



The Legislature
of the
State of New Mexico

50th Legislature, 1st Session

LAWS 2011

CHAPTER 99

HOUSE BILL 301, as amended

Introduced by

REPRESENTATIVE RODOLPHO S. MARTINEZ AND
REPRESENTATIVE LARRY A. LARRAÑAGA



REPRESENTATIVE DON L. TRIPP
REPRESENTATIVE ANDY NUÑEZ
REPRESENTATIVE JOSEPH CERVANTES
REPRESENTATIVE JAMES ROGER MADALENA
REPRESENTATIVE ERNEST H. CHAVEZ
REPRESENTATIVE ZACHARY J. COOK
REPRESENTATIVE DIANNE HAMILTON
REPRESENTATIVE BILL B. O'NEILL
REPRESENTATIVE DONA G. IRWIN

Chapter 99

AN ACT

1
2 RELATING TO THE INTERSTATE STREAM COMMISSION; CREATING THE
3 "NEW MEXICO UNIT FUND" FOR THE DEPOSIT OF FEDERAL MONEY MADE
4 AVAILABLE TO THE INTERSTATE STREAM COMMISSION TO COMPLY WITH
5 PROVISIONS OF THE FEDERAL ARIZONA WATER SETTLEMENTS ACT AND
6 THE COLORADO RIVER BASIN PROJECT ACT OF 1968 AND IN REGARD TO
7 THE CENTRAL ARIZONA PROJECT AND THE GILA RIVER, ITS
8 TRIBUTARIES AND UNDERGROUND WATER SOURCES; PROVIDING THE
9 PURPOSE FOR THE NEW MEXICO UNIT FUND; MAKING AN APPROPRIATION.

10
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

12 SECTION 1. A new section of Chapter 72, Article 14 NMSA
13 1978 is enacted to read:

14 "NEW MEXICO UNIT FUND--PURPOSE--APPROPRIATION.--

15 A. The "New Mexico unit fund" is created in the
16 state treasury. The fund shall consist of money distributed
17 to the state pursuant to Paragraphs (2)(D)(i) and (ii) of
18 Section 403(f) of the federal Colorado River Basin Project Act
19 of 1968, as amended by Section 107(a) of the federal Arizona
20 Water Settlements Act, Public Law 108-451, December 10, 2004;
21 other money made available to the fund pursuant to Section 212
22 of the federal Arizona Water Settlements Act, Public Law 108-
23 451, December 10, 2004; appropriations; grants; and donations
24 or bequests to the fund.

25 B. Income from the fund shall be credited to the

1 fund. Any unexpended or unencumbered balance remaining in the
2 fund at the end of a fiscal year shall not revert to the
3 general fund. Money in the fund shall not be transferred,
4 other than through an intra-agency transfer, to any other
5 fund.

6 C. Money in the fund shall be administered by the
7 interstate stream commission and is appropriated to the
8 interstate stream commission for expenditure in fiscal year
9 2012 and subsequent fiscal years to comply with the provisions
10 of the federal laws cited in Subsection A of this section.

11 Those provisions of federal law establish that the purpose of
12 money in the fund is to pay the costs of the New Mexico unit
13 or other water utilization alternatives to meet water supply
14 demands in the southwest water planning region of New Mexico,
15 as determined by the interstate stream commission in
16 consultation with the southwest New Mexico water study group
17 or its successor, including costs associated with planning and
18 environmental compliance activities and environmental
19 mitigation and restoration. Money in the fund shall not be
20 expended for any purpose other than the purpose provided in
21 this section. The interstate stream commission may adopt
22 rules it deems necessary to carry out the purpose of this
23 section.

24 D. On or before November 15 of each year, the
25 interstate stream commission shall report to the appropriate

1 legislative interim committee dealing with water and natural
2 resources and to the legislative finance committee on:

3 (1) the status of the New Mexico unit fund;
4 (2) the distribution of money from the New
5 Mexico unit fund to implement the purpose of the fund pursuant
6 to Subsection C of this section; and

7 (3) proposed uses and levels of funding
8 projected for the following fiscal year.

9 E. Expenditures from the fund shall be made on
10 warrants signed by the secretary of finance and administration
11 pursuant to vouchers signed by the director of the interstate
12 stream commission upon the delegation of authority by the
13 interstate stream commission." _____

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Ben Lujan

BEN LUJÁN, SPEAKER
HOUSE OF REPRESENTATIVES

Stephen R. Arias

STEPHEN R. ARIAS, CHIEF CLERK
HOUSE OF REPRESENTATIVES

John A. Sanchez

JOHN A. SANCHEZ, PRESIDENT
SENATE

Lenore M. Naranjo

LENORE M. NARANJO, CHIEF CLERK
SENATE

Approved by me this 6th day of April, 2011

Susana Martinez

SUSANA MARTINEZ, GOVERNOR
STATE OF NEW MEXICO

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SECRETARY OF STATE

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