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HOUSE BILL 140

43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998

INTRODUCED BY

RICK MIERA

FOR THE DWI OVERSIGHT TASK FORCE

AN ACT

RELATING TO THE LOCAL DWI GRANT FUND; CHANGING THE AMOUNT OF LIQUOR EXCISE TAX REVENUES THAT MAY BE EXPENDED FOR ADMINISTRATION OF THE LOCAL DWI GRANT FUND; AMENDING A SECTION OF THE LOCAL DWI GRANT PROGRAM ACT.

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

Section 1. That version of Section 11-6A-3 NMSA 1978 (being Laws 1993, Chapter 65, Section 3, as amended) that becomes effective on July 1, 1998 is amended to read:

"11-6A-3. LOCAL DWI GRANT PROGRAM - FUND. --

A. The division shall establish a local DWI grant program to make grants to municipalities or counties for new, innovative or model programs, services or activities to prevent or reduce the incidence of DWI, alcoholism and alcohol abuse. Grants shall be awarded by the council pursuant to the

Underscored material = new
[bracketed material] = delete

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1 advice and recommendations of the division.

2 B. The "local DWI grant fund" is created in the
3 state treasury and shall be administered by the division. Two
4 million dollars (\$2,000,000) of liquor excise tax revenues
5 distributed to the fund and all other money in the fund, other
6 than money appropriated for DWI program distributions, are
7 appropriated to the division to make grants to municipalities
8 and counties upon council approval in accordance with the
9 program established under the Local DWI Grant Program Act. An
10 amount equal to the liquor excise tax revenues distributed
11 annually to the fund less two million dollars (\$2,000,000) is
12 appropriated to the division to make DWI program distributions
13 to counties upon council approval of programs in accordance
14 with the provisions of the Local DWI Grant Program Act. No
15 more than [five] three percent of the [~~two million dollars~~
16 ~~(\$2,000,000) of~~] liquor excise tax revenues distributed to the
17 fund in any fiscal year shall be expended for administration
18 of the grant program. Balances in the fund at the end of any
19 fiscal year shall not revert to the general fund.

20 C. In awarding DWI grants to local communities,
21 the council:

- 22 (1) may fund new, innovative or model
- 23 programs, services or activities of any kind designed to
- 24 prevent or reduce the incidence of DWI, alcoholism or alcohol
- 25 abuse;

Underscored material = new
[bracketed material] = delete

1 (2) may fund existing community-based
2 programs, services or facilities for prevention, screening and
3 treatment of alcoholism and alcohol abuse;

4 [~~(4)~~] (3) shall give consideration to a broad
5 range of approaches to prevention, education, screening,
6 treatment or alternative sentencing, including programs that
7 combine incarceration, treatment and aftercare, to address the
8 problem of DWI, alcoholism or alcohol abuse; and

9 [~~(5)~~] (4) shall make grants only to counties
10 or municipalities in counties that have established a DWI
11 planning council and adopted a county DWI plan or are parties
12 to a multicounty DWI plan that has been approved pursuant to
13 the Alcoholism and Alcohol Abuse Prevention, Screening and
14 Treatment Act and only for programs, services or activities
15 consistent with that plan.

16 D. The council shall use the criteria in
17 Subsection C of this section to approve DWI programs, services
18 or activities for funding through the county DWI program
19 distribution. "

20 Section 2. EFFECTIVE DATE. --The effective date of the
21 provisions of this act is July 1, 1998.