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HOUSE BILL 541

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Jose R. Abeyta

AN ACT

RELATING TO THE DWI PROGRAM FUND; PERMITTING APPROPRIATIONS FROM THE DWI PROGRAM FUND TO MUNICIPALITIES FOR DWI CASELOAD INCREASES; AMENDING A SECTION OF THE NMSA 1978; MAKING AN APPROPRIATION.

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 year shall not revert to the general fund.

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

5 (1) to the department of health to contract
6 for community DWI programs and services and for alcoholism and
7 alcohol abuse prevention, screening and treatment programs and
8 services pursuant to the Alcoholism and Alcohol Abuse
9 Prevention, Screening and Treatment Act;

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

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

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

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

24 (6) to the public defender department for
25 costs related to workload increases due to increases in DWI

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1 caseloads;

2 (7) to the district attorneys for costs
3 related to workload increases due to increases in DWI
4 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
8 caseloads, including costs of probation services;

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

19 (13) to municipalities for costs related to
20 workload increases for municipal employees, municipal courts,
21 city attorneys and municipal public defenders due to increases
22 in DWI caseloads.

23 C. [~~Prior to the second session of the forty-first~~
24 ~~legislature~~] Agencies eligible for funds under this section
25 shall determine their needs for such purposes and develop

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1 recommendations with supporting data to justify the need for
2 increased funding to expand existing programs and services or
3 to implement new programs and services. The agencies shall
4 develop these recommendations as part of the budget process as
5 specified in Sections 6-3-18 through [~~6-3-22~~ 6-3-25 NMSA
6 1978. "

1 FORTY-FOURTH LEGISLATURE
2 FIRST SESSION, 1999
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6 February 27, 1999
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8 Mr. Speaker:
9

10 Your JUDICIARY COMMITTEE, to whom has been referred
11

12 HOUSE BILL 541
13

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

17 Respectfully submitted,
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21 _____
22 R. David Pederson, Chairman
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FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

HJC/HB 541

Page 6

Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 8 For 1 Against

Yes: 8

No: Mallory

Excused: Luna, T. Taylor, Sanchez

Absent: None

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1 FORTY- FOURTH LEGISLATURE
2 FIRST SESSION, 1999

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4 March 2, 1999

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7 Mr. Speaker:

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9 Your APPROPRIATIONS AND FINANCE COMMITTEE, to
10 whom has been referred

11 HOUSE BILL 541

12
13 has had it under consideration and reports same with
14 recommendation that it DO PASS.

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16 Respectfully submitted,

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21 Max Coll, Chairman
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FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

Page 8

Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 17 For 0 Against

Yes: 17

Excused: None

Absent: None

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