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**HOUSE BILL 394**

**44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999**

**INTRODUCED BY**

**James G. Taylor**

**AN ACT**

**MAKING APPROPRIATIONS TO THE PUBLIC REGULATION 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 public regulation  
commission for expenditure in fiscal years 1999 and 2000 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 2000  
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 1999 and 2000  
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 2000 shall revert to the  
9 general fund.

10           C. The public regulation 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, 1999. If the  
18 public regulation commission finds that a telecommunications  
19 corporation has exceeded its allowable earnings for the years  
20 following its last rate case, the commission shall provide for  
21 the disposition of the over-earnings into rate reductions or  
22 refunds to the ratepayers of the telecommunications  
23 corporation and into the New Mexico universal service fund.  
24 The proportion of the over-earnings that accrue to the New  
25 Mexico universal service fund shall be based on criteria to be

1 established by the public regulation commission.

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

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**FORTY-FOURTH LEGISLATURE**  
**FIRST SESSION, 1999**

**February 17, 1999**

**Mr. Speaker:**

**Your JUDICIARY COMMITTEE, to whom has been referred**

**HOUSE BILL 394**

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

- 1. On page 2, line 17, after "1999." strike the remainder  
of the line and strike lines 18 through 25 in its entirety.**
- 2. On page 3, strike line 1 in its entirety.,**

**and thence referred to the APPROPRIATIONS AND FINANCE  
COMMITTEE.**

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FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999

HJ/HB 394

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Respectfully submitted,

\_\_\_\_\_  
R. David Pederson, Chairman

Adopted \_\_\_\_\_

Not Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 10 For 0 Against

Yes: 10

Excused: Luna, Sanchez

Absent: None

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