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HOUSE BILL 201

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

RICK MIERA

AN ACT

RELATING TO THE DWI PROGRAM FUND; MAKING AN APPROPRIATION TO THE
DWI PROGRAM FUND SO THAT THE DEPARTMENT OF HEALTH MAY PROVIDE
SERVICES TO PERSONS WITH TRAUMATIC BRAIN INJURIES SUFFERED AS
THE RESULT OF ALCOHOL-RELATED MOTOR VEHICLE COLLISIONS.

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

Section 1. Section 6-4-8 NMSA 1978 (being Laws 1993,
Chapter 65, Section 20) is amended to read:

"6-4-8. DWI PROGRAM FUND CREATED- - APPROPRIATION. - -

A. The "DWI program fund" is created in the state
treasury and shall be administered by the department of finance
and administration. Money in the fund is subject to
appropriation by the legislature to the agencies and for the
purposes specified and in accordance with the limitations and
requirements in this section. Balances in the fund at the end

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1 of any fiscal year shall not revert to the general fund.

2 B. Money in the DWI program fund may be appropriated
3 to any of the following agencies for the following purposes:

4 (1) to the department of health to contract for
5 community DWI programs and services, [~~and~~] for alcoholism and
6 alcohol abuse prevention, screening and treatment programs and
7 services pursuant to the Alcoholism and Alcohol Abuse
8 Prevention, Screening and Treatment Act and to provide long-term
9 care services designed to increase the independence of persons
10 who survive traumatic brain injuries suffered as the result of
11 alcohol-related motor vehicle collisions;

12 (2) to the children, youth and families
13 department to provide public school health education and
14 counseling programs that emphasize alcohol abuse prevention;

15 (3) to the traffic safety bureau of the state
16 highway and transportation department for DWI education,
17 awareness and information programs;

18 (4) to the department of public safety to
19 provide additional special investigators for enforcement of the
20 Liquor Control Act;

21 (5) to the alcohol and gaming division of the
22 regulation and licensing department for enforcement of the
23 provisions of the Liquor Control Act and administration of the
24 Alcohol Server Education Act [~~if enacted into law by the first~~
25 ~~session of the forty first legislature];~~

. 114502. 1

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1 (6) to the public defender department for costs
2 related to workload increases due to increases in DWI caseloads;

3 (7) to the district attorneys for costs related
4 to workload increases due to increases in DWI caseloads;

5 (8) to the magistrate courts division of the
6 administrative office of the courts for magistrate court costs
7 related to workload increases due to increases in DWI caseloads,
8 including costs of probation services;

9 (9) to the Bernalillo county metropolitan court
10 for costs related to workload increases due to increases in DWI
11 caseloads;

12 (10) to the district courts for costs related
13 to workload increases due to increases in DWI caseloads;

14 (11) to the taxation and revenue department for
15 DWI costs; and

16 (12) to the school of medicine at the
17 university of New Mexico for prevention, research and
18 intervention in the field of fetal alcohol syndrome.

19 C. [~~Prior to the second session of the forty first~~
20 ~~legislature~~] Agencies eligible for funds under this section
21 shall determine their needs for such purposes and develop
22 recommendations with supporting data to justify the need for
23 increased funding to expand existing programs and services or to
24 implement new programs and services. The agencies shall develop
25 these recommendations as part of the budget process as specified

. 114502. 1

Underscored material = new
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1 in Sections 6-3-18 through 6-3-22 NMSA 1978. "

2 Section 2. APPROPRIATION. --Two million dollars
3 (\$2,000,000) is appropriated from the general fund to the DWI
4 program fund for expenditure in fiscal year 1998 for the purpose
5 of providing the department of health with resources to supply
6 long-term care services designed to increase the independence of
7 persons who survive traumatic brain injuries suffered as the
8 result of alcohol-related motor vehicle collisions. Any
9 unexpended or unencumbered balance remaining at the end of
10 fiscal year 1998 shall not revert to the general fund.

11 Section 3. EFFECTIVE DATE. --The effective date of the
12 provisions of this act is July 1, 1997.

State of New Mexico
House of Representatives

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

February 6, 1997

Mr. Speaker:

Your CONSUMER AND PUBLIC AFFAIRS COMMITTEE, to
whom has been referred

HOUSE BILL 201

has had it under consideration and reports same with
recommendation that it DO PASS, and thence referred to the
APPROPRIATIONS AND FINANCE COMMITTEE.

Underscored material = new
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**FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997**

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Respectfully submitted,

Gary King, Chairman

Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 7 For 0 Against

Yes: 7

Excused: Heaton, Sandel, Vigil

Absent: None

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Underscored material = new
~~[bracketed material] = delete~~