

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current FIRs (in HTML & Adobe PDF formats) are available on the NM Legislative Website (legis.state.nm.us). Adobe PDF versions include all attachments, whereas HTML versions may not. Previously issued FIRs and attachments may be obtained from the LFC in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

SPONSOR Garcia, MJ DATE TYPED 03/02/05 HB _____

SHORT TITLE Dona Ana in Single State Market Area SB SJM 77

ANALYST Ford

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
			NFI		

(Parenthesis () Indicate Expenditure Decreases)

Duplicates HJM 76

SOURCES OF INFORMATION

LFC Files

Responses Received From

Attorney General (AGO)
 Economic Development Department (EDD)
 Public Regulation Commission (PRC)

SUMMARY

Synopsis of Bill

Senate Joint Memorial 77 makes findings related to the inability of Dona Ana residents to receive television broadcast signals from Albuquerque and requests the New Mexico congressional delegation to initiate and proceed with legislation to create a single-state designated marketing area and provide for convenient access of the Albuquerque television broadcast signals for Dona Ana county residents.

Significant Issues

According to the AGO, the Cable Television Consumer Protection Act of 1992 imposes “must-carry” provisions on cable television operators, which require cable operators to carry local commercial television stations that are broadcasting within the operator’s television market as determined by the Federal Communications Commission (FCC). The FCC uses market research to determine designated market areas. Television stations may file complaints with the FCC ask-

Senate Joint Memorial 77 -- Page 2

ing that the agency impose mandatory carriage rights on cable operators.

The AGO further writes that it is uncertain whether the special federal legislation called for by this memorial is the appropriate means of bring Albuquerque television broadcasts to Dona Ana county. Albuquerque stations may file complaints with the FCC in order to impose mandatory carriage rights if they believe their designated market area should include Dona Ana county.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Senate Joint memorial 77 duplicates House Joint Memorial 76.

EF/lg