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SENATE BILL 702

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Cynthia Nava

AN ACT

RELATING TO ENVIRONMENTAL IMPROVEMENT; PROVIDING FOR ASSISTANCE TO INDIGENT PERSONS TO REPLACE SUBSTANDARD LIQUID WASTE DISPOSAL SYSTEMS; CREATING A FUND; AMENDING THE ENVIRONMENTAL IMPROVEMENT ACT; MAKING AN APPROPRIATION.

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

Section 1. A new section of the Environmental Improvement Act is enacted to read:

"NEW MATERIAL LIQUID WASTE SYSTEM ASSISTANCE FUND-- CREATED-- PURPOSE. --

A. The "liquid waste system assistance fund" is created in the state treasury. The fund shall be administered by the department. The fund is comprised of appropriations, donations, transfers and money earned from investment of the fund and otherwise accruing to the fund. Balances remaining in the fund at the end of a fiscal year shall not revert.

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1 Money in the fund is appropriated to the department for the
2 sole purpose of assisting indigent individuals or households
3 that qualify for funding to accomplish one of the following
4 purposes where there is a potential negative impact to water
5 quality from septic system effluent:

6 (1) to pay for a liquid waste system to
7 replace a cesspool or other improper liquid waste system;

8 (2) to purchase, install or maintain an
9 advanced treatment system as required by the Environmental
10 Improvement Act or regulations issued pursuant to that act; or

11 (3) to pay for all or a portion of hook-up
12 fees to an existing wastewater management system.

13 B. As used in this section:

14 (1) "advanced treatment system" means a
15 wastewater treatment system that removes a greater amount of
16 contaminants than is accomplished by a primary treatment
17 system; and

18 (2) "hook-up fee" means the fee paid directly
19 to a public utility or other wastewater management association
20 and does not include other fees, such as legal fees, related
21 to hooking up an individual residence to a wastewater
22 management system.

23 C. The department shall promulgate regulations
24 necessary for the administration of the liquid waste system
25 assistance fund, including establishing priorities for

1 disbursement of money, eligibility standards for assistance
2 and the application and selection process. "

3 Section 2. APPROPRIATION. --Two hundred thousand dollars
4 (\$200,000) is appropriated from the corrective action fund to
5 the liquid waste system assistance fund for expenditure in
6 fiscal year 2008 and subsequent fiscal years. Any unexpended
7 or unencumbered balance remaining at the end of a fiscal year
8 shall not revert to the corrective action fund.

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