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HOUSE BILL 124

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Andy Nunez

AN ACT

MAKING AN APPROPRIATION FOR A PHREATOPHYTE ERADICATION AND
CONTROL PROGRAM; DECLARING AN EMERGENCY.

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

Section 1. APPROPRIATION. --

A. Five million dollars (\$5,000,000) is appropriated from the general fund to the board of regents of New Mexico state university for expenditure in fiscal years 2003 through 2005 for a non-native phreatophyte eradication and control program on the Pecos river and the Rio Grande, the expenditures to be divided equally between the two river basins.

B. The appropriation provided in this section is contingent on soil and water conservation districts:

- (1) developing management and native

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vegetation restoration plans;
 (2) conducting hearings within the local
conservation districts to receive public input on the plans;
 (3) carrying out aerial spraying only by
helicopter or ground application with prior public notice;
 (4) monitoring and evaluating the effects of
control on wildlife, water quality, vegetation and soil health;
and
 (5) if control affects threatened or
endangered species, complying with applicable federal law and
conforming to any duly enacted recovery plan.

C. Any unexpended or unencumbered balance remaining
at the end of fiscal year 2005 shall revert to the general
fund.

Section 2. EMERGENCY.--It is necessary for the public
peace, health and safety that this act take effect immediately.