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SENATE BILL 808

42ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1996

INTRODUCED BY

MICHAEL S. SANCHEZ

AN ACT

RELATING TO PUBLIC WATER SUPPLY; PROVIDING FOR THE DEPOSIT OF FEES ASSESSED DUE TO THE WATER CONSERVATION FEE INTO THE GENERAL FUND; MAKING AN APPROPRIATION; AMENDING CERTAIN SECTIONS OF THE NMSA 1978.

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

Section 1. Section 74-1-13 NMSA 1978 (being Laws 1993, Chapter 317, Section 2) is amended to read:

"74-1-13. WATER CONSERVATION FEE--IMPOSITION--
DEFINITIONS. --

A. There is imposed on every person who operates a public water supply system a water conservation fee in an amount equal to three cents (\$.03) per thousand gallons of water produced on which the fee imposed by this subsection has not been paid.

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1 B. The "water conservation fund" is created in the
2 state treasury and shall be administered by the department of
3 environment. The fund shall consist of water conservation fees
4 collected pursuant to this section. Balances in the fund at the
5 end of any fiscal year shall not revert to the general fund but
6 shall accrue to the credit of the fund. Earnings on the fund
7 shall be credited to the fund.

8 C. Money in the water conservation fund is
9 appropriated to the department of environment for administration
10 of a public water supply program to:

11 (1) test public water supplies for the
12 contaminants required to be tested pursuant to the provisions of
13 Section 1412 of the federal Safe Drinking Water Act, [~~and~~] as
14 finalized through July 1, 1992, and collect chemical compliance
15 samples as required by those provisions of the federal act;

16 (2) perform vulnerability assessments [~~which~~]
17 that will be used to assess a public water supply's
18 susceptibility to those contaminants; and

19 (3) implement new requirements of the Utility
20 Operators Certification Act and provide training for all public
21 water supply operators.

22 D. The taxation and revenue department shall provide
23 by regulation for the manner and form of collection of the water
24 conservation fee and the administration water conservation fee.
25 All water conservation fees collected by the taxation and

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1 revenue department shall be deposited in the water conservation
2 fund. Any administration water conservation fees collected
3 shall be deposited in the general fund.

4 E. The fee imposed by this section and the
5 administration water conservation fee shall be administered in
6 accordance with the provisions of the Tax Administration Act and
7 shall be paid to the taxation and revenue department by each
8 person who operates a public water supply system in the manner
9 required by the department on or before the twenty-fifth day of
10 the month following the month in which the water is produced.

11 F. Each operator of a public water supply system
12 shall register and comply with the provisions of Section 7-1-12
13 NMSA 1978 and furnish such information as may be required by the
14 taxation and revenue department.

15 G. As used in this section:

16 (1) "administration water conservation fee"
17 means any fee or charge assessed or collected by a person who
18 operates a public water supply system for the administration.
19 collection or payment of the water conservation fee;

20 [~~(1)~~] (2) "person" means any individual or
21 legal entity and also means, to the extent permitted by law, any
22 federal, state or other governmental unit or subdivision or an
23 agency, department or instrumentality thereof; and

24 [~~(2)~~] (3) "public water supply system" means a
25 system that provides piped water to the public for human

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1 consumption and that has at least fifteen service connections or
2 regularly services an average of at least twenty-five
3 individuals at least sixty days per year. "

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1 FORTY- SECOND LEGISLATURE
2 SECOND SESSION, 1996
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6 FEBRUARY 1, 1996
7

8 Mr. President:
9

10 Your COMMITTEES' COMMITTEE, to whom has been referred
11

12 SENATE BILL 808
13

14 has had it under consideration and finds same to be GERMANE, PURSUANT
15 TO CONSTITUTIONAL PROVISIONS, and thence referred to the FINANCE
16 COMMITTEE.
17

18 Respectfully submitted,
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25 _____
SENATOR MANNY M. ARAGON, Chairman

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Adopted _____ Not Adopted _____

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(Chief Clerk)

(Chief Clerk)

Date _____

S0808CC1

6 February 12, 1996

8 Mr. President:

10 Your FINANCE COMMITTEE, to whom has been referred

12 SENATE BILL 808

14 has had it under consideration and reports same with recommendation that
15 it DO PASS, amended as follows:

17
18 1. On page 3, between lines 14 and 15, insert the following new
19 subsection:

20
21 "G. A person who operates a public water supply system and
22 who charges an administration water conservation fee shall pay for water
23 testing necessary for compliance with the federal Safe Drinking Water
24 Act, as amended. Collected fees shall be deposited into the water
25 conservation fund."

2. Reletter the succeeding subsection accordingly.

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**FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996**

SFC/SB 808

Page 8

Respectfully submitted,

Ben D. Altamirano, Chairman

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 8 For 0 Against

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**FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996**

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Page 9

Yes: 8

No: 0

Excused: Doni sthorpe, Duran, Ingle, Kidd, Kysar

Absent: None

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