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AN ACT

RELATING TO PUBLIC HEALTH; CREATING THE WATER RECREATION FACILITIES
FUND; PRESCRIBING FEES.

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:

"WATER RECREATION FACILITIES FUND--CREATED--FEE IMPOSITION--
PURPOSE.--

A. The "water recreation facilities fund" is created in the state treasury
to be used to administer and enforce rules pertaining to public swimming pools, public
spas and other public water recreation facilities. All fees collected pursuant to
Subsection B of this section shall be deposited in the fund. Money in the fund shall
not be transferred to any other fund. Disbursements from the fund shall be drawn on
warrant of the secretary of finance and administration upon vouchers signed by the
secretary of environment or his authorized representative.

B. The environmental improvement board may assess an annual fee
not to exceed one hundred fifty dollars (\$150) on the owner or operator of a public
swimming pool, public spa or other public water recreation facility to defray the cost of
administering and enforcing rules adopted in accordance with the Environmental
Improvement Act pertaining to public water recreation facilities. The fee shall be
based on the
size of the public water recreation facility."