1	SENATE BILL 772
2	44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999
3	INTRODUCED BY
4	Michael S. Sanchez
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10	AN ACT
11	RELATING TO THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE.
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13	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:
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	1	FORTY- FOURTH LEGISLATURE
	2	FIRST SESSION, 1999
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	6	March 10, 1999
	7	Mr. President:
	8	Mr. President:
	9	Vour TUDICIARY COMMITTEE to whom has been referred
	10	Your JUDICIARY COMMITTEE, to whom has been referred
	11	SENATE BILL 772
	12	SENALE BILL //2
	13	has had it under association and reports some with
	14	has had it under consideration and reports same with
	15	recommendation that it DO NOT PASS, but that
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		SENATE JUDICIARY COMMITTEE SUBSTITUTE FOR
ă T	18 18 19	SENATE BILL 772
ial .		
underscored material	20 21	DO PASS, and further recommends that it now be referred to the
ed n	22	COMMITTEES' COMMITTEE.
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dera	24	Respectfully submitted,
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		. 127638. 1
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1			Michael S. Sau	nchez, Chairnan
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B			X	
	Adopted_		NOT Adopted	
5		(Chief Clerk)		(Chief Clerk)
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5		Data		
,		Date		
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	The roll	call vote was <u>5</u> F	or 1 Against	
2	Yes:		<u> </u>	
;	No:			
ŀ	Excused:	Aragon, Tsosie		
, ,	Absent:	None		
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	SENATE JUDICIARY COMMITTEE SUBSTITUTE FOR		
1	SENATE BILL 772		
2	44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999		
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10	AN ACT		
11	RELATING TO THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE;		
12	ESTABLISHING A SYSTEM BENEFITS CHARGE ON RETAIL ELECTRIC		
13	SALES; CREATING A FUND; MAKING AN APPROPRIATION; ENACTING A		
14	SECTION OF THE NMSA 1978.		
15			
16	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:		
17	Section 1. A new section of the Public Utility Act is		
18	enacted to read:		
19	"[<u>NEW MATERIAL</u>] SYSTEM BENEFITS CHARGERECOVERY		
20	COLLECTIONELECTRIC INDUSTRY SYSTEM BENEFITS FUND CREATED		
21	SUPPORT FOR ADMINISTRATION, CUSTOMER INFORMATION, LOW-INCOME		
22	CUSTOMERS AND RENEWABLE TECHNOLOGY		
23	A. Beginning January 1, 2001, a "system benefits		
24	charge" in the amount of three-hundredths of one cent (\$.0003)		
25	per kilowatt-hour is created and imposed on all retail		
	. 128893. 1		
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B. Wires charges assessed on a per kilowatt-hour
basis for the system benefits charge shall be paid by each
customer to the public utility, the distribution cooperative
utility or the municipal utility providing the service.
Revenues collected as the system benefits charge shall be paid
to the electric industry system benefits fund and distributed
in accordance with the provisions of Subsections E and F of
this section.

C. The "electric industry system benefits fund" is created and consists of money collected as a wires charge assessed on a three-hundredths-of-one-cent (\$.0003) per kilowatt-hour basis as the system benefits charge collected monthly and paid quarterly to the department of environment. No other money shall be deposited or paid in the electric industry system benefits fund. Interest or other earnings from investment or deposit of the fund shall be credited to the fund. Any unexpended or unencumbered balance remaining in the fund at the end of any fiscal year shall be transferred to the general fund.

D. Money in the electric industry system benefits fund is appropriated to the department of environment solely .128893.1

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for the purpose of disbursing money to authorized recipients for authorized purposes as described in Subsection F of this section. Disbursements from the fund shall be made upon certification by the secretary of environment that the disbursement is for a payment authorized by Subsection F of this section.

E. The department of environment shall promulgate rules establishing the application procedure and required qualifications of projects, including a person or business that may attempt to participate, contract or join with an authorized recipient in applying for a disbursement from the fund. The department may periodically accept applications for disbursement from the fund and shall prioritize the acceptable applications considering:

(1) the contribution the project offers to the knowledge of and potential commercialization of the renewable energy;

(2) the geographic area of the state in which the project is to be conducted in relation to other projects;

(3) the cost of the project and the relative contribution of the disbursement sought from the fund to the total cost of the project; and

(4) in the case of a project of a school district, the number and involvement of students in the project.

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SJC/SB 772

4 (1) no more than one hundred thousand dollars 5 (\$100,000) annually to the department for administration of 6 the fund; 7 five hundred thousand dollars (\$500,000) (2)8 annually to the public regulation commission for consumer 9 education and information relating to any competitive choices 10 available to consumers of electric service; 11 (3)no less than five hundred thousand dollars 12 (\$500,000) annually for low-income energy assistance through 13 the federal low-income housing energy assistance project to be 14 expended for that project's weatherization program 15 administered by the New Mexico mortgage finance authority or 16 for other low-income energy assistance authorized and 17 administered by the state; and 18 (4) no more than four million dollars 19 (\$4,000,000) annually to encourage the use of renewable energy 20 through the initiation, development and evaluation of 21 renewable or emerging technology projects authorized and 22 directed by public post-secondary educational institutions or 23 a school district in conjunction with the education of its 24 students or by the governing body of an incorporated city, 25 town or village or a county, each in conjunction with the . 128893. 1 - 7 -

The department of environment shall manage,

administer and maintain the fund in the following manner and

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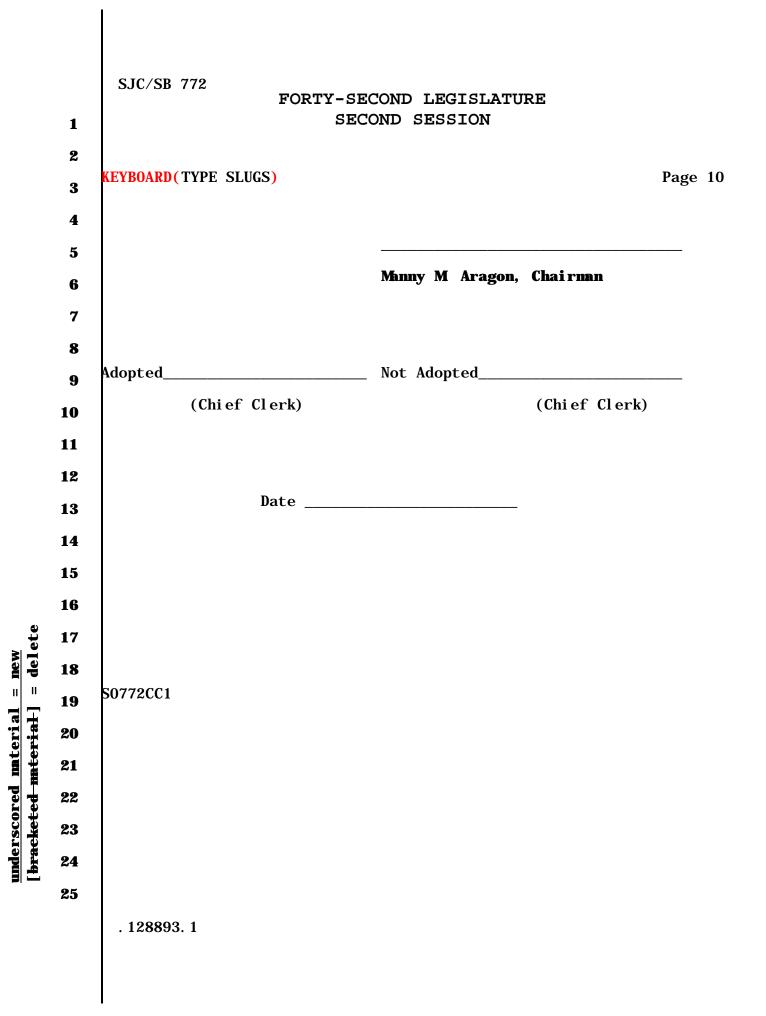
for the following purposes:

SJC/SB 772

	1	respective governing body's interest in protecting the
	2	environment and reducing the city's or county's utility costs.
	3	G. The department of environment shall submit to the
	4	legislative finance committee prior to each regular
	5	legislative session a list of recipients receiving money
	6	pursuant to Paragraph (4) of Subsection F of this section.
	7	The list shall describe the project for which the disbursement
	8	was made and the project's contribution to the state's
	9	knowledge of renewable energy and developing technologies."
	10	Section 2. DELAYED REPEALSection 1 of this act is
	11	repealed effective June 30, 2004.
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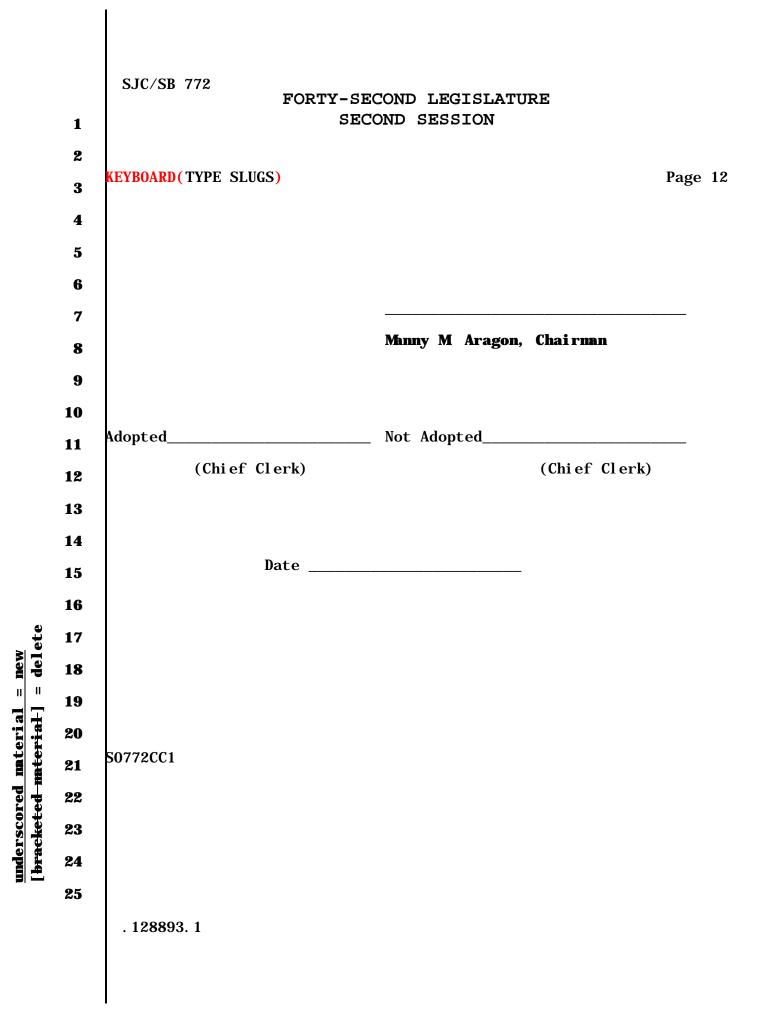
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4	FORTY- FOURTH LEGISLATURE
5	FIRST SESSION, 1999
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9	March 12, 1999
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11	Mr. President:
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13	Your COMMITTEES' COMMITTEE , to whom has been referred
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15	SENATE JUDICIARY COMMITTEE SUBSTITUTE FOR
16	SENATE BILL 772
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18	has had it under consideration and reports same WITHOUT
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20 21	RECOMMENDATION.
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23	Respectfully submitted,
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		11	March 12, 1999
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			Mr. President:
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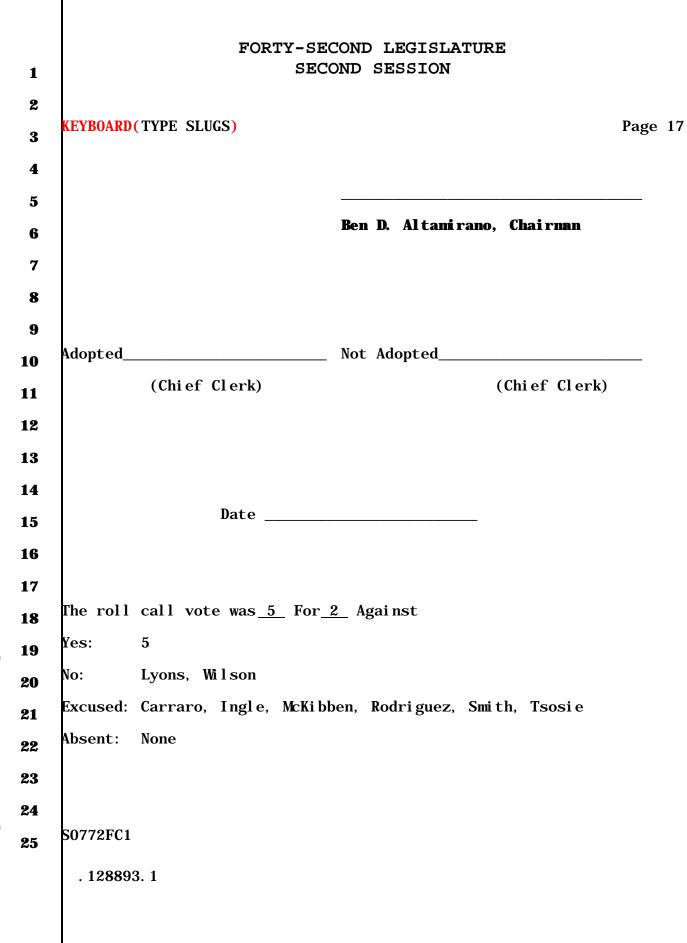


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	1	SECOND SESSION
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	10	March 17, 1999
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	12	Mr. President:
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	14	Your FINANCE COMMITTEE , to whom has been referred
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		SJC/SB 772 FORTY-SECOND LEGISLATURE	
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	5 6 7	Ben D. Altanirano, Chairman	
	8 9 10 11	Adopted Not Adopted (Chief Clerk) (Chief Clerk)	
	12 13 14 15	Date	
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		11	March 17, 1999
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