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SENATE BILL 7

**52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SPECIAL SESSION, 2016**

INTRODUCED BY

John Arthur Smith and Stuart Ingle

AN ACT

RELATING TO THE STATE FISC; TEMPORARILY SUSPENDING GROWTH OF CERTAIN DISTRIBUTIONS TO THE RETIREE HEALTH CARE FUND; REPEALING A MONTHLY DISTRIBUTION OF TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000) TO THE RETIREE HEALTH CARE FUND PURSUANT TO SECTION 7-1-6.56 NMSA 1978 (BEING LAWS 2007, CHAPTER 168, SECTION 1, AS AMENDED); HALTING THE GRADUAL INCREASES IN THE TRANSFER FROM THE FIRE PROTECTION FUND TO THE FIRE PROTECTION GRANT FUND; DECLARING AN EMERGENCY.

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

SECTION 1. Section 7-1-6.30 NMSA 1978 (being Laws 1990, Chapter 6, Section 20, as amended) is amended to read:

"7-1-6.30. DISTRIBUTION--RETIREE HEALTH CARE FUND.--~~[For the period ending June 30, 2002, a distribution pursuant to Section 7-1-6.1 NMSA 1978 shall be made to the retiree health~~

underscoring material = new  
~~[bracketed material] = delete~~

underscored material = new  
[bracketed material] = delete

1 ~~care fund in an amount equal to one-twelfth of one hundred six~~  
2 ~~percent of the total amount distributed to the retiree health~~  
3 ~~care fund in the previous fiscal year. For the fiscal year~~  
4 ~~beginning July 1, 2002 and subsequent fiscal years]~~

5 A. Beginning January 1, 2017 and prior to July 1,  
6 2019, a distribution pursuant to Section 7-1-6.1 NMSA 1978  
7 shall be made to the retiree health care fund in an amount  
8 equal to one-twelfth of the total amount distributed to the  
9 retiree health care fund beginning July 1, 2015 and prior to  
10 July 1, 2016.

11 B. Beginning July 1, 2019, a distribution pursuant  
12 to Section 7-1-6.1 NMSA 1978 shall be made to the retiree  
13 health care fund in an amount equal to one-twelfth of one  
14 hundred twelve percent of the total amount distributed to the  
15 retiree health care fund in the previous fiscal year."

16 SECTION 2. Section 59A-53-5.2 NMSA 1978 (being Laws 2007,  
17 Chapter 152, Section 1, as amended) is amended to read:

18 "59A-53-5.2. APPROPRIATIONS AND TRANSFERS FROM THE FIRE  
19 PROTECTION FUND.--

20 A. For each fiscal year, the amount to be  
21 distributed by the marshal pursuant to Sections 59A-53-4,  
22 59A-53-5 and 59A-53-5.1 NMSA 1978 is appropriated from the fire  
23 protection fund to the ~~[commission]~~ superintendent for the  
24 purpose of making the distributions.

25 B. For the purposes of Subsections C and D of this

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1 section, the "remaining balance in the fire protection fund"  
2 shall be calculated on June 30 of each year and shall equal the  
3 balance of the fund on that date less the sum of:

4 (1) the total amount to be distributed during  
5 the succeeding fiscal year pursuant to Sections 59A-53-4,  
6 59A-53-5 and 59A-53-5.1 NMSA 1978; and

7 (2) the total amount of other appropriations  
8 from the fire protection fund for the succeeding fiscal year.

9 C. On the following dates, the following  
10 percentages of the remaining balance in the fire protection  
11 fund shall be transferred from the fire protection fund to the  
12 fire protection grant fund:

13 (1) on June 30, 2007, six and seven-tenths  
14 percent;

15 (2) on June 30, 2008, thirteen and four-tenths  
16 percent;

17 (3) on June 30, 2009, thirteen and four-tenths  
18 percent;

19 (4) on June 30, 2010, thirteen and four-tenths  
20 percent;

21 (5) on June 30, 2011, thirteen and four-tenths  
22 percent;

23 (6) on June 30, 2012, thirteen and four-tenths  
24 percent;

25 (7) on June 30, 2013, twenty and one-tenth

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1 percent;

2 (8) on June 30, 2014, twenty-six and eight-  
3 tenths percent;

4 (9) on June 30, 2015, thirty-three and five-  
5 tenths percent; and

6 (10) on June 30, 2016, and on each subsequent  
7 June 30, forty and two-tenths percent

8 [~~(11) on June 30, 2017, forty-six and nine-~~  
9 ~~tenths percent~~

10 ~~(12) on June 30, 2018, fifty-three and six-~~  
11 ~~tenths percent;~~

12 ~~(13) on June 30, 2019, sixty and three-tenths~~  
13 ~~percent;~~

14 ~~(14) on June 30, 2020, sixty-seven percent;~~

15 ~~(15) on June 30, 2021, seventy-three and~~  
16 ~~seven-tenths percent;~~

17 ~~(16) on June 30, 2022, eighty and four-tenths~~  
18 ~~percent;~~

19 ~~(17) on June 30, 2023, eighty-seven and one-~~  
20 ~~tenth percent;~~

21 ~~(18) on June 30, 2024, ninety-three and eight-~~  
22 ~~tenths percent; and~~

23 ~~(19) on June 30, 2025, and on each subsequent~~  
24 ~~June 30, one hundred percent].~~

25 D. On June 30 of each year, the remaining balance  
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underscoring material = new  
[bracketed material] = delete

1 in the fire protection fund, less the amount to be  
2 transferred on that date pursuant to Subsection C of this  
3 section, shall be transferred to the general fund [~~provided~~  
4 ~~that no transfer shall be made pursuant to this subsection~~  
5 ~~after June 30, 2024~~]."

6 SECTION 3. REPEAL.--Section 7-1-6.56 NMSA 1978 (being  
7 Laws 2007, Chapter 168, Section 1, as amended) is repealed  
8 effective January 1, 2017.

9 SECTION 4. EFFECTIVE DATE.--The effective date of the  
10 provisions of this act is January 1, 2017.

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