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## FISCAL IMPACT REPORT

<b>SPONSOR</b>	SPAC	<b>ORIGINAL DATE</b>	03/11/09	<b>HB</b>	
		<b>LAST UPDATED</b>			
	Exempting from Observation of Daylight Savings				
<b>SHORT TITLE</b>	Time	<b>SB</b>	716/SPAC		
				<b>ANALYST</b>	Woods

### APPROPRIATION (dollars in thousands)

Appropriation			Recurring or Non-Rec	Fund Affected
FY09	FY10	FY11		
NFI	NFI	NFI		

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

Responses Requested From<sup>1</sup>

New Mexico Department of Health  
 Attorney General's Office  
 Department of Public Safety  
 State Personnel Office  
 General Services Department  
 Public Education Department

### SUMMARY

Synopsis of Bill

Senate Public Affairs Committee Substitute for Senate Bill 716 seeks to exempt New Mexico from the provisions of Subsection (A) of 15 USC Section 260 with respect to daylight savings time.

### FISCAL IMPLICATIONS

There is no appropriation attached to this legislation.

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<sup>1</sup> Agency comments requested on 3-11-09. FIR will be updated upon receipt.

## SIGNIFICANT ISSUES

United States Code, Title 15, Chapter 6, Subchapter IX, Section 260 reads as follows:

§ 260. Congressional declaration of policy; adoption and observance of uniform standard of time; authority of Secretary of Transportation.

It is the policy of the United States to promote the adoption and observance of uniform time within the standard time zones prescribed by sections 261 to 264 of this title, as modified by section 265 of this title. To this end the Secretary of Transportation is authorized and directed to foster and promote widespread and uniform adoption and observance of the same standard of time within and throughout each such standard time zone.

Specific to this legislation, Section 260a (Advancement of time or changeover dates) states the following:

*(a) Duration of period; State exemption* - During the period commencing at 2 o'clock antemeridian on the first Sunday of April\* of each year and ending at 2 o'clock antemeridian on the last Sunday of October\* of each year, the standard time of each zone established by sections 261 to 264 of this title, as modified by section 265 of this title, shall be advanced one hour and such time as so advanced shall for the purposes of such sections 261 to 264, as so modified, be the standard time of such zone during such period; however, (1) any State that lies entirely within one time zone may by law exempt itself from the provisions of this subsection providing for the advancement of time, but only if that law provides that the entire State (including all political subdivisions thereof) shall observe the standard time otherwise applicable during that period, and (2) any State with parts thereof in more than one time zone may by law exempt either the entire State as provided in (1) or may exempt the entire area of the State lying within any time zone.

*(b) State laws superseded* - It is hereby declared that it is the express intent of Congress by this section to supersede any and all laws of the States or political subdivisions thereof insofar as they may now or hereafter provide for advances in time or changeover dates different from those specified in this section.

*(c) Violations; enforcement* - For any violation of the provisions of this section the Secretary of Transportation or his duly authorized agent may apply to the district court of the United States for the district in which such violation occurs for the enforcement of this section; and such court shall have jurisdiction to enforce obedience thereto by writ of injunction or by other process, mandatory or otherwise, restraining against further violations of this section and enjoining obedience thereto.

BW/mc:svb

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\*Superseded by Public Law 109-58 "Energy Policy Act of 2005," which states: SEC. 110. DAYLIGHT SAVINGS. (a) AMENDMENT.--Section 3(a) of the Uniform Time Act of 1966 (15 U.S.C. 260a(a)) is amended-- (1) by striking "first Sunday of April" and inserting "second Sunday of March"; and (2) by striking "last Sunday of October" and inserting "first Sunday of November". (b) EFFECTIVE DATE.--Subsection (a) shall take effect 1 year after the date of enactment of this Act or March 1, 2007, whichever is later.