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HOUSE BILL 749

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Danice R. Picraux

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:**

**" NEW MATERIAL 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**

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1 shall be invested by the state investment officer as land
2 grant permanent funds are invested pursuant to Chapter 6,
3 Article 8 NMSA 1978, and earnings from investment of the fund
4 shall be credited to the fund. Money in the fund shall not
5 revert at the end of any fiscal year and shall not be expended
6 for any purpose, except that an annual distribution shall be
7 made to the fund for the handicapped in accordance with
8 Subsection B of this section.

9 B. On July 1 of fiscal year 2001 and on July 1 of
10 each fiscal year thereafter, an annual distribution shall be
11 made from the handicapped housing modification permanent fund
12 to the fund for the handicapped in an amount equal to three
13 hundred thousand dollars (\$300,000) until that amount is less
14 than an amount equal to five percent of the average of the
15 year-end market values of the handicapped housing modification
16 permanent fund for the immediately preceding five calendar
17 years. Thereafter, the amount of the annual distribution
18 shall be five percent of the average of the year-end market
19 values of the handicapped housing modification permanent fund
20 for the immediately preceding five calendar years. "

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

23 "28-10-2. GOVERNOR'S COMMITTEE ON CONCERNS OF THE
24 HANDICAPPED-- POWERS AND DUTIES. --The governor's committee on
25 concerns of the handicapped shall establish and maintain a

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1 comprehensive statewide program designed to encourage and
2 promote attention to the concerns of the training and
3 employment of the handicapped persons in this state. To
4 further this purpose, the committee shall:

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

8 B. cooperate with all employers and training
9 leaders, both public and private, in locating or developing
10 employment opportunities for the handicapped;

11 C. encourage and assist in the organization and
12 operation of committees at the community level, the
13 [~~chairpersons~~] chairmen of which [~~will~~] shall automatically
14 become members of the advisory council authorized under
15 Section 28-10-4 NMSA 1978;

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

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

24 F. inform handicapped job seekers of specific
25 facilities available to assist them in locating suitable

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1 training and employment;

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

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

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

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

17 K. designate such special subcommittees as
18 necessary for undetermined periods to carry out special short-
19 term programs; [~~and~~]

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

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1 ~~[L-]~~ M give advice and testimony on handicapped
2 concerns to the governor or the legislature or any committee
3 established by them, upon request. "

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

6 "28-10-5. FUND FOR THE HANDICAPPED CREATED. --

7 A. There is created in the state treasury a "fund
8 for the handicapped". All funds, gifts, donations, bequests
9 and other income of the governor's committee on concerns of
10 the handicapped shall be deposited by the ~~[executive~~
11 ~~secretary]~~ director of the committee in ~~[this]~~ that fund and
12 shall be available to the committee to further the purpose of
13 ~~[this act]~~ Sections 28-10-1 through 28-10-8.1 NMSA 1978 or for
14 ~~[such]~~ the purposes stated by the donor or grantor of ~~[such]~~
15 the funds.

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

22 C. Money in the fund for the handicapped shall not
23 revert but shall be used only ~~[for the purposes of this act]~~
24 as provided in Sections 28-10-1 through 28-10-8.1 NMSA 1978. "

25 Section 4. APPROPRIATION. -- Six million dollars

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1 (\$6,000,000) is appropriated from the general fund to the
2 handicapped housing modification permanent fund in fiscal year
3 2001 for investment and distribution as provided by law.

4 Section 5. EMERGENCY.--It is necessary for the public
5 peace, health and safety that this act take effect
6 immediately.

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