

HOUSE APPROPRIATIONS AND FINANCE COMMITTEE SUBSTITUTE FOR
HOUSE BILL 431

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

AN ACT

RELATING TO THE ENVIRONMENT; ENACTING A NEW SECTION OF THE AIR
QUALITY CONTROL ACT; PROVIDING FOR THE COLLECTION OF FEES TO
SUPPORT THE REASONABLE COSTS OF A GREENHOUSE GAS EMISSIONS
REPORTING AND REGISTRY PROGRAM; MAKING AN APPROPRIATION.

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

Section 1. A new section of the Air Quality Control Act
is enacted to read:

"[NEW MATERIAL] GREENHOUSE GAS EMISSIONS REPORTING AND
REGISTRY PROGRAM--FEES.--

A. The environmental improvement board or the local
board may adopt a schedule of fees, for industrial,
nonagricultural sources that emit more than one thousand tons
per year of carbon dioxide or carbon dioxide equivalent,
sufficient to cover the reasonable cost of:

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underscored material = new
[bracketed material] = delete

1 (1) preparing and maintaining a greenhouse gas
2 emissions inventory; and

3 (2) developing and maintaining a greenhouse
4 gas emissions reporting and registry program.

5 B. The fees applied to greenhouse gas emissions
6 from combustion shall be calculated using standardized
7 quantification protocols and procedures that include activity
8 data units and standard carbon content fuel values as described
9 in 40 CFR Part 75.

10 C. Fees collected pursuant to this section shall be
11 deposited in:

12 (1) the state air quality permit fund created
13 pursuant to Section 74-2-15 NMSA 1978 if collected by the
14 department; or

15 (2) a fund created pursuant to Section 74-2-16
16 NMSA 1978 if collected by a local agency pursuant to a permit
17 regulation adopted by the local board pursuant to this section.

18 D. The total amount of fees collected annually
19 pursuant to this section shall not exceed two hundred thousand
20 dollars (\$200,000) each to a local agency and the department.

21 E. As used in this section:

22 (1) "carbon dioxide equivalent" means the
23 amount of carbon dioxide by weight that would produce the same
24 global warming impact as a given weight of another greenhouse
25 gas;

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