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HOUSE BILL 335

43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998

INTRODUCED BY

JAMES G. TAYLOR

AN ACT

MAKING APPROPRIATIONS TO THE STATE CORPORATION COMMISSION AND
THE ATTORNEY GENERAL FOR A TELECOMMUNICATIONS EARNINGS
INVESTIGATION; DECLARING AN EMERGENCY.

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

Section 1. APPROPRIATION. --

A. Three hundred thousand dollars (\$300,000) is appropriated from the general fund to the state corporation commission for expenditure in fiscal years 1998 and 1999 for the purpose of paying salaries, expenses and consulting fees of technical and clerical staff engaged in the investigation of the earnings of telecommunications corporations as specified in Subsection C of this section. Any unexpended or unencumbered balance remaining at the end of fiscal year 1999 shall revert to the general fund.

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1 B. One hundred thousand dollars (\$100,000) is
2 appropriated from the general fund to the office of the
3 attorney general for expenditure in fiscal years 1998 and 1999
4 for the purpose of paying salaries and expenses of staff and
5 consultants engaged in the investigation of earnings of
6 telecommunications corporations as specified in Subsection C
7 of this section. Any unexpended or unencumbered balance
8 remaining at the end of fiscal year 1999 shall revert to the
9 general fund.

10 C. The state corporation commission and the
11 attorney general shall use the appropriations provided by this
12 section to investigate the earnings of telecommunications
13 corporations having more than one hundred thousand local
14 exchange access lines in this state and to investigate the
15 fairness of rates charged customers of local exchange services
16 by such telecommunications corporations. The investigation
17 shall be concluded no later than December 1, 1998. If as a
18 result of this investigation the state corporation commission
19 finds that a telecommunications corporation has exceeded its
20 allowable earnings for the years following its last rate case,
21 the commission shall collect all such over-earnings and place
22 such over-earnings in the New Mexico universal service fund,
23 established pursuant to Section 63-9A-6.1 NMSA 1978.

24 Section 2. EMERGENCY.--It is necessary for the public
25 peace, health and safety that this act take effect

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immediately.

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1 FORTY-THIRD LEGISLATURE
2 SECOND SESSION, 1998
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6 February 5, 1998
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8 Mr. Speaker:
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10 Your CONSUMER AND PUBLIC AFFAIRS COMMITTEE, to
11 whom has been referred
12

13 HOUSE BILL 335
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15 has had it under consideration and reports same with
16 recommendation that it DO PASS, and thence referred to the
17 APPROPRIATIONS AND FINANCE COMMITTEE.

18 Respectfully submitted,
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22 _____
23 Gary K. King, Chairman
24
25

1 FORTY-THIRD LEGISLATURE
2 SECOND SESSION, 1998

3 HCPAC/HB 335

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4 Adopted _____ Not Adopted _____

5
6 (Chief Clerk)

(Chief Clerk)

7
8 Date _____

9
10 The roll call vote was 8 For 2 Against

11 Yes: 8

12 No: Crook, Dana

13 Excused: None

14 Absent: None

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