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HOUSE BILL 123

46TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2004

INTRODUCED BY

Daniel P. Silva

FOR THE NEW MEXICO FINANCE AUTHORITY OVERSIGHT COMMITTEE

AN ACT

**RELATING TO FINANCE; ALLOWING FUNDS FROM THE WATER AND
WASTEWATER PLANNING FUND TO BE USED FOR WATER CONSERVATION
PLANNING; MAKING AN APPROPRIATION; DECLARING AN EMERGENCY.**

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

**Section 1. Section 6-21-6.4 NMSA 1978 (being Laws 2002,
Chapter 26, Section 2) is amended to read:**

**"6-21-6.4. WATER AND WASTEWATER PLANNING FUND-- CREATION--
ADMINISTRATION-- PURPOSES. --**

**A. The "water and wastewater planning fund" is
created within the authority, which shall be administered by
the authority. The authority shall adopt rules necessary to
administer the fund.**

**B. The following shall be deposited directly into
the water and wastewater planning fund:**

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1 (1) the net proceeds from the sale of bonds
2 issued pursuant to the provisions of Section 6-21-6.1 NMSA 1978
3 for the purposes of the water and wastewater planning fund and
4 payable from the public project revolving fund;

5 (2) money appropriated by the legislature to
6 implement the provisions of this section; and

7 (3) any other public or private money
8 dedicated to the fund.

9 C. Money in the water and wastewater planning fund
10 is appropriated to the authority to make grants to qualified
11 entities to evaluate and to estimate the costs of implementing
12 the most feasible alternatives for meeting water and wastewater
13 public project needs, to develop water conservation plans and
14 to pay administrative costs of the water and wastewater
15 planning program.

16 D. The authority shall adopt rules governing the
17 terms and conditions of grants made from the water and
18 wastewater planning fund. Grants may be made from the fund
19 only with the agreement of the qualified entity to reimburse
20 the fund for the amount of the grant when financing from any
21 source is subsequently received by the qualified entity for the
22 water or wastewater public project.

23 E. The authority may make grants from the water and
24 wastewater planning fund to qualified entities without specific
25 authorization by law for each grant. "

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[bracketed material] = delete

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Section 2. APPROPRIATION. -- One million dollars
(\$1,000,000) is appropriated from the general fund to the water
and wastewater planning fund for expenditure in fiscal year
2004 and subsequent fiscal years to carry out the purposes of
the fund. Money remaining in the fund at the end of a fiscal
year shall not revert to the general fund.

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