

AN ACT

RELATING TO THE DEPARTMENT OF MILITARY AFFAIRS; CREATING A
FUND TO REIMBURSE GROUP LIFE INSURANCE PREMIUMS PAID BY
MEMBERS OF THE NATIONAL GUARD; MAKING AN APPROPRIATION;
DECLARING AN EMERGENCY.

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

Section 1. LEGISLATIVE FINDINGS AND PURPOSE.--

A. The legislature finds that:

(1) the New Mexico national guard has a proud tradition of military service with thousands of New Mexicans having answered the call of the nation and served in the national guard;

(2) there have been instances in which the dependents of members of the New Mexico national guard have been left without adequate financial resources when a national guard member has been killed while on active duty;

(3) members of the New Mexico national guard are now being asked to serve extended periods of active duty in combat areas;

(4) members of the New Mexico national guard are eligible for life insurance policies that are currently limited to two hundred fifty thousand dollars (\$250,000) through the federal servicemembers' group life insurance program; and

(5) members of the New Mexico national guard provide New Mexico and its citizens valuable benefits through their service inside this state and through their recently extended periods of active duty in combat areas outside of New Mexico, and in exchange for these extended periods of active duty they should receive assistance with their premiums for the federal servicemembers' group life insurance program.

B. The purpose of creating and funding the service members' life insurance reimbursement fund is to provide a benefit to members of the New Mexico national guard in exchange for and in recognition of their assumption of extended periods of active duty in combat areas, in addition to their increased contributions to the safety and welfare of the citizens of the state of New Mexico.

Section 2. SERVICE MEMBERS' LIFE INSURANCE
REIMBURSEMENT FUND CREATED--PURPOSE--APPROPRIATION.--

A. The "service members' life insurance reimbursement fund" is created in the state treasury. The fund shall consist of legislative appropriations to the fund; gifts, grants, donations and bequests to the fund; and income from investment of the fund. Expenditures from the fund shall be made on warrants drawn by the secretary of finance and administration signed by the adjutant general of the department of military affairs or the adjutant general's authorized representative.

B. The fund shall be administered by the department of military affairs, and money in the fund is appropriated to the department of military affairs for the purpose of reimbursing eligible members of the New Mexico national guard for premiums paid for benefits under the servicemembers' group life insurance program pursuant to 38 U.S.C Section 1965 et seq., as amended.

C. The department of military affairs shall adopt rules necessary to determine eligibility for reimbursement from the service members' life insurance reimbursement fund and to implement a reimbursement program.

D. Nothing in this section is intended to alter, amend or change the eligibility or applicability of the servicemembers' group life insurance program pursuant to 38 U.S.C. Section 1965 et seq., as amended, or any rights, responsibilities or benefits thereunder.

Section 3. APPROPRIATION.--One million dollars (\$1,000,000) is appropriated from the general fund to the service members' life insurance reimbursement fund for expenditure in fiscal years 2005 and 2006 to pay premium reimbursements pursuant to the provisions of this act. Any unexpended or unencumbered balance remaining at the end of fiscal year 2006 shall revert to the general fund.

Section 4. APPLICABILITY.--The provisions of this act apply to premiums paid on or after the effective date of this

act.

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

HB 10
Page 4