1	HOUSE BILL 29
2	43rd LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998
3	INTRODUCED BY
4	NICK L. SALAZAR
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8	FOR THE RADIOACTIVE AND HAZARDOUS MATERIALS COMMITTEE
9	
10	AN ACT
11	RELATING TO HAZARDOUS MATERIALS TRANSPORTATION; PROVIDING FOR
12	DISTRIBUTION OF HAZARDOUS MATERIALS TRANSPORTATION PERMIT
13	FEES; CREATING THE EMERGENCY RESPONSE FUND; MAKING AN
14	APPROPRI ATI ON.
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16	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:
17	Section 1. Section 74-4F-3 NMSA 1978 (being Laws 1996,
18	Chapter 37, Section 3) is amended to read:
19	"74-4F-3. HAZARDOUS MATERIALS TRANSPORTATION PERMIT
20	DEPARTMENT DUTIESFEES
21	A. Except as provided in Section [ 4 of the
22	Hazardous Materials Transportation Act] <u>74-4F-4 NMSA 1978</u> , a
23	person may not transport a hazardous material on a state or
24	federal highway without a permit from the department.
25	B. The department shall establish regulations for
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the issuance of hazardous materials transportation permits and shall issue permits to applicants who meet the requirements of the regulations.

C. Hazardous materials transportation permits shall be issued for a period not to exceed twelve months for a fee of two hundred fifty dollars (\$250), regardless of the number of vehicles or combination of vehicles operated by the permit applicant, or the department may issue a permit for a single shipment of hazardous materials for a fee of seventyfive dollars (\$75.00).

D. Public entities may acquire a hazardous materials transportation permit exempt from the fee in Subsection C of this section.

E. A copy of any hazardous materials transportation permit issued pursuant to this section shall be carried in each vehicle included under conditions of the permit. Hazardous materials transportation permits shall be open for inspection by any peace officer.

F. Fees collected pursuant to this section shall be deposited in the [general fund] motor vehicle suspense fund and distributed at the end of each month. The net receipts collected pursuant to the provisions of this section shall be distributed to the emergency response fund."

Section 2. A new section of the Emergency Management Act is enacted to read:

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"[<u>NEW MATERIAL</u>] EMERGENCY RESPONSE FUND CREATED. --

A. The "emergency response fund" is created in the state treasury. All income earned on the fund shall be credited to the fund.

B. The department of public safety shall administer the emergency response fund for the purpose of equipping and training state and local first responders to emergencies involving transportation of hazardous materials.

C. Money in the emergency response fund is appropriated to the department of public safety for the purpose of carrying out the provisions of Subsection B of this section and shall not revert at the end of any fiscal year. Disbursements from the fund shall be made by warrant drawn by the secretary of finance and administration pursuant to vouchers signed by the secretary of public safety or his authorized representative.

D. No portion of the emergency response fund shall be used for activities that are inconsistent with the federal Hazardous Materials Transportation Act."

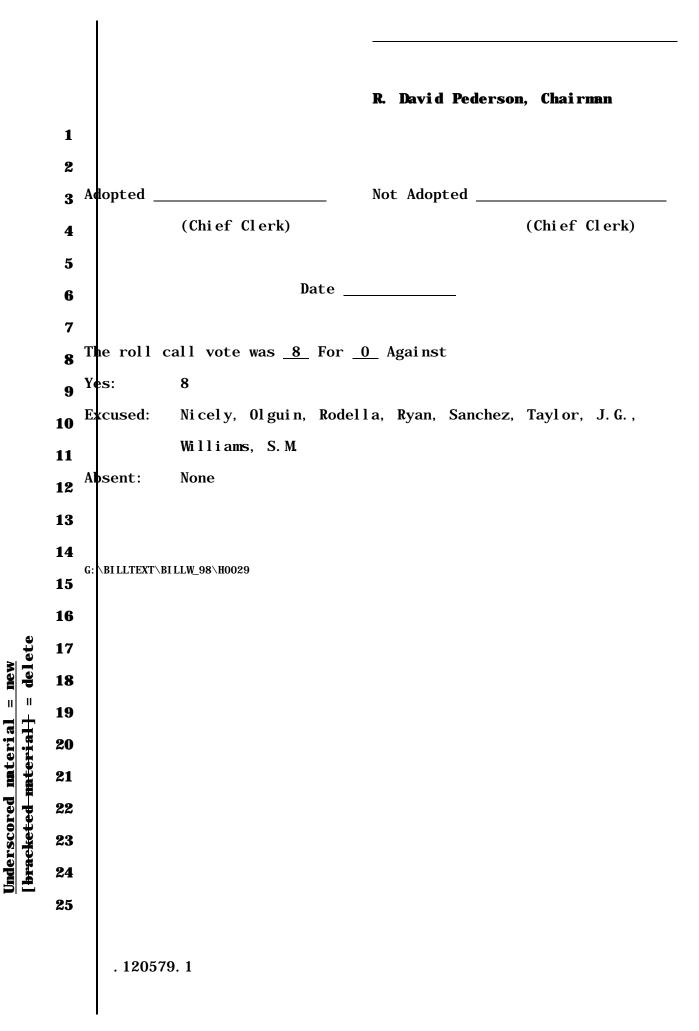
Section 3. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 1998.

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	3	FORTY- THI RD LEGI SLATURE
	4	SECOND SESSION, 1998
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	8	February 9, 1998
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		Mr. Speaker:
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	13	Your RULES AND ORDER OF BUSINESS COMMITTEE, to
	14	whom has been referred
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¢	16	HOUSE BILL 29
<pre>= new = del ete</pre>	17	
- I 1	19	has had it under consideration and finds same to be <b>GERMANE</b>
teri.	20	in accordance with constitutional provisions.
<u>Underscored</u> mterial [bracketed mterial]	21	
<u>core</u> eted	22	Respectfully submitted,
<u>lers</u> rack	23 24	
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1       FORTY- THI RD LEGI SLATURE         2       SECOND SESSION, 1998         3	,1998
SECOND SESSION, 1998 SECOND SESSION, 1998 February 17 February 17 Nr. Speaker: Your TRANSPORTATION COMMITTEE, to whom has be	, 1998
<ul> <li>3</li> <li>4</li> <li>5</li> <li>6 February 17</li> <li>7</li> <li>8</li> <li>9</li> <li>Mr. Speaker:</li> <li>10</li> <li>Your TRANSPORTATION COMMITTEE, to whom has been been been been been been been bee</li></ul>	,1998
<ul> <li>5</li> <li>6 February 17</li> <li>7</li> <li>8</li> <li>9</li> <li>Mr. Speaker:</li> <li>9</li> <li>10 Your TRANSPORTATION COMMITTEE, to whom has been been been been been been been bee</li></ul>	, 1998
<ul> <li>6 February 17</li> <li>7</li> <li>8</li> <li>9</li> <li>10 Your TRANSPORTATION COMMITTEE, to whom has been set of the set o</li></ul>	, 1998
7 8 9 10 Your TRANSPORTATION COMMITTEE, to whom has be	, 1998
<ul> <li>8</li> <li>9</li> <li>Mr. Speaker:</li> <li>10</li> <li>Your TRANSPORTATION COMMITTEE, to whom has been set of the set of t</li></ul>	
9 10 Your <b>TRANSPORTATION COMMITTEE</b> , to whom has be	
10 Your TRANSPORTATION COMMITTEE, to whom has be	
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13 HOUSE BILL 29	
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15 has had it under consideration and reports same with	
16 recommendation that it <b>DO PASS</b> , amended as follows:	
17	ad
<ul> <li>1. On page 3, line 12, after "section" insert a peri</li> <li>18 strike the remainder of the line and insert in lieu thereo</li> </ul>	
19 unexpended or unencumbered balance remaining in the depart	-
20 account at the end of any fiscal year shall revert to the	
21 general fund.".	
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2. On page 3, line 21, strike "1998" and insert in l	
thereof "1999"., <b>24</b>	i eu
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1	FORTY-THIRD LEGISLATURE SECOND SESSION, 1998
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-	VHB 29   Page 7
4	and thence referred to the ENERGY AND NATURAL RESOURCES
5	COMMITTEE.
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7	Respectfully submitted,
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11	Daniel P. Silva, Chairman
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14	Adopted Not Adopted
15	(Chief Clerk) (Chief Clerk)
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17	Date
18	The well collected are 10. For 0. Arctivet
19	The roll call vote was <u>10</u> For <u>0</u> Against Yes: 10
20	Excused: None
21	Absent: Corl ey, Ol gui n
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