

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

HOUSE BILL 610

42ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1996

INTRODUCED BY

JAMES G. TAYLOR

AN ACT

RELATING TO COUNTIES; PROVIDING FOR PUBLIC UTILITIES IN CERTAIN CLASS A COUNTIES; AMENDING AND ENACTING CERTAIN SECTIONS OF THE NMSA 1978; DECLARING AN EMERGENCY.

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

Section 1. A new Section 4-36-10 NMSA 1978 is enacted to read:

"4-36-10. [NEW MATERIAL] CLASS A COUNTY--SEWER AND WATER UTILITY--OPERATION AUTHORIZATION. --

A. A class A county having a population of more than four hundred eighty thousand but less than six hundred thousand according to the last federal decennial census, and having a net taxable value for rate setting purposes for the 1994 property tax year of more than six billion one hundred million dollars (\$6,100,000,000) but less than seven billion dollars

Underscored material = new  
[bracketed material] = delete

Underscored material = new  
[bracketed material] = delete

1 (\$7,000,000,000) may establish, purchase, own and operate sewer  
2 and water utilities and sell water and sewer utility service.

3 B. In the operation of a sewer or water utility, the  
4 county shall set just and reasonable rates based on its cost of  
5 service. "

6 Section 2. Section 4-62-1 NMSA 1978 (being Laws 1992,  
7 Chapter 95, Section 1, as amended) is amended to read:

8 "4-62-1. REVENUE BONDS--AUTHORITY TO ISSUE--PLEDGE OF  
9 REVENUES--LIMITATION ON TIME OF ISSUANCE.--

10 A. In addition to any other law authorizing a county  
11 to issue revenue bonds, a county may issue revenue bonds  
12 pursuant to Chapter 4, Article 62 NMSA 1978 for the purposes  
13 specified in this section. The term "pledged revenues", as used  
14 in Chapter 4, Article 62 NMSA 1978, means the revenues, net  
15 income or net revenues authorized to be pledged to the payment  
16 of particular revenue bonds as specifically provided in  
17 Subsections B through I of this section.

18 B. Gross receipts tax revenue bonds may be issued  
19 for any one or more of the following purposes:

20 (1) constructing, purchasing, furnishing,  
21 equipping, rehabilitating, making additions to or making  
22 improvements to one or more public buildings or purchasing or  
23 improving any ground relating thereto, including but not  
24 necessarily limited to acquiring and improving parking lots, or  
25 any combination of the foregoing;

. 110431. 1

Underscored material = new  
[bracketed material] = delete

1 (2) acquiring or improving county or public  
2 parking lots, structures or facilities or any combination of the  
3 foregoing;

4 (3) purchasing, acquiring or rehabilitating  
5 firefighting equipment or any combination of the foregoing;

6 (4) acquiring, extending, enlarging, bettering,  
7 repairing, otherwise improving or maintaining storm sewers and  
8 other drainage improvements, sanitary sewers, sewage treatment  
9 plants or water utilities, including but not limited to the  
10 acquisition of rights of way and water and water rights, or any  
11 combination of the foregoing;

12 (5) reconstructing, resurfacing, maintaining,  
13 repairing or otherwise improving existing alleys, streets, roads  
14 or bridges or any combination of the foregoing or laying off,  
15 opening, constructing or otherwise acquiring new alleys,  
16 streets, roads or bridges or any combination of the foregoing;  
17 provided that any of the foregoing improvements may include but  
18 are not limited to the acquisition of rights of way;

19 (6) purchasing, acquiring, constructing, making  
20 additions to, enlarging, bettering, extending or equipping any  
21 airport facilities or any combination of the foregoing,  
22 including without limitation the acquisition of land, easements  
23 or rights of way;

24 (7) purchasing or otherwise acquiring or  
25 clearing land or purchasing, otherwise acquiring and beautifying

. 110431. 1

Underscored material = new  
[bracketed material] = delete

1 land for open space;

2 (8) acquiring, constructing, purchasing,  
3 equipping, furnishing, making additions to, renovating,  
4 rehabilitating, beautifying or otherwise improving public parks,  
5 public recreational buildings or other public recreational  
6 facilities or any combination of the foregoing; or

7 (9) acquiring, constructing, extending,  
8 enlarging, bettering, repairing or otherwise improving or  
9 maintaining solid waste disposal equipment, equipment for  
10 operation and maintenance of sanitary landfills, sanitary  
11 landfills, solid waste facilities or any combination of the  
12 foregoing.

13 A county may pledge irrevocably any or all of the revenue  
14 from the first one-eighth of one percent increment of the county  
15 gross receipts tax for payment of principal and interest due in  
16 connection with, and other expenses related to, gross receipts  
17 tax revenue bonds for any of the purposes authorized in this  
18 section or specific purposes or for any area of county  
19 government services. If the county gross receipts tax revenue  
20 from the first one-eighth of one percent increment of the county  
21 gross receipts tax is pledged for payment of principal and  
22 interest as authorized by this subsection, the pledge shall  
23 require the revenues received from that increment of the county  
24 gross receipts tax to be deposited into a special bond fund for  
25 payment of the principal, interest and expenses. At the end of

. 110431. 1

Underscored material = new  
[bracketed material] = delete

1 each fiscal year, any money remaining in the special bond fund  
2 after the annual obligations for the bonds are fully met may be  
3 transferred to any other fund of the county.

4 C. Fire protection revenue bonds may be issued for  
5 acquiring, extending, enlarging, bettering, repairing,  
6 improving, constructing, purchasing, furnishing, equipping or  
7 rehabilitating any independent fire district project or  
8 facilities, including, where applicable, purchasing, otherwise  
9 acquiring or improving the ground for the project or any  
10 combination of such purposes. A county may pledge irrevocably  
11 any or all of the county fire protection excise tax revenue for  
12 payment of principal and interest due in connection with, and  
13 other expenses related to, fire protection revenue bonds. These  
14 bonds may be referred to in Chapter 4, Article 62 NMSA 1978 as  
15 "fire protection revenue bonds".

16 D. Environmental revenue bonds may be issued for the  
17 acquisition and construction of solid waste facilities, water  
18 facilities, wastewater facilities, sewer systems and related  
19 facilities. A county may pledge irrevocably any or all of the  
20 county environmental services gross receipts tax revenue for  
21 payment of principal and interest due in connection with, and  
22 other expenses related to, environmental revenue bonds. These  
23 bonds may be referred to in Chapter 4, Article 62 NMSA 1978 as  
24 "environmental revenue bonds".

25 E. Gasoline tax revenue bonds may be issued for the

Underscored material = new  
[bracketed material] = delete

1 acquisition of rights of way for and the construction,  
2 reconstruction, resurfacing, maintenance, repair or other  
3 improvement of county roads and bridges. A county may pledge  
4 irrevocably any or all of the county gasoline tax revenue for  
5 payment of principal and interest due in connection with, and  
6 other expenses related to, county gasoline tax revenue bonds.  
7 These bonds may be referred to in Chapter 4, Article 62 NMSA  
8 1978 as "gasoline tax revenue bonds".

9 F. Utility revenue bonds or joint utility revenue  
10 bonds may be issued for acquiring, extending, enlarging,  
11 bettering, repairing or otherwise improving water facilities,  
12 sewer facilities, gas facilities or electric facilities or for  
13 any combination of the foregoing purposes. A county may pledge  
14 irrevocably any or all of the net revenues from the operation of  
15 the utility or joint utility for which the particular utility or  
16 joint utility bonds are issued to the payment of principal and  
17 interest due in connection with, and other expenses related to,  
18 utility or joint utility revenue bonds. These bonds may be  
19 referred to in Chapter 4, Article 62 NMSA 1978 as "utility  
20 revenue bonds" or "joint utility revenue bonds".

21 G. Project revenue bonds may be issued for  
22 acquiring, extending, enlarging, bettering, repairing,  
23 improving, constructing, purchasing, furnishing, equipping or  
24 rehabilitating any revenue-producing project, including, as  
25 applicable, purchasing, otherwise acquiring or improving the

Underscored material = new  
[bracketed material] = delete

1 ground therefor and including but not limited to acquiring and  
2 improving parking lots, or may be issued for any combination of  
3 the foregoing purposes. The county may pledge irrevocably any  
4 or all of the net revenues from the operation of the  
5 revenue-producing project for which the particular project  
6 revenue bonds are issued to the payment of the interest on and  
7 principal of the project revenue bonds. The net revenues of any  
8 revenue-producing project may not be pledged to the project  
9 revenue bonds issued for any other revenue-producing project  
10 that is clearly unrelated in nature; but nothing in this  
11 subsection prevents the pledge to any of the project revenue  
12 bonds of any revenues received from any existing, future or  
13 disconnected facilities and equipment that are related to and  
14 that may constitute a part of the particular revenue-producing  
15 project. Any general determination by the governing body that  
16 any facilities or equipment are reasonably related to and shall  
17 constitute a part of a specified revenue-producing project shall  
18 be conclusive if set forth in the proceedings authorizing the  
19 project revenue bonds. As used in Chapter 4, Article 62 NMSA  
20 1978:

21 (1) "project revenue bonds" means the bonds  
22 authorized in this subsection; and

23 (2) "project revenues" means the net revenues  
24 of revenue-producing projects that may be pledged to project  
25 revenue bonds pursuant to this subsection.

. 110431. 1

Underscored material = new  
[bracketed material] = delete

1           H. Fire district revenue bonds may be issued for  
2 acquiring, extending, enlarging, bettering, repairing,  
3 improving, constructing, purchasing, furnishing, equipping and  
4 rehabilitating any fire district project, including, where  
5 applicable, purchasing, otherwise acquiring or improving the  
6 ground therefor, or for any combination of the foregoing  
7 purposes. The county may pledge irrevocably any or all of the  
8 revenues received by the fire district from the fire protection  
9 fund as provided in Sections 59A-53-1 through 59A-53-17 NMSA  
10 1978 and any or all of the revenues provided for the operation  
11 of the fire district project for which the particular bonds are  
12 issued to the payment of the interest on and principal of such  
13 bonds. The revenues of any fire district project shall not be  
14 pledged to the bonds issued for any fire district project that  
15 clearly is unrelated in its purpose; but nothing in this section  
16 shall prevent the pledge to any of such bonds of any such  
17 revenues received from any existing, future or of disconnected  
18 facilities and equipment that are related to and that may  
19 constitute a part of the particular fire district project. Any  
20 general determination by the governing body of the county that  
21 any facilities or equipment are reasonably related to and shall  
22 constitute a part of a specified fire district project shall be  
23 conclusive if set forth in the proceedings authorizing such fire  
24 district bonds.

25           I. Law enforcement protection revenue bonds may be



Underscored material = new  
[bracketed material] = delete

1 issued for the repair and purchase of law enforcement apparatus  
2 and equipment that meet nationally recognized standards. The  
3 county may pledge irrevocably any or all of the revenues  
4 received by the county from the law enforcement protection fund  
5 distributions pursuant to Sections 29-13-1 through 29-13-9 NMSA  
6 1978, to the payment of the interest on and principal of the law  
7 enforcement protection revenue bonds.

8 J. Except for the purpose of refunding previous  
9 revenue bond issues, no county may sell revenue bonds payable  
10 from pledged revenue after the expiration of two years from the  
11 date of the ordinance authorizing the issuance of the bonds or,  
12 for bonds to be issued and sold to the New Mexico finance  
13 authority as authorized in Subsection C of Section 4-62-4 NMSA  
14 1978, after the expiration of two years from the date of the  
15 resolution authorizing the issuance of the bonds. However, any  
16 period of time during which a particular revenue bond issue is  
17 in litigation shall not be counted in determining the expiration  
18 date of that issue.

19 K. No bonds may be issued by a county, other than an  
20 H class county [~~or~~], a class B county as defined in Section  
21 4-36-8 NMSA 1978 or a class A county as described in Section  
22 4-36-10 NMSA 1978, to acquire, equip, extend, enlarge, better,  
23 repair or construct any utility unless the utility is regulated  
24 by the New Mexico public utility commission pursuant to the  
25 Public Utility Act and the issuance of the bonds is approved by

Underscored material = new  
[bracketed material] = delete

1 the commission. For purposes of Chapter 4, Article 62 NMSA  
2 1978, a "utility" includes but is not limited to any water,  
3 wastewater, sewer, gas or electric utility or joint utility  
4 serving the public. H class counties shall obtain New Mexico  
5 public utility commission approvals required by Section 3-23-3  
6 NMSA 1978.

7 L. Any law that imposes or authorizes the imposition  
8 of a county gross receipts tax, a county environmental services  
9 gross receipts tax, a county fire protection excise tax or the  
10 gasoline tax, or that affects any of those taxes, shall not be  
11 repealed or amended in such a manner as to impair any  
12 outstanding revenue bonds that are issued pursuant to Chapter 4,  
13 Article 62 NMSA 1978 and that may be secured by a pledge of  
14 those taxes unless the outstanding revenue bonds have been  
15 discharged in full or provision has been fully made therefor.

16 M As used in this section:

17 (1) "county environmental services gross  
18 receipts tax revenue" means the revenue from the county  
19 environmental services gross receipts tax transferred to the  
20 county pursuant to Section 7-1-6.13 NMSA 1978;

21 (2) "county fire protection excise tax revenue"  
22 means the revenue from the county fire protection excise tax  
23 transferred to the county pursuant to Section 7-1-6.13 NMSA  
24 1978;

25 (3) "county gross receipts tax revenue" means

Underscored material = new  
[bracketed material] = delete

1 the revenue attributable to the first one-eighth of one percent  
2 increment of the county gross receipts tax transferred to the  
3 county pursuant to Section 7-1-6.13 NMSA 1978 and any  
4 distribution related to the first one-eighth of one percent made  
5 pursuant to Section 7-1-6.16 NMSA 1978;

6 (4) "gasoline tax revenue" means the revenue  
7 from that portion of the gasoline tax distributed to the county  
8 pursuant to Sections 7-1-6.9 and 7-1-6.26 NMSA 1978; and

9 (5) "public building" includes but is not  
10 limited to fire stations, police buildings, jails, libraries,  
11 museums, auditoriums, convention halls, hospitals, buildings for  
12 administrative offices, courthouses and garages for housing,  
13 repairing and maintaining county vehicles and equipment.

14 N. As used in Chapter 4, Article 62 NMSA 1978, the  
15 term "bond" means any obligation of a county issued under  
16 Chapter 4, Article 62 NMSA 1978, whether designated as a bond,  
17 note, loan, warrant, debenture, lease-purchase agreement or  
18 other instrument evidencing an obligation of a county to make  
19 payments. "

20 Section 3. Section 62-3-3 NMSA 1978 (being Laws 1967,  
21 Chapter 96, Section 3, as amended by Laws 1993, Chapter 282,  
22 Section 21 and by Laws 1993, Chapter 308, Section 3 and also by  
23 Laws 1993, Chapter 351, Section 2) is amended to read:

24 "62-3-3. DEFINITIONS, WORDS AND PHRASES. -- Unless otherwise  
25 specified, when used in the Public Utility Act [~~as amended~~]:

Underscored material = new  
[bracketed material] = delete

1           A. "affiliated interest" means a person who directly  
2 or indirectly, through one or more intermediaries, controls or  
3 is controlled by or is under common control with a public  
4 utility. Control includes instances where a person is an  
5 officer, director, partner, trustee or person of similar status  
6 or function or who owns directly or indirectly or has a  
7 beneficial interest in ten percent or more of any class of  
8 securities of a person;

9           B. "commission" means the New Mexico public  
10 [~~service~~] utility commission;

11           C. "commissioners" means any member of the  
12 commission;

13           D. "municipality" means any municipal corporation  
14 organized under the laws of the state, class A counties as  
15 described in Section 4-36-10 NMSA 1978 and H class counties;

16           E. "person" means individuals, firms, partnerships,  
17 companies, rural electric cooperatives organized under Laws  
18 1937, Chapter 100 or the Rural Electric Cooperative Act, as  
19 amended, corporations and lessees, trustees or receivers  
20 appointed by any court. It shall not mean any municipality as  
21 defined in this section unless the municipality has elected to  
22 come within the terms of the Public Utility Act [~~as amended~~] as  
23 provided in Section 62-6-5 NMSA 1978. In the absence of such  
24 voluntary election by any municipality to come within the  
25 provisions of the Public Utility Act [~~as amended~~], the

Underscored material = new  
[bracketed material] = delete

1 municipality shall be expressly excluded from the operation of  
2 that act and from the operation of all of its provisions, and no  
3 such municipality shall for any purpose be considered a public  
4 utility;

5 F. "securities" means stock, stock certificates,  
6 bonds, notes, debentures, mortgages or deeds of trust or other  
7 evidences of indebtedness issued, executed or assumed by any  
8 utility;

9 G. "public utility" or "utility" means every person  
10 not engaged solely in interstate business and, except as stated  
11 in Sections 62-3-4 and 62-3-4.1 NMSA 1978, that now does or  
12 hereafter may own, operate, lease or control:

13 (1) any plant, property or facility for the  
14 generation, transmission or distribution, sale or furnishing to  
15 or for the public of electricity for light, heat or power or  
16 other uses;

17 (2) any plant, property or facility for the  
18 manufacture, storage, distribution, sale or furnishing to or for  
19 the public of natural or manufactured gas or mixed or liquefied  
20 petroleum gas, for light, heat or power or for other uses; but  
21 the term "public utility" or "utility" shall not include any  
22 plant, property or facility used for or in connection with the  
23 business of the manufacture, storage, distribution, sale or  
24 furnishing of liquefied petroleum gas in enclosed containers or  
25 tank truck for use by others than consumers who receive their

Underscored material = new  
[bracketed material] = delete

1 supply through any pipeline system operating under municipal  
2 authority or franchise, and distributing to the public;

3 (3) any plant, property or facility for the  
4 supplying, storage, distribution or furnishing to or for the  
5 public of water for manufacturing, municipal, domestic or other  
6 uses; provided, however, nothing contained in this paragraph  
7 shall be construed to apply to irrigation systems, the chief or  
8 principal business of which is to supply water for the purpose  
9 of irrigation;

10 (4) any plant, property or facility for the  
11 production, transmission, conveyance, delivery or furnishing to  
12 or for the public of steam for heat or power or other uses; or

13 (5) any plant, property or facility for the  
14 supplying and furnishing to or for the public of sanitary sewers  
15 for transmission and disposal of sewage produced by  
16 manufacturing, municipal, domestic or other uses;  
17 provided that the terms "public utility" or "utility" as used in  
18 the Public Utility Act do not include any utility owned or  
19 operated by any class A county as described in Section 4-36-10  
20 NMSA 1978 either directly or through a corporation owned by or  
21 under contract with such a county;

22 H. "rate" means every rate, tariff, charge or other  
23 compensation for utility service rendered or to be rendered by  
24 any utility and every rule, regulation, practice, act,  
25 requirement or privilege in any way relating to such rate,

1 tariff, charge or other compensation and any schedule or tariff  
2 or part of a schedule or tariff thereof;

3 I. "service" or "service regulation" means every  
4 rule, regulation, practice, act or requirement in any way  
5 relating to the service or facility of a utility;

6 J. "Class I transaction" means the sale, lease or  
7 provision of real property, water rights or other goods or  
8 services by an affiliated interest to any public utility with  
9 which it is affiliated or by a public utility to its affiliated  
10 interest;

11 K. "Class II transaction" means:

12 (1) the formation after [~~the effective date of~~  
13 ~~this 1982 act~~] May 19, 1982 of a corporate subsidiary by a  
14 public utility or a public utility holding company by a public  
15 utility or its affiliated interest;

16 (2) the direct acquisition of the voting  
17 securities or other direct ownership interests of a person by a  
18 public utility if such acquisition would make the  
19 utility the owner of ten percent or more of the voting  
20 securities or other direct ownership interests of that person;

21 (3) the agreement by a public utility to  
22 purchase securities or other ownership interest of a person  
23 other than a nonprofit corporation, contribute additional equity  
24 to, acquire additional equity interest in or pay or guarantee  
25 any bonds, notes, debentures, deeds of trust or other evidence

Underscored material = new  
[bracketed material] = delete

1 of indebtedness of any such person; provided, however, that a  
2 public utility may honor all agreements entered into by such  
3 utility prior to [~~the effective date of this 1982 act~~] May 19,  
4 1982; or

5 (4) the divestiture by a public utility of any  
6 affiliated interest [~~which~~] that is a corporate subsidiary of  
7 the public utility;

8 L. "corporate subsidiary" means any person ten  
9 percent or more of whose voting securities or other ownership  
10 interests are directly owned by a public utility; and

11 M "public utility holding company" means an  
12 affiliated interest [~~which~~] that controls a public utility  
13 through the direct or indirect ownership of voting securities of  
14 such public utility. "

15 Section 4. Section 62-6-4 NMSA 1978 (being Laws 1941,  
16 Chapter 84, Section 17, as amended) is amended to read:

17 "62-6-4. SUPERVISION AND REGULATION OF UTILITIES. --

18 A. The commission shall have general and exclusive  
19 power and jurisdiction to regulate and supervise every public  
20 utility in respect to its rates and service regulations and in  
21 respect to its securities, all in accordance with the provisions  
22 and subject to the reservations of the Public Utility Act, and  
23 to do all things necessary and convenient in the exercise of its  
24 power and jurisdiction. Nothing in this section, however, shall  
25 be deemed to confer upon the commission power or jurisdiction to



Underscored material = new  
[bracketed material] = delete

1 regulate or supervise the rates or service of any utility owned  
2 and operated by any municipal corporation either directly or  
3 through a municipally owned corporation or owned and operated by  
4 any H class county, ~~[or]~~ by a class B county as defined in  
5 Section 4-36-8 NMSA 1978 or by a class A county as described by  
6 Section 4-36-10 NMSA 1978 either directly or through a  
7 corporation owned by or under contract with an H class county,  
8 ~~[or]~~ by a class B county as defined in Section 4-36-8 NMSA 1978  
9 or by a class A county as described by Section 4-36-10 NMSA  
10 1978. No inspection or supervision fees shall be paid by such  
11 municipalities or municipally owned corporations, ~~[or]~~ a class B  
12 county as defined in Section 4-36-8 NMSA 1978, a class A county  
13 as described by Section 4-36-10 NMSA 1978 or H class counties or  
14 such corporation owned by or under contract with a class B  
15 county as defined in Section 4-36-8 NMSA 1978, a class A county  
16 as described by Section 4-36-10 NMSA 1978 or an H class county  
17 with respect to operations conducted in a class B county as  
18 defined in Section 4-36-8 NMSA 1978, in a class A county as  
19 described by Section 4-36-10 NMSA 1978 or in H class counties.

20 B. The sale, furnishing or delivery of gas, water or  
21 electricity by any person to a utility for resale to or for the  
22 public shall be subject to regulation by the commission but only  
23 to the extent necessary to enable the commission to determine  
24 that the cost to the utility of the gas, water or electricity at  
25 the place where the major distribution to the public begins is

Underscored material = new  
[bracketed material] = delete

1 reasonable and that the methods of delivery of the gas, water or  
2 electricity are adequate; provided, however, that nothing in  
3 this subsection shall be construed to permit regulation by the  
4 commission of production or sale price at the wellhead of gas or  
5 petroleum, except regulation of abandonment pursuant to Section  
6 62-7-8 NMSA 1978.

7 C. The sale, furnishing or delivery of coal, uranium  
8 or other fuels by any affiliated interest to a utility for the  
9 generation of electricity for the public shall be subject to  
10 regulation by the commission but only to the extent necessary to  
11 enable the commission to determine that the cost to the utility  
12 of the coal, uranium or other fuels at the point of sale is  
13 reasonable and that the methods of delivery of the electricity  
14 are adequate; provided, however, that nothing in this subsection  
15 shall be construed to permit regulation by the commission of  
16 production or sale price at the wellhead of gas or petroleum,  
17 except regulation of abandonment pursuant to Section 62-7-8 NMSA  
18 1978. Nothing in this section shall be construed to permit  
19 regulation by the commission of production or sale price at the  
20 point of production of coal, uranium or other fuels. "

21 Section 5. EMERGENCY. --It is necessary for the public  
22 peace, health and safety that this act take effect immediately.

# **State of New Mexico House of Representatives**

**FORTY- SECOND LEGISLATURE**

**SECOND SESSION, 1996**

**February 2, 1996**

**Mr. Speaker:**

**Your RULES AND ORDER OF BUSINESS COMMITTEE, to  
whom has been referred**

**HOUSE BILL 610**

**has had it under consideration and finds same to be  
GERMANE in accordance with constitutional provisions.**

**Respectfully submitted,**

---

**Barbara A. Perea Casey,**

**Chairperson**

Underscored material = new  
~~[bracketed material] = delete~~

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Adopted \_\_\_\_\_

Not Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

1

2

Date \_\_\_\_\_

3

4 The roll call vote was 6 For 2 Against

5 Yes: 6

6 No: Gubbels, Casey

7 Excused: Nicely, Olguin, Pederson, Picraux, Rodella,

8 J. G. Taylor, Wallach

9 Absent: None

10

11 H0610RC1

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Underscored material = new  
~~[bracketed material] = delete~~

# **State of New Mexico House of Representatives**

FORTY- SECOND LEGISLATURE

SECOND SESSION, 1996

February 5, 1996

Mr. Speaker:

Your APPROPRIATIONS AND FINANCE COMMITTEE, to  
whom has been referred

HOUSE BILL 610

has had it under consideration and reports same with  
recommendation that it DO PASS.

Respectfully submitted,

---

Max Coll, Chairman

Underscored material = new  
[bracketed material] = delete

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

FORTY-SECOND LEGISLATURE  
SECOND SESSION, 1996

HB610

Page 22

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 12 For 2 Against

Yes: 12

No: Buffett, Reyes

Excused: Bird, Gentry, Townsend, Varela

Absent: none

H0610AF1

Underscored material = new  
~~[bracketed material] = delete~~

FORTY-SECOND LEGISLATURE

SECOND SESSION

February 8, 1996

HOUSE FLOOR AMENDMENT number \_\_\_\_\_ to HOUSE BILL 610

Amendment sponsored by Representative \_\_\_\_\_

1. On page 1, strike lines 21 through 25 and on page 2, line 1, strike "\$7,000,000,000" and insert in lieu thereof:

"one hundred thirty-five thousand but less than four hundred eighty-one thousand according to the last federal decennial census, and having a 1993 net taxable value of property, as that term is defined in the Property Tax Code, of at least one billion one hundred thirty-one million dollars (\$1,131,000,000) but not more than five billion two hundred million dollars (\$5,200,000,000)".

Underscored material = new  
[bracketed material] = delete

FORTY-FIRST LEGISLATURE  
SECOND SESSION

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

HB 610

Page 24

---

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

Underscored material = new  
~~[bracketed material] = delete~~

.11 919.1



FORTY-SECOND LEGISLATURE

SECOND SESSION

February 7, 1996

HOUSE FLOOR AMENDMENT number \_\_\_\_\_ to HOUSE BILL 610

Amendment sponsored by Representative \_\_\_\_\_

1. On page 12, lines 14 and 15, strike "class A counties as described in Section 4-36-10 NMSA 1978".

2. On page 12, line 20, after the period insert:

"It shall not mean any class A county as described by Section 4-36-10 NMSA 1978 or any class B county as described by Section 4-36-8 NMSA 1978. ".

\_\_\_\_\_

Underscored material = new  
[bracketed material] = delete

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

FORTY-FIRST LEGISLATURE  
SECOND SESSION

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

HB 610

Page 26

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

Underscored material = new  
~~[bracketed material] = delete~~

.11 912.1

FORTY-FIRST LEGISLATURE  
SECOND SESSION

1 HB 610

Page 27

2

3

4 FORTY- SECOND LEGI SLATURE  
5 SECOND SESSI ON, 1996

6

7

February 10, 1996

8

9

Mr. President:

10

Your CONSERVATION COMMI TTEE, to whom has been referred

11

12 HOUSE BILL 610, as amended

13

14

15 has had it under consideration and reports same with recommendation that  
16 it DO PASS.

17

18 Respectfully submitted,

19

20

21 \_\_\_\_\_  
TOM R. BENAVIDES, Chair man

22

23

24

25

Adopted \_\_\_\_\_  
(Chi ef Clerk)

Not Adopted \_\_\_\_\_  
(Chi ef Clerk)

Underscored material = new  
[bracketed material] = delete

FORTY-FIRST LEGISLATURE  
SECOND SESSION

1 HB 610

2

3

Date \_\_\_\_\_

4

5

The roll call vote was 6 For 0 Against

6

Yes: 6

7

No: 0

8

Excused: Tsosie, Vernon, Wray

9

Absent: 0

10

11

H0610C01

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Underscored material = new  
[bracketed material] = delete