

1 SENATE BILL 426

2 **50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011**

3 INTRODUCED BY

4 Carlos R. Cisneros

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10 AN ACT

11 RELATING TO THE ENVIRONMENT; ENACTING A NEW SECTION OF THE
12 ENVIRONMENTAL IMPROVEMENT ACT; PROVIDING FOR ASSISTANCE TO
13 SMALL WATER AND WASTEWATER SYSTEMS; CREATING A FUND; MAKING AN
14 APPROPRIATION.

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

17 SECTION 1. A new section of the Environmental Improvement
18 Act is enacted to read:

19 "[NEW MATERIAL] SMALL WATER AND WASTEWATER SYSTEM
20 MANAGEMENT ASSISTANCE FUND--CREATED--PURPOSE.--

21 A. The "small water and wastewater system
22 management assistance fund" is created in the state treasury.
23 The department shall administer the fund. The fund is composed
24 of appropriations, gifts, grants and transfers of money that
25 may be made from the department's rural infrastructure program,

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1 the tribal infrastructure trust fund or the colonias
2 infrastructure trust fund or money earned from investment of
3 the fund and otherwise accruing to the fund. Balances
4 remaining in the fund at the end of a fiscal year shall remain
5 to the credit of the fund. Disbursements from the fund shall
6 be drawn on warrant of the secretary of finance and
7 administration pursuant to vouchers signed by the secretary of
8 environment or the secretary's authorized representative.
9 Money in the fund is appropriated to the department to contract
10 for services to assist small water and wastewater systems to
11 pay for:

12 (1) a certified water or wastewater operator
13 to maintain and manage a small water or wastewater system;

14 (2) the administrative management of a small
15 water or wastewater system; or

16 (3) a certified water or wastewater operator
17 or administrator to train personnel for or otherwise improve
18 and develop the capabilities of the small water or wastewater
19 system.

20 B. System operation, maintenance, construction and
21 administrative activities funded by the water and wastewater
22 system management assistance fund shall be performed by persons
23 selected through competitive bid pursuant to guidelines
24 provided by the department.

25 C. No more than ten percent of the fund shall be

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1 used by the department on an annual basis to pay for the
2 department costs associated with management and implementation
3 of fund activities.

4 D. As used in this section:

5 (1) "administrative management" means
6 activities such as rate structure development and other system
7 business management, recordkeeping, customer service and
8 customer invoicing and collections; and

9 (2) "small water or wastewater system" means a
10 public or tribal water supply or wastewater system that serves
11 no more than five hundred people."