

**FIFTY-FIFTH LEGISLATURE  
FIRST SESSION, 2021**

March 14, 2021

Mr. Speaker:

Your **STATE GOVERNMENT, ELECTIONS AND INDIAN AFFAIRS COMMITTEE**, to whom has been referred

**SENATE TAX, BUSINESS AND TRANSPORTATION COMMITTEE  
SUBSTITUTE FOR SENATE BILL 84, as amended**

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. Strike House Energy, Environment and Natural Resources Committee Amendments 2 and 6.

2. On page 4, line 8, after "facility", strike the remainder of the line and insert in lieu thereof "and that is by rate class a residential retail customer or a small commercial retail customer or, regardless of rate class, is a nonprofit organization, a religious organization, an Indian nation, tribe or pueblo or tribal entity, a municipality or a county in the state, a charter, private or public school as defined in Section 22-1-2 NMSA 1978, a community college as defined in Section 21-13-2 NMSA 1978 or a public housing authority;".

3. On page 9, line 7, before "RULEMAKING", insert "ENFORCEMENT AND".

4. On page 9, between lines 7 and 8, insert the following new subsection:

"A. The commission shall administer and enforce the rules and provisions of the Community Solar Act, including regulation of subscriber organizations in accordance with the Community Solar Act and oversight and review of the consumer protections established for the community solar program.".

5. Reletter the succeeding subsections accordingly.

6. On page 9, line 11, strike "annual".

7. On page 9, line 12, strike "one hundred" and insert in lieu thereof "two hundred".

8. On page 9, line 14, strike "annual".

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9. On page 11, line 4, after the semicolon, insert "provided that non-subscribers shall not subsidize costs attributable to subscribers; and provided further that if the commission determines that it is in the public interest for non-subscribers to subsidize subscribers, non-subscribers shall not be charged more than three percent of the non-subscribers' aggregate retail rate on an annual basis to subsidize subscribers;".,

Respectfully submitted,



\_\_\_\_\_  
Georgene Louis, Chair

Adopted \_\_\_\_\_  
(Chief Clerk)

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

Date \_\_\_\_\_

The roll call vote was 6 For 3 Against  
Yes: 6  
No: Nibert, Rehm, Zamora  
Excused: None  
Absent: None