric generation facilities are almost completely unregulated; and the total environmental impact and ultimate viability of proposed utility-scale wind facilities should be taken into consideration to determine if they are truly responsible renewables; and
- the siting of the current or planned industrial- scale wind facilities does not fall under public regulation commission review; and the protection of public health through safety standards, including setback standards from homes and noise limit standards that include hazardous low-frequency noise, should be considered; and
- protection of the environment, including scenery, historic sites and wildlife corridors, as well as night skies, should be taken into account; and
- a code of ethics for the wind power industry that guarantees procedural transparency to residents and provides for oversight of the industry is necessary;

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

A study may not be conducted.

LRB/svb