

1 SENATE BILL 396

2 **52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015**

3 INTRODUCED BY

4 Pete Campos

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10 AN ACT

11 RELATING TO WATER; CREATING THE DRY COMMUNITY EMERGENCY FUND;
12 AUTHORIZING THE SECRETARY OF HOMELAND SECURITY AND EMERGENCY
13 MANAGEMENT TO EXPEND MONEY FROM THE FUND TO RESPOND TO CERTAIN
14 WATER EMERGENCIES; MAKING AN APPROPRIATION.

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

17 SECTION 1. [NEW MATERIAL] DRY COMMUNITY EMERGENCY FUND.--

18 The "dry community emergency fund" is created in the state
19 treasury. The homeland security and emergency management
20 department shall administer the fund. The fund may be composed
21 of appropriations and transfers of money to the fund. Balances
22 remaining in the fund at the end of a fiscal year shall revert
23 to the general fund. Disbursements from the fund shall be
24 drawn on warrant of the secretary of finance and administration
25 pursuant to vouchers signed by the secretary of homeland

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1 security and emergency management or the secretary's authorized
2 representative. Money in the fund is appropriated to the
3 department for the sole purpose of assisting any area of the
4 state suffering a loss of access to water due to an emergency
5 that threatens the public health, safety or welfare where there
6 is a real or potential negative impact on public health or
7 water quality.

8 SECTION 2. [NEW MATERIAL] EXPENDITURE OF THE DRY

9 COMMUNITY EMERGENCY FUND.--In addition to any emergency money
10 authorized for expenditure by the governor pursuant to the
11 provisions of Sections 12-11-23 through 12-11-25 NMSA 1978,
12 money from the dry community emergency fund may be expended at
13 the direction of the secretary of homeland security and
14 emergency management to assist any area of the state suffering
15 a loss of access to water due to an emergency that threatens
16 the public health, safety or welfare where there is a real or
17 potential negative impact on public health or water quality.

18 SECTION 3. [NEW MATERIAL] REPLENISHMENT OF THE DRY

19 COMMUNITY EMERGENCY FUND.--If all money in the dry community
20 emergency fund is depleted during the fiscal year, the governor
21 may declare an emergency pursuant to Sections 12-11-23 through
22 12-11-25 NMSA 1978 and replenish the fund with up to two
23 hundred thousand dollars (\$200,000) from the surplus
24 unappropriated money in the general fund, if any.

25 SECTION 4. APPROPRIATION.--Two hundred thousand dollars

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1 (\$200,000) is appropriated from the general fund to the dry
2 community emergency fund for expenditure in fiscal year 2016 to
3 carry out the purposes of the dry community emergency fund.
4 Any unexpended or unencumbered balance remaining at the end of
5 fiscal year 2016 shall revert to the general fund.

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