



The Legislature
of the
State of New Mexico

50th Legislature, 2nd Session

LAWS 2012

CHAPTER _____

HOUSE JOINT MEMORIAL 13

Introduced by

REPRESENTATIVE GAIL CHASEY

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ANTONIO "MOE" MAESTAS, MARY HELEN GARCÍA,
RODOLPHO S. MARTINEZ AND W. KEN MARTINEZ



1 A JOINT MEMORIAL

2 REQUESTING THAT THE NEW MEXICO LEGISLATIVE COUNCIL APPOINT AN
3 INTERIM LEGISLATIVE LOW-INCOME ENERGY ASSISTANCE TASK FORCE TO
4 STUDY WAYS TO PROVIDE ADDITIONAL ENERGY ASSISTANCE FOR LOW-
5 INCOME CUSTOMERS AND TO REPORT ITS FINDINGS AND
6 RECOMMENDATIONS TO THE NEW MEXICO LEGISLATIVE COUNCIL.

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8 WHEREAS, statistics indicate that in 2011, when compared
9 to the other forty-nine states, New Mexico had the second
10 highest percentage of residents living in poverty; and

11 WHEREAS, according to the United States census bureau,
12 the poverty rate in New Mexico increased nearly two percent
13 between 2009 and 2010, the same as the increase in the state's
14 unemployment rate; and

15 WHEREAS, New Mexico's poverty rate is an astonishing
16 twenty percent, at least in part because only fifty-four
17 percent of New Mexico residents are employed; and

18 WHEREAS, out of thirteen poverty indicators, New Mexico
19 only performs better than the rest of the nation in available
20 and affordable housing indicators and in the number of
21 children in foster care; and

22 WHEREAS, the coverage ratio for New Mexico's low income
23 heating and energy assistance program is less than fourteen
24 percent, which is the second lowest in the nation and
25 demonstrates that the current energy assistance programs in

1 New Mexico are inadequate to meet the needs of New Mexico's
2 most vulnerable residents; and

3 WHEREAS, many states provide assistance to their
4 residents in need by way of low-income energy assistance
5 programs as well as allowed discounted rates or established
6 system benefits charges payable by utility customers; and

7 WHEREAS, the public regulation commission's ability to
8 provide assistance to low-income customers through its rate-
9 making authority is limited by a 1984 New Mexico supreme court
10 opinion holding that providing such assistance is the
11 prerogative of the state legislature; and

12 WHEREAS, the growing energy affordability gap for many
13 of New Mexico's utility customers demonstrates that solutions,
14 in addition to existing low-income assistance programs, are
15 needed to protect the public health and welfare;

16 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
17 STATE OF NEW MEXICO that the New Mexico legislative council be
18 requested to create the interim low-income energy assistance
19 task force to study ways to provide additional energy
20 assistance to low-income utility customers, including ways to
21 provide the public regulation commission with the authority to
22 establish a low-income assistance charge to ratepayers so as
23 to fund additional utility bill assistance programs or to
24 allow discounted rates for low-income utility customers, along
25 with any other solutions that might be considered to address

1 the state's energy assistance problem; and

2 BE IT FURTHER RESOLVED that the low-income energy
3 assistance task force report its findings and recommendations,
4 including any proposed legislation, to the New Mexico
5 legislative council no later than October 31, 2012; and

6 BE IT FURTHER RESOLVED that the New Mexico legislative
7 council be requested to appoint members to the task force from
8 each house so that the proportionate representation on the
9 task force is the same as prevails in each house; and

10 BE IT FURTHER RESOLVED that the New Mexico legislative
11 council be requested to appoint to the task force four members
12 from the house of representatives and four members from the
13 senate, and to designate the chair and vice chair of the task
14 force at the time of appointment; and

15 BE IT FURTHER RESOLVED that the New Mexico legislative
16 council be requested to authorize the task force to appoint an
17 advisory group to assist the task force in preparing its
18 recommendations, such advisory group to be made up of
19 representatives from industry, consumer groups, the public
20 regulation commission, the New Mexico attorney general's
21 office and members of the public at large; and

22 BE IT FURTHER RESOLVED that copies of this memorial be
23 transmitted to the speaker of the house of representatives,
24 the president pro tempore of the senate, each member of the
25 public regulation commission and the New Mexico attorney

1 general.

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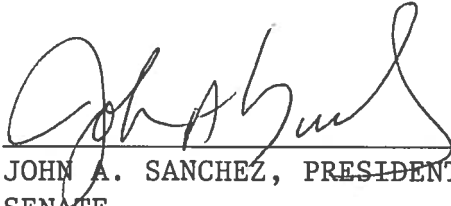
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