

AN ACT

RELATING TO THE GOVERNOR'S COMMITTEE ON CONCERNS OF THE HANDICAPPED; CREATING THE HANDICAPPED HOUSING MODIFICATION PERMANENT FUND; ESTABLISHING THE RESIDENTIAL ACCESSIBILITY MODIFICATION PROGRAM; AMENDING AND ENACTING SECTIONS OF THE NMSA 1978; MAKING APPROPRIATIONS; DECLARING AN EMERGENCY.

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

Section 1. A new section of Chapter 28, Article 10 NMSA 1978 is enacted to read:

"HANDICAPPED HOUSING MODIFICATION PERMANENT FUND-- INVESTMENT-- DISTRIBUTION. --

A. The "handicapped housing modification permanent fund" is created in the state treasury. The fund shall consist of money appropriated to the fund and any gifts, donations or bequests made to the fund. Money in the fund shall be invested by the state investment officer as land grant permanent funds are invested pursuant to Chapter 6, Article 8 NMSA 1978, and earnings from investment of the fund shall be credited to the fund. Money in the fund shall not revert at the end of any fiscal year and shall not be expended for any purpose, except that an annual distribution shall be made to the fund for the handicapped in accordance with Subsection B of this section.

B. On July 1 of fiscal year 2002 and on July 1 of

each fiscal year thereafter, an annual distribution shall be made from the handicapped housing modification permanent fund to the fund for the handicapped in an amount equal to three hundred thousand dollars (\$300,000) until that amount is less than an amount equal to five percent of the average of the year-end market values of the handicapped housing modification permanent fund for the immediately preceding five calendar years. Thereafter, the amount of the annual distribution shall be five percent of the average of the year-end market values of the handicapped housing modification permanent fund for the immediately preceding five calendar years. "

Section 2. Section 28-10-2 NMSA 1978 (being Laws 1973, Chapter 349, Section 2, as amended) is amended to read:

"28-10-2. GOVERNOR'S COMMITTEE ON CONCERNS OF THE HANDICAPPED--POWERS AND DUTIES.--The governor's committee on concerns of the handicapped shall establish and maintain a comprehensive statewide program designed to encourage and promote attention to the concerns of the training and employment of the handicapped persons in this state. To further this purpose, the committee shall:

A. cooperate with the president's committee on employment of the handicapped and other federal efforts on behalf of handicapped concerns;

B. cooperate with all employers and training

leaders, both public and private, in locating or developing employment opportunities for the handicapped;

C. encourage and assist in the organization and operation of committees at the community level, the chairmen of which shall automatically become members of the advisory council authorized under Section 28-10-4 NMSA 1978;

D. assist state, local and federal agencies to coordinate their activities to secure maximum utilization of funds and efforts that aid in the training and employment of the handicapped;

E. enter into written agreements with public and private employers, unions and rehabilitation agencies for the purpose of achieving the maximum employment of handicapped individuals;

F. inform handicapped job seekers of specific facilities available to assist them in locating suitable training and employment;

G. conduct educational programs via publications and other means to acquaint the public, the legislature and the governor with the abilities and the accomplishments of handicapped persons;

H. promote the elimination of architectural barriers in construction so as to make buildings used by the public readily accessible to and usable by persons with physical limitations;

I. make such rules as it determines advisable for the conduct of its own business;

J. designate standing subcommittees related to state planning, community organization, public relations and information, legislative action, federal coordination, state coordination, youth, medical rehabilitation, employers and awards;

K. designate such special subcommittees as necessary for undetermined periods to carry out special short-term programs;

L. establish and administer a residential accessibility modification program to assist low-income handicapped persons to make accessibility modifications to residential dwellings as needed to enable those handicapped persons to remain in their homes or to leave institutional settings and be reintegrated into the community; and

M give advice and testimony on handicapped concerns to the governor or the legislature or any committee established by them, upon request."

Section 3. Section 28-10-5 NMSA 1978 (being Laws 1973, Chapter 349, Section 5) is amended to read:

"28-10-5. FUND FOR THE HANDICAPPED CREATED. --

A. There is created in the state treasury a "fund for the handicapped". All funds, gifts, donations, bequests and other income of the governor's committee on concerns of

the handicapped shall be deposited by the director of the committee in that fund and shall be available to the committee to further the purpose of Sections 28-10-1 through 28-10-8.1 NMSA 1978 or for the purposes stated by the donor or grantor of the funds.

B. Distributions made to the fund for the handicapped from the handicapped housing modification permanent fund shall constitute a separate account in the fund and are appropriated to the governor's committee on concerns of the handicapped for the purpose of carrying out a residential accessibility modification program.

C. Money in the fund for the handicapped shall not revert but shall be used only as provided in Sections 28-10-1 through 28-10-8.1 NMSA 1978. "

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