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SENATE BILL 125

46TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2004

INTRODUCED BY

Dede Feldman

AN ACT

RELATING TO THE NATURAL RESOURCES TRUSTEE; APPROPRIATING THE
NATURAL RESOURCES TRUSTEE FUND FOR THE PURPOSE OF RESTORING
AREAS IN WHICH NATURAL RESOURCES HAVE BEEN ADVERSELY AFFECTED;
PROVIDING THAT INTEREST AND EARNINGS OF THE FUND BE CREDITED TO
THE FUND; MAKING AN APPROPRIATION.

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

Section 1. Section 75-7-5 NMSA 1978 (being Laws 1993,
Chapter 292, Section 5) is amended to read:

"75-7-5. NATURAL RESOURCES TRUSTEE FUND. --

A. The "natural resources trustee fund" is created
in the state treasury. Money appropriated to the fund or
accruing to it through gifts, grants, fees, penalties, bequests
or any other source shall be delivered to the state treasurer
and deposited in the fund. Money recovered for the state by or

underscored material = new
[bracketed material] = delete

1 on behalf of the natural resources trustee shall be deposited
2 in the natural resources trustee fund. The fund shall be
3 administered by the natural resources trustee. Disbursements
4 from the fund shall be made upon warrants drawn by the
5 secretary of finance and administration pursuant to vouchers
6 signed by the natural resources trustee or his designated
7 representative. Money in the fund shall not revert to the
8 general fund at the end of a fiscal year.

9 B. Money in the natural resources trustee fund
10 [~~shall be appropriated by the legislature annually~~] is
11 appropriated to the natural resources trustee in order to carry
12 out the provisions of the Natural Resources Trustee Act by
13 [~~(1)~~] restoring, replacing or acquiring natural resources in an
14 area where natural resources have been injured, destroyed or
15 lost, provided that money deposited in the fund because of
16 injury to, destruction of or loss of natural resources in an
17 area shall be disbursed to restore, replace or acquire natural
18 resources in that same area. [~~and~~

19 ~~(2)~~] C. In addition to the appropriation made in
20 Subsection B of this section, money in the natural resources
21 trustee fund shall be appropriated annually by the legislature
22 for the purpose of providing for necessary personnel and other
23 costs of the natural resources trustee, the attorney general
24 and the office of natural resources trustee in carrying out the
25 provisions of the Natural Resources Trustee Act, including the

. 149258. 1

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[bracketed material] = delete

1 cost of investigation, assessment, collection or enforcement.

2 ~~[C.]~~ D. Money in the natural resources trustee fund
3 shall be invested as other state funds are invested, and
4 interest and earnings from the fund shall not revert to the
5 general fund ~~[except as provided in this subsection. Interest~~
6 ~~and earnings from the natural resources trustee fund shall be~~
7 ~~used first to reimburse the general fund for the initial~~
8 ~~appropriation of two hundred fifty eight thousand dollars~~
9 ~~(\$258,000) to the office of natural resources trustee and~~
10 ~~seventy four thousand two hundred fifty dollars (\$74,250) to~~
11 ~~the attorney general. Next, interest and earnings from the~~
12 ~~fund shall be available to be appropriated by the legislature~~
13 ~~to pay for necessary personnel and other costs of the natural~~
14 ~~resources trustee, the attorney general and the office of~~
15 ~~natural resources trustee. Thereafter, all interest and~~
16 ~~earnings from the fund shall be deposited in the game~~
17 ~~protection fund for the purposes of preserving or improving~~
18 ~~nongame wildlife and their habitats] but shall be credited to~~
19 the natural resources trustee fund."