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SENATE BILL 1

**53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SPECIAL SESSION, 2017**

INTRODUCED BY

Carlos R. Cisneros and Jim R. Trujillo

AN ACT

RELATING TO PUBLIC FINANCE; AUTHORIZING AND REQUIRING THE  
ISSUANCE OF SEVERANCE TAX BONDS; SUSPENDING A PORTION OF THE  
SEVERANCE TAX BONDING CAPACITY ALLOCATION FOR WATER PROJECTS;  
PROVIDING FOR TRANSFERS TO THE GENERAL FUND FROM OTHER FUNDS  
AND ACCOUNTS; MAKING APPROPRIATIONS; DECLARING AN EMERGENCY.

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

**SECTION 1. SHORT-TERM SUPPLEMENTAL SEVERANCE TAX BONDS--**  
APPROPRIATION OF PROCEEDS.--In fiscal year 2017, the state  
board of finance shall, in compliance with the Severance Tax  
Bonding Act, issue and sell supplemental severance tax bonds  
whose terms end on or before the end of the fiscal year in an  
aggregate amount not to exceed fifty-five million two hundred  
thousand dollars (\$55,200,000) when the secretary of finance  
and administration certifies the need for the bonds. The state

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1 board of finance shall issue and sell the bonds as  
2 expeditiously and economically as possible and take the  
3 appropriate steps necessary to comply with the federal Internal  
4 Revenue Code of 1986, as amended. Proceeds from the sale of  
5 the bonds are appropriated to the general fund. The board of  
6 finance division of the department of finance and  
7 administration shall transfer the proceeds to the general fund  
8 for use by the department in fiscal year 2017 to restore the  
9 allotments from the general fund for capital project  
10 appropriations whose expenditure periods end on or before June  
11 30, 2016.

12 SECTION 2. SEVERANCE TAX BONDS--APPROPRIATION TO THE  
13 PUBLIC SCHOOL CAPITAL OUTLAY FUND.--In fiscal years 2017 and  
14 2018, the state board of finance shall, in compliance with the  
15 Severance Tax Bonding Act and upon certification by the public  
16 school capital outlay council that the need exists for the  
17 issuance of the bonds, issue and sell severance tax bonds in an  
18 aggregate amount not to exceed fifty-five million two hundred  
19 thousand dollars (\$55,200,000). The state board of finance  
20 shall issue and sell the bonds as expeditiously and  
21 economically as possible and take the appropriate steps  
22 necessary to comply with the federal Internal Revenue Code of  
23 1986, as amended. Proceeds from the sale of the bonds are  
24 appropriated to the public school capital outlay fund for use  
25 by the public school capital outlay council to implement the

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1 Public School Capital Outlay Act and are appropriated for  
2 expenditure in fiscal years 2018 through 2022. Notwithstanding  
3 the provisions of Subsection A of Section 22-24-4 NMSA 1978 to  
4 the contrary, the unexpended or unencumbered balance remaining  
5 at the end of fiscal year 2022 shall revert to the severance  
6 tax bonding fund.

7 SECTION 3. TRANSFERS TO GENERAL FUND--FISCAL YEARS 2017  
8 AND 2018.--

9 A. Eight million dollars (\$8,000,000) is  
10 transferred from the New Mexico finance authority to the  
11 appropriation account of the general fund in fiscal year 2018.  
12 Except as otherwise provided in the Tax Administration Act, the  
13 amount is from the authority's fiscal year 2018 portion of the  
14 governmental gross receipts tax distributed to the authority in  
15 accordance with Section 7-1-6.38 NMSA 1978 that is not  
16 otherwise pledged for payment of obligations of the authority.

17 B. Notwithstanding the prerequisite for  
18 authorization by the state board of finance set forth in  
19 Subsection B of Section 15-3B-17 NMSA 1978, five million  
20 dollars (\$5,000,000) is transferred from the capitol buildings  
21 repair fund to the general fund for use by the department of  
22 finance and administration in fiscal year 2017 to restore the  
23 allotments from the general fund for appropriations whose  
24 expenditure periods end on or before June 30, 2016 and whose  
25 purposes the law allows for use of money in the capitol

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1 buildings repair fund.

2 C. Notwithstanding any restriction on the use of  
3 money from the source, the following amounts are appropriated  
4 from the following funds or accounts and are transferred to the  
5 fiscal year 2017 appropriation account of the general fund:

6 (1) sixteen thousand eight hundred eighty-  
7 eight dollars (\$16,888) from the discount prescription drug  
8 program fund;

9 (2) eight hundred eight thousand dollars  
10 (\$808,000) from the property control reserve fund;

11 (3) one million dollars (\$1,000,000) from the  
12 public liability fund;

13 (4) one million dollars (\$1,000,000) from the  
14 public property reserve fund;

15 (5) one million dollars (\$1,000,000) from the  
16 workers' compensation retention fund;

17 (6) ninety-one thousand seven hundred forty-  
18 five dollars (\$91,745) from the pharmacy fund;

19 (7) fifty thousand dollars (\$50,000) from the  
20 board of dental health care fund;

21 (8) forty-three thousand two hundred dollars  
22 (\$43,200) from the construction industries division  
23 publications revolving fund;

24 (9) seventeen thousand five hundred dollars  
25 (\$17,500) from the interior design board fund;

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- 1 (10) one thousand three hundred eighty-seven  
2 dollars (\$1,387) from the insurance examination fund;  
3 (11) eight thousand dollars (\$8,000) from the  
4 board of nursing fund;  
5 (12) one hundred forty thousand two hundred  
6 dollars (\$140,200) from the radiologic technology fund;  
7 (13) eighty-five thousand dollars (\$85,000)  
8 from the solid waste facility grant fund;  
9 (14) thirty thousand dollars (\$30,000) from  
10 the voluntary remediation fund;  
11 (15) five hundred thousand dollars (\$500,000)  
12 from the day-care fund;  
13 (16) three hundred fifty thousand dollars  
14 (\$350,000) from the community corrections grant fund;  
15 (17) two hundred fifty thousand dollars  
16 (\$250,000) from the educator licensure fund;  
17 (18) eighty thousand one hundred forty-five  
18 dollars (\$80,145) from the teacher professional development  
19 fund;  
20 (19) eighty-one thousand seven hundred  
21 seventeen dollars (\$81,717) from the incentives for school  
22 improvement fund;  
23 (20) fourteen thousand two hundred ninety-two  
24 dollars (\$14,292) from the charter schools stimulus fund;  
25 (21) fourteen thousand two hundred sixty-three

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1 dollars (\$14,263) from the educational technology fund;  
2 (22) one thousand one hundred seventy-eight  
3 dollars (\$1,178) from the family and youth resource fund;  
4 (23) one hundred thirty-nine thousand nine  
5 hundred dollars (\$139,900) from the higher education program  
6 development enhancement fund; and  
7 (24) two hundred ninety-nine thousand five  
8 hundred dollars (\$299,500) from the higher education endowment  
9 fund.

10 SECTION 4. Section 7-27-10.1 NMSA 1978 (being Laws 2003,  
11 Chapter 134, Section 1, as amended) is amended to read:

12 "7-27-10.1. BONDING CAPACITY--AUTHORIZATION FOR SEVERANCE  
13 TAX BONDS--PRIORITY FOR WATER PROJECTS AND TRIBAL  
14 INFRASTRUCTURE PROJECTS.--

15 A. By January 15 of each year, the division shall  
16 estimate the amount of bonding capacity available for severance  
17 tax bonds to be authorized by the legislature.

18 B. For each year except 2017, the division shall  
19 allocate nine percent of the estimated bonding capacity each  
20 year for water projects, and the legislature authorizes the  
21 state board of finance to issue severance tax bonds in the  
22 annually allocated amount for use by the water trust board to  
23 fund water projects statewide. The water trust board shall  
24 certify to the state board of finance the need for issuance of  
25 bonds for water projects. The state board of finance may issue

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1 and sell the bonds in the same manner as other severance tax  
2 bonds in an amount not to exceed the authorized amount provided  
3 for in this subsection. If necessary, the state board of  
4 finance shall take the appropriate steps to comply with the  
5 federal Internal Revenue Code of 1986, as amended. Proceeds  
6 from the sale of the bonds are appropriated to the water  
7 project fund in the New Mexico finance authority for the  
8 purposes certified by the water trust board to the state board  
9 of finance.

10 C. The division shall allocate the following  
11 [~~percentages~~] percentage of the estimated bonding capacity for  
12 tribal infrastructure projects:

13 (1) in 2016, six and one-half percent; and

14 (2) in 2017 and each subsequent year, four and  
15 one-half percent.

16 D. The legislature authorizes the state board of  
17 finance to issue severance tax bonds in the amount [~~allocated~~  
18 ~~pursuant to~~] provided for in this section for use by the tribal  
19 infrastructure board to fund tribal infrastructure projects.  
20 The tribal infrastructure board shall certify to the state  
21 board of finance the need for issuance of bonds for tribal  
22 infrastructure projects. The state board of finance may issue  
23 and sell the bonds in the same manner as other severance tax  
24 bonds in an amount not to exceed the authorized amount provided  
25 for in this [~~subsection~~] section. If necessary, the state

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1 board of finance shall take the appropriate steps to comply  
2 with the federal Internal Revenue Code of 1986, as amended.  
3 Proceeds from the sale of the bonds are appropriated to the  
4 tribal infrastructure project fund for the purposes certified  
5 by the tribal infrastructure board to the state board of  
6 finance.

7 E. Money from the severance tax bonds provided for  
8 in this section shall not be used to pay indirect project  
9 costs. Any unexpended balance from proceeds of severance tax  
10 bonds issued for a water project or a tribal infrastructure  
11 project shall revert to the severance tax bonding fund within  
12 six months of completion of the project. The New Mexico  
13 finance authority shall monitor and ensure proper reversions of  
14 the bond proceeds appropriated for water projects, and the  
15 department of finance and administration shall monitor and  
16 ensure proper reversions of the bond proceeds appropriated for  
17 tribal infrastructure projects.

18 F. As used in this section:

19 (1) "division" means the board of finance  
20 division of the department of finance and administration;

21 (2) "tribal infrastructure project" means a  
22 qualified project under the Tribal Infrastructure Act; and

23 (3) "water project" means a capital outlay  
24 project for:

25 (a) the storage, conveyance or delivery



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1 of water to end users;

2 (b) the implementation of federal  
3 Endangered Species Act of 1973 collaborative programs;

4 (c) the restoration and management of  
5 watersheds;

6 (d) flood prevention; or

7 (e) conservation, recycling, treatment  
8 or reuse of water."

9 SECTION 5. Section 7-27-12 NMSA 1978 (being Laws 1961,  
10 Chapter 5, Section 10, as amended by Laws 2001, Chapter 37,  
11 Section 1 and by Laws 2001, Chapter 338, Section 1) is amended  
12 to read:

13 "7-27-12. WHEN SEVERANCE TAX BONDS TO BE ISSUED.--

14 A. The state board of finance shall issue and sell  
15 all severance tax bonds when authorized to do so by any law  
16 that sets out the amount of the issue and the recipient of the  
17 money.

18 B. The state board of finance shall also issue and  
19 sell severance tax bonds authorized by Sections 72-14-36  
20 through 72-14-42 NMSA 1978, and such authority as has been  
21 given to the interstate stream commission to issue and sell  
22 such bonds is transferred to the state board of finance. The  
23 state board of finance shall issue and sell all severance tax  
24 bonds only when so instructed by resolution of the governing  
25 body or by written direction from an authorized officer of the

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1 recipient of the bond money.

2 C. Except as provided in Subsection D of this  
3 section, proceeds from supplemental severance tax bonds shall  
4 be used only for public school capital outlay projects pursuant  
5 to the Public School Capital Outlay Act or the Public School  
6 Capital Improvements Act.

7 D. Proceeds from supplemental severance tax bonds  
8 issued pursuant to Paragraph (2) of Subsection A of Section 19  
9 of Chapter 6 of Laws 1999 (1st S.S.) and Section 1 of this 2017  
10 act shall be used for the purposes specified in [~~that~~  
11 ~~paragraph~~] those provisions.

12 E. Except as provided in Subsection F of this  
13 section, the state board of finance shall issue and sell all  
14 supplemental severance tax bonds when so instructed by  
15 resolution of the public school capital outlay council pursuant  
16 to Section 7-27-12.2 NMSA 1978.

17 F. The state board of finance shall issue and sell  
18 the supplemental severance tax bonds authorized by:

19 (1) Paragraph (2) of Subsection A of Section  
20 19 of Chapter 6 of Laws 1999 (1st S.S.) when so instructed by  
21 resolution of the commission on higher education; and

22 (2) Section 1 of this 2017 act upon  
23 certification by the secretary of finance and administration of  
24 the need to use proceeds from those bonds as outlined in that  
25 section."

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1           SECTION 6. Section 15-3B-17 NMSA 1978 (being Laws 1972,  
2 Chapter 74, Section 4, as amended) is amended to read:

3           "15-3B-17. CAPITOL BUILDINGS REPAIR FUND--CREATION--  
4 EXPENDITURES.--

5           A. The "capitol buildings repair fund" is created  
6 in the state treasury. To this fund shall be transferred,  
7 after payments required by Laws 1997, Chapter 178, Section 1 to  
8 the New Mexico finance authority, all income, including  
9 distributions from the land grant permanent fund derived from  
10 lands granted to the state by the United States congress for  
11 legislative, executive and judicial public buildings. Two  
12 percent of this fund shall be transferred annually to a "state  
13 capitol maintenance fund", hereby created, as a special  
14 perpetual fund for the upkeep and maintenance of the capitol  
15 renovation and capitol grounds.

16           B. The capitol buildings repair fund may be used to  
17 repair, remodel and equip capitol buildings and adjacent lands,  
18 to repair or replace building machinery and building equipment  
19 located in capitol buildings and to contract for options, no  
20 one of which costs more than ten thousand dollars (\$10,000), to  
21 purchase real estate [~~such real estate, if purchased~~] to be put  
22 to state use [~~provided that no more than ten thousand dollars~~  
23 ~~(\$10,000) shall be expended for any single option~~]. Any money  
24 used for consideration in acquiring an option to purchase real  
25 estate shall be applied against the purchase price of the real

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1 estate if the option is exercised. Except as provided in  
2 Subsection B of Section 3 of this 2017 act, no money shall be  
3 expended from the capitol buildings repair fund without  
4 authorization of the state board of finance.

5 C. In the event a capital outlay project exceeds  
6 authorized project cost by five percent or less, the state  
7 board of finance may authorize the division to supplement the  
8 authorized cost by an allocation not to exceed five percent of  
9 the authorized cost from the capitol buildings repair fund to  
10 the extent of the unencumbered and unexpended balance of the  
11 fund."

12 SECTION 7. Section 61-3-27 NMSA 1978 (being Laws 1968,  
13 Chapter 44, Section 23, as amended by Laws 2017, Chapter 136,  
14 Section 7) that is to become effective June 16, 2017 is amended  
15 to read:

16 "61-3-27. FUND ESTABLISHED--DISPOSITION--METHOD OF  
17 PAYMENT.--

18 A. There is created a "board of nursing fund".

19 B. Except as provided in Sections 61-3-10.5 and  
20 61-3-10.6 NMSA 1978, all funds received by the board and money  
21 collected under the Nursing Practice Act and the Lactation Care  
22 Provider Act shall be deposited with the state treasurer. The  
23 state treasurer shall place the money to the credit of the  
24 board of nursing fund. Any income earned on investment of the  
25 fund shall remain in the fund.

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1           C. Payments out of the board of nursing fund shall  
2 be on vouchers issued and signed by the person designated by  
3 the board upon warrants drawn by the department of finance and  
4 administration in accordance with the budget approved by the  
5 department.

6           D. Except as provided in Paragraph (11) of  
7 Subsection C of Section 3 of this 2017 act, all amounts paid  
8 into the board of nursing fund shall be subject to the order of  
9 the board and shall only be used for the purpose of meeting  
10 necessary expenses incurred in the enforcement of the purposes  
11 of the Nursing Practice Act and the Lactation Care Provider  
12 Act, the duties imposed by those acts and the promotion of  
13 nursing and lactation care provider education and standards in  
14 this state. All money unused at the end of the fiscal year  
15 shall remain in the board of nursing fund for use in accordance  
16 with the provisions of the Nursing Practice Act and the  
17 Lactation Care Provider Act to further the purposes of those  
18 acts.

19           E. All funds that may have accumulated to the  
20 credit of the board under any previous act shall be continued  
21 for use by the board in administration of the Nursing Practice  
22 Act and the Lactation Care Provider Act.

23           F. As used in this section, "lactation care  
24 provider" means a person licensed by the board pursuant to the  
25 Lactation Care Provider Act to provide lactation care and

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1 services."

2 SECTION 8. Section 61-5A-26 NMSA 1978 (being Laws 1994,  
3 Chapter 55, Section 26, as amended) is amended to read:

4 "61-5A-26. FUND ESTABLISHED.--

5 A. There is created in the state treasury the  
6 "board of dental health care fund".

7 B. All money received by the board and money  
8 collected under the Dental Health Care Act shall be deposited  
9 with the state treasurer. The state treasurer shall credit  
10 this money to the board of dental health care fund except money  
11 collected for the impaired assessment, which shall be held  
12 separate from the board fund. Fees collected by the board from  
13 fines shall be deposited in the board of dental health care  
14 fund and, at the discretion of the board and the committee, may  
15 be transferred into the impaired dentists and dental hygienists  
16 fund.

17 C. Payment out of the board of dental health care  
18 fund shall be on vouchers issued and signed by the secretary-  
19 treasurer of the board upon warrants drawn by the department of  
20 finance and administration in accordance with the budget  
21 approved by that department.

22 D. Except as provided in Paragraph (7) of  
23 Subsection C of Section 3 of this 2017 act, all amounts paid  
24 into the board of dental health care fund are subject to the  
25 order of the board and are to be used only for meeting

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1 necessary expenses incurred in executing the provisions and  
2 duties of the Dental Health Care Act. All money unused at the  
3 end of any fiscal year shall remain in the fund for use in  
4 accordance with provisions of the Dental Health Care Act.

5 E. All funds that have accumulated to the credit of  
6 the board under any previous law shall be continued for use by  
7 the board in administration of the Dental Health Care Act."

8 SECTION 9. SEVERANCE TAX BONDS--AUTHORIZATIONS--  
9 APPROPRIATION OF PROCEEDS.--

10 A. The state board of finance may issue and sell  
11 severance tax bonds in compliance with the Severance Tax  
12 Bonding Act in an amount not to exceed the total of the amounts  
13 authorized for purposes specified in Sections 11 through 28 of  
14 this act. The state board of finance shall schedule the  
15 issuance and sale of the bonds as expeditiously and  
16 economically as possible upon a finding by the board that the  
17 project has been developed sufficiently to justify the issuance  
18 and that the project can proceed to contract within a  
19 reasonable time. The state board of finance shall further take  
20 the appropriate steps necessary to comply with the federal  
21 Internal Revenue Code of 1986, as amended. Proceeds from the  
22 sale of the bonds are appropriated for the purposes specified  
23 in Sections 11 through 28 of this act.

24 B. The agencies named in Sections 11 through 28 of  
25 this act shall certify to the state board of finance when the

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1 money from the proceeds of the severance tax bonds appropriated  
2 in this section is needed for the purposes specified in the  
3 applicable section of Sections 11 through 28 of this act. If  
4 an agency has not certified the need for severance tax bond  
5 proceeds for a particular project by the end of fiscal year  
6 2019, the authorization for that project is void.

7 C. Before an agency may certify for the need of  
8 severance tax bond proceeds, the project must be developed  
9 sufficiently so that the agency reasonably expects to:

10 (1) incur within six months after the  
11 applicable bond proceeds are available for the project a  
12 substantial binding obligation to a third party to expend at  
13 least five percent of the bond proceeds for the project; and

14 (2) spend at least eighty-five percent of the  
15 bond proceeds within three years after the applicable bond  
16 proceeds are available for the project.

17 D. Except as otherwise specifically provided by  
18 law:

19 (1) the unexpended balance from the proceeds  
20 of severance tax bonds appropriated in Sections 11 through 28  
21 of this act for a project shall revert to the severance tax  
22 bonding fund no later than the following dates:

23 (a) for a project for which severance  
24 tax bond proceeds were appropriated to match federal grants,  
25 six months after completion of the project;

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1 (b) for a project for which severance  
2 tax bond proceeds were appropriated to purchase vehicles,  
3 including emergency vehicles and other vehicles that require  
4 special equipment; heavy equipment; books; educational  
5 technology; or other equipment or furniture that is not related  
6 to a more inclusive construction or renovation project, at the  
7 end of the fiscal year two years following the fiscal year in  
8 which the severance tax bond proceeds were made available for  
9 the purchase; and

10 (c) for any other project for which  
11 severance tax bonds were appropriated, within six months of  
12 completion of the project, but no later than the end of fiscal  
13 year 2021; and

14 (2) all remaining balances from the proceeds  
15 of severance tax bonds appropriated for a project in Sections  
16 11 through 28 of this act shall revert to the severance tax  
17 bonding fund three months after the latest reversion date  
18 specified for that type of project in Paragraph (1) of this  
19 subsection.

20 E. Except for appropriations to the capital program  
21 fund, money from severance tax bond proceeds provided pursuant  
22 to Sections 11 through 28 of this act shall not be used to pay  
23 indirect project costs.

24 F. Except for a project that was originally funded  
25 using a tax-exempt loan or bond issue, a project involving

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1 repayment of debt previously incurred shall be funded through  
2 the issuance of taxable severance tax bonds with a term that  
3 does not extend beyond the fiscal year in which they are  
4 issued.

5 G. For the purpose of this section, "unexpended  
6 balance" means the remainder of an appropriation after  
7 reserving for unpaid costs and expenses covered by binding  
8 written obligations to third parties.

9 SECTION 10. FUND APPROPRIATIONS--LIMITATIONS--  
10 REVERSIONS.--

11 A. For the purposes of Sections 29 through 33 of  
12 this act, except as otherwise specifically provided by law:

13 (1) the unexpended balance of an appropriation  
14 made from a fund shall revert no later than the following  
15 dates:

16 (a) for a project for which an  
17 appropriation was made to match federal grants, six months  
18 after completion of the project;

19 (b) for a project for which an  
20 appropriation was made to purchase vehicles, including  
21 emergency vehicles and other vehicles that require special  
22 equipment; heavy equipment; books; educational technology; or  
23 other equipment or furniture that is not related to a more  
24 inclusive construction or renovation project, at the end of the  
25 fiscal year two years following the fiscal year in which the

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1 appropriation was made for the purchase; and

2 (c) for any other project for which an  
3 appropriation was made, within six months of completion of the  
4 project, but no later than the end of fiscal year 2021; and

5 (2) all remaining balances from an  
6 appropriation made for a project shall revert three months  
7 after the latest reversion date specified for that type of  
8 project in Paragraph (1) of this subsection.

9 B. Except for appropriations to the capital program  
10 fund, money from appropriations made shall not be used to pay  
11 indirect project costs.

12 C. Except as provided in Subsection D of this  
13 section, the balance of an appropriation made from other state  
14 funds shall revert in the time frame set forth in Subsection A  
15 of this section to the originating fund.

16 D. The balance of an appropriation made to the  
17 Indian affairs department or the aging and long-term services  
18 department for a project located on lands of an Indian nation,  
19 tribe or pueblo shall revert in the time frame set forth in  
20 Subsection A of this section to the tribal infrastructure  
21 project fund.

22 E. For the purpose of this section, "unexpended  
23 balance" means the remainder of an appropriation after  
24 reserving for unpaid costs and expenses covered by binding  
25 written obligations to third parties.

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1           SECTION 11. ADMINISTRATIVE OFFICE OF THE COURTS PROJECT--  
2 SEVERANCE TAX BONDS.--Pursuant to Section 9 of this act, upon  
3 certification by the administrative office of the courts that  
4 the need exists for the issuance of the bonds, one million  
5 three hundred thousand dollars (\$1,300,000) is appropriated to  
6 the administrative office of the courts to purchase and install  
7 security equipment and a high density filing system and for  
8 related infrastructure improvements at magistrate courts and  
9 judicial district courts statewide.

10           SECTION 12. AGING AND LONG-TERM SERVICES DEPARTMENT  
11 PROJECTS--SEVERANCE TAX BONDS.--Pursuant to Section 9 of this  
12 act, upon certification by the aging and long-term services  
13 department that the need exists for the issuance of the bonds,  
14 the following amounts are appropriated to the aging and long-  
15 term services department for the following purposes:

16           1. twenty thousand seventy-five dollars (\$20,075)  
17 for improvements to the facility to address code compliance  
18 issues at the Paradise Hills senior center in Albuquerque in  
19 Bernalillo county;

20           2. twenty-six thousand five hundred dollars  
21 (\$26,500) for improvements to the facility to address code  
22 compliance issues at the Glenwood senior center in Glenwood in  
23 Catron county;

24           3. thirty-one thousand dollars (\$31,000) for  
25 improvements to the facility to address code compliance issues

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1 at the Quemado senior center in Quemado in Catron county;

2 4. fifty-seven thousand six hundred eighteen  
3 dollars (\$57,618) for improvements to the facility to address  
4 code compliance issues at the Anthony community center in  
5 Anthony in Dona Ana county;

6 5. eighty-seven thousand five hundred eighty-two  
7 dollars (\$87,582) for improvements to the facility to address  
8 code compliance issues at the Betty McKnight multipurpose  
9 center in Chaparral in Dona Ana county;

10 6. seven thousand five hundred dollars (\$7,500) for  
11 improvements to the facility to address code compliance issues  
12 at the Puerto de Luna senior center in Santa Rosa in Guadalupe  
13 county;

14 7. fifteen thousand dollars (\$15,000) for  
15 improvements to the facility to address code compliance issues  
16 at the Ena Mitchell senior center in Lordsburg in Hidalgo  
17 county;

18 8. one hundred forty-one thousand six hundred  
19 ninety-six dollars (\$141,696) for improvements to the facility  
20 to address code compliance issues at the Ruidoso community  
21 center in Ruidoso in Lincoln county;

22 9. eighty-eight thousand dollars (\$88,000) to plan,  
23 design and construct a parking lot at the Baca senior center in  
24 the Baca chapter of the Navajo Nation in McKinley county;

25 10. forty thousand five hundred thirty-six dollars

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1 (\$40,536) to purchase and equip vehicles for the Chichiltah  
2 senior center in the Chichiltah chapter of the Navajo Nation in  
3 McKinley county;

4 11. one hundred eighty-eight thousand nine hundred  
5 ninety-six dollars (\$188,996) to plan, design and construct  
6 improvements to the facility to address code compliance issues  
7 at the Twin Lakes senior center in the Twin Lakes chapter of  
8 the Navajo Nation in McKinley county;

9 12. seven thousand dollars (\$7,000) for  
10 improvements to the facility to address code compliance issues  
11 at the Beatrice Martinez senior center in Espanola in Rio  
12 Arriba county;

13 13. five thousand two hundred dollars (\$5,200) for  
14 improvements to the facility to address code compliance issues  
15 at the Bloomfield senior center in Bloomfield in San Juan  
16 county;

17 14. five thousand twenty-four dollars (\$5,024) to  
18 purchase and install meals equipment at the Bloomfield senior  
19 center in Bloomfield in San Juan county;

20 15. ten thousand five hundred dollars (\$10,500) for  
21 improvements to the facility to address code compliance issues  
22 at the Corrales senior center in Corrales in Sandoval county;

23 16. seventy-six thousand six hundred sixty-one  
24 dollars (\$76,661) to purchase and equip vehicles for the  
25 Corrales senior center in Corrales in Sandoval county;

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1           17. two hundred six thousand four hundred ninety-  
2 six dollars (\$206,496) for improvements to the facility to  
3 address code compliance issues at the Ken James senior center  
4 in Truth or Consequences in Sierra county;

5           18. thirteen thousand eight hundred dollars  
6 (\$13,800) for improvements to the facility to address code  
7 compliance issues at the Magdalena senior center in Magdalena  
8 in Socorro county;

9           19. eighty-four thousand five hundred twenty-four  
10 dollars (\$84,524) for improvements to the facility to address  
11 code compliance issues at the Socorro senior center in Socorro  
12 in Socorro county;

13           20. sixteen thousand two hundred twenty-five  
14 dollars (\$16,225) for improvements to the facility to address  
15 code compliance issues at the Veguita senior center in Veguita  
16 in Socorro county; and

17           21. one hundred ninety-five thousand dollars  
18 (\$195,000) for improvements to the facility to address code  
19 compliance issues at the Amalia senior center in Amalia in Taos  
20 county.

21           **SECTION 13. BERNALILLO COUNTY METROPOLITAN COURT**  
22 **PROJECT--SEVERANCE TAX BONDS.--**Pursuant to Section 9 of this  
23 act, upon certification by the Bernalillo county metropolitan  
24 court that the need exists for the issuance of the bonds, nine  
25 hundred thousand dollars (\$900,000) is appropriated to the

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1 Bernalillo county metropolitan court to plan, design,  
2 construct, furnish and equip courtrooms, judges' chambers, jury  
3 rooms and public and restricted access areas on the fourth  
4 floor of the Bernalillo county metropolitan court courthouse in  
5 Albuquerque in Bernalillo county.

6 SECTION 14. CAPITAL PROGRAM FUND PROJECTS--SEVERANCE TAX  
7 BONDS.--Pursuant to Section 9 of this act, upon certification  
8 by the facilities management division of the general services  
9 department that the need exists for the issuance of the bonds,  
10 the following amounts are appropriated to the capital program  
11 fund for the following purposes:

12 1. one million dollars (\$1,000,000) to plan,  
13 design, construct, renovate, furnish, purchase and install  
14 equipment and for infrastructure improvements, including roofs,  
15 heating, ventilation and air conditioning systems and interior  
16 service windows, at the Albert Amador building in Espanola in  
17 Rio Arriba county, the Harriet Sammons building in Farmington  
18 in San Juan county and the James Murray building in Hobbs in  
19 Lea county;

20 2. seven hundred thousand dollars (\$700,000) to  
21 plan, design, construct, renovate, furnish and equip commission  
22 for the blind facilities in Bernalillo and Otero counties to  
23 comply with the federal Americans with Disabilities Act of  
24 1990;

25 3. two hundred forty-five thousand dollars

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1 (\$245,000) to plan, design, construct, equip, renovate, upgrade  
2 and furnish a facility or to expand an existing state-owned  
3 site to house the department of health vital records and health  
4 statistics bureau in Santa Fe in Santa Fe county;

5 4. four million dollars (\$4,000,000) to plan,  
6 design, construct, renovate, furnish, equip, repair, purchase  
7 and install equipment and improve infrastructure, including  
8 roofs, security upgrades and replacement of heating,  
9 ventilation and air conditioning systems, at correctional  
10 facilities statewide;

11 5. nine hundred thousand dollars (\$900,000) to  
12 plan, design, construct, renovate, equip, furnish, purchase and  
13 install infrastructure improvements and equipment, including  
14 security system upgrades and servers, security reception  
15 stations, lighting, kitchen upgrades and heating, ventilation  
16 and air conditioning systems, at children, youth and families  
17 department juvenile facilities statewide;

18 6. two million five hundred thousand dollars  
19 (\$2,500,000) to plan, design, construct, furnish, equip,  
20 purchase and install equipment and for facility upgrades,  
21 including fire alarm and security surveillance systems, at  
22 department of health facilities statewide, including the Fort  
23 Bayard medical center in Grant county;

24 7. three hundred thousand dollars (\$300,000) to  
25 plan, design, renovate, furnish and purchase and install

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1 equipment, including heavy equipment, and for demolition and  
2 debris removal and to replace and upgrade mechanical,  
3 electrical and other infrastructure systems campus-wide for the  
4 department of health at the old Fort Bayard property in Grant  
5 county;

6 8. one million two hundred thousand dollars  
7 (\$1,200,000) to plan, design, construct, improve, renovate,  
8 remediate, furnish and equip facilities, including  
9 infrastructure upgrades, at state-owned facilities statewide;  
10 and

11 9. five hundred thousand dollars (\$500,000) to  
12 plan, design, construct, renovate, furnish, purchase and  
13 install equipment at offices of the workforce solutions  
14 department statewide, including making other improvements to  
15 address building code compliance.

16 SECTION 15. CULTURAL AFFAIRS DEPARTMENT PROJECT--  
17 SEVERANCE TAX BONDS.--Pursuant to Section 9 of this act, upon  
18 certification by the cultural affairs department that the need  
19 exists for the issuance of the bonds, one million three hundred  
20 thousand dollars (\$1,300,000) is appropriated to the cultural  
21 affairs department to plan, design, construct, renovate,  
22 furnish, equip and make other improvements to sites, facilities  
23 and exhibits at museums, monuments, historic sites and cultural  
24 facilities statewide.

25 SECTION 16. CUMBRES AND TOLTEC SCENIC RAILROAD COMMISSION

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1 PROJECTS--SEVERANCE TAX BONDS.--Pursuant to Section 9 of this  
2 act, upon certification by the Cumbres and Toltec scenic  
3 railroad commission that the need exists for the issuance of  
4 the bonds, the following amounts are appropriated to the  
5 Cumbres and Toltec scenic railroad commission for the following  
6 purposes:

7 1. two hundred thousand dollars (\$200,000) for  
8 track rehabilitation and related infrastructure improvements,  
9 including locomotive and boiler upgrades to comply with federal  
10 railroad administration standards, for the Cumbres and Toltec  
11 scenic railroad operating between New Mexico and Colorado; and

12 2. one hundred thousand dollars (\$100,000) for  
13 improvements to passenger cars for the Cumbres and Toltec  
14 scenic railroad operating between New Mexico and Colorado.

15 SECTION 17. SECOND JUDICIAL DISTRICT ATTORNEY PROJECT--  
16 SEVERANCE TAX BONDS.--Pursuant to Section 9 of this act, upon  
17 certification by the second judicial district attorney that the  
18 need exists for the issuance of the bonds, three hundred  
19 thousand dollars (\$300,000) is appropriated to the second  
20 judicial district attorney to purchase and install  
21 communications, scientific and analytical equipment and  
22 information technology, including related equipment, furniture  
23 and infrastructure, in the office of the second judicial  
24 district attorney in Albuquerque in Bernalillo county.

25 SECTION 18. ENERGY, MINERALS AND NATURAL RESOURCES

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1 DEPARTMENT PROJECT--SEVERANCE TAX BONDS.--Pursuant to Section 9  
2 of this act, upon certification by the energy, minerals and  
3 natural resources department that the need exists for the  
4 issuance of the bonds, one million dollars (\$1,000,000) is  
5 appropriated to the energy, minerals and natural resources  
6 department to plan, design and construct watershed restoration  
7 and community wildfire protection improvements, including  
8 forest thinning, statewide.

9 SECTION 19. OFFICE OF THE STATE ENGINEER PROJECT--  
10 SEVERANCE TAX BONDS.--Pursuant to Section 9 of this act, upon  
11 certification by the office of the state engineer that the need  
12 exists for the issuance of the bonds, one million dollars  
13 (\$1,000,000) is appropriated to the office of the state  
14 engineer to plan, design, construct, rehabilitate and make  
15 improvements to phase 2 at Morphy lake dam in Mora county.

16 SECTION 20. STATE FAIR COMMISSION PROJECT--SEVERANCE TAX  
17 BONDS.--Pursuant to Section 9 of this act, upon certification  
18 by the state fair commission that the need exists for the  
19 issuance of the bonds, five hundred thousand dollars (\$500,000)  
20 is appropriated to the state fair commission for infrastructure  
21 improvements and to plan, design, construct and upgrade  
22 electrical systems at the New Mexico state fairgrounds in  
23 Albuquerque in Bernalillo county.

24 SECTION 21. INDIAN AFFAIRS DEPARTMENT PROJECT--SEVERANCE  
25 TAX BONDS.--Pursuant to Section 9 of this act, upon

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1 certification by the Indian affairs department that the need  
2 exists for the issuance of the bonds, five hundred thousand  
3 dollars (\$500,000) is appropriated to the Indian affairs  
4 department to plan, design and construct an access lane and  
5 other road improvements, including ingress and egress, curbs  
6 and gutters and storm drainage, at the Santa Fe Indian school  
7 in Santa Fe in Santa Fe county.

8 SECTION 22. DEPARTMENT OF INFORMATION TECHNOLOGY

9 PROJECT--SEVERANCE TAX BONDS.--Pursuant to Section 9 of this  
10 act, upon certification by the department of information  
11 technology that the need exists for the issuance of the bonds,  
12 seven hundred seven thousand dollars (\$707,000) is appropriated  
13 to the department of information technology to plan, design,  
14 purchase, install and implement infrastructure to stabilize and  
15 modernize public safety radio communications statewide.

16 SECTION 23. INTERSTATE STREAM COMMISSION PROJECT--

17 SEVERANCE TAX BONDS.--Pursuant to Section 9 of this act, upon  
18 certification by the interstate stream commission that the need  
19 exists for the issuance of the bonds, four hundred thousand  
20 dollars (\$400,000) is appropriated to the interstate stream  
21 commission to plan, design, renovate, construct and equip  
22 acequias statewide.

23 SECTION 24. LOCAL GOVERNMENT DIVISION OF THE DEPARTMENT

24 OF FINANCE AND ADMINISTRATION PROJECT--SEVERANCE TAX BONDS.--

25 Pursuant to Section 9 of this act, upon certification by the

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1 local government division of the department of finance and  
2 administration that the need exists for the issuance of the  
3 bonds, five hundred thousand dollars (\$500,000) is appropriated  
4 to the local government division of the department of finance  
5 and administration to match city funding for the purchase of  
6 sexual assault evidence kits for the crime laboratory in  
7 Albuquerque in Bernalillo county.

8 SECTION 25. PUBLIC REGULATION COMMISSION PROJECT--  
9 SEVERANCE TAX BONDS.--Pursuant to Section 9 of this act, upon  
10 certification by the public regulation commission that the need  
11 exists for the issuance of the bonds, four hundred thousand  
12 dollars (\$400,000) is appropriated to the public regulation  
13 commission to plan, design and construct a firefighter training  
14 burn building at the firefighter training academy in Socorro in  
15 Socorro county.

16 SECTION 26. OFFICE OF THE SECRETARY OF STATE PROJECT--  
17 SEVERANCE TAX BONDS.--Pursuant to Section 9 of this act, upon  
18 certification by the office of the secretary of state that the  
19 need exists for the issuance of the bonds, nine hundred fifty  
20 thousand dollars (\$950,000) is appropriated to the office of  
21 the secretary of state to plan, design and implement a  
22 modernized campaign finance disclosure and tracking system  
23 statewide.

24 SECTION 27. SUPREME COURT BUILDING COMMISSION PROJECT--  
25 SEVERANCE TAX BONDS.--Pursuant to Section 9 of this act, upon

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1 certification by the supreme court building commission that the  
2 need exists for the issuance of the bonds, one hundred twenty-  
3 three thousand dollars (\$123,000) is appropriated to the  
4 supreme court building commission to plan, design, construct  
5 and renovate facilities, including abatement and remediation of  
6 the exterior courtyard stucco, at the supreme court building in  
7 Santa Fe in Santa Fe county.

8 SECTION 28. DEPARTMENT OF TRANSPORTATION PROJECTS--

9 SEVERANCE TAX BONDS.--Pursuant to Section 9 of this act, upon  
10 certification by the department of transportation that the need  
11 exists for the issuance of the bonds, the following amounts are  
12 appropriated to the department of transportation for the  
13 following purposes:

14 1. two million dollars (\$2,000,000) to the state  
15 road fund to plan, design, construct and make safety  
16 improvements to roads statewide;

17 2. six hundred thousand dollars (\$600,000) to  
18 acquire rights of way and to plan, design, construct and make  
19 improvements for runways at the Dona Ana county international  
20 jetport at Santa Teresa in Dona Ana county; and

21 3. seven hundred fifty thousand dollars (\$750,000)  
22 to plan, design, construct, renovate and expand the Santa Fe  
23 airport terminal and facilities, including runways, taxiways,  
24 roads, parking lots and aircraft parking ramps, in Santa Fe  
25 county.

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1           **SECTION 29. DEPARTMENT OF GAME AND FISH PROJECT--**  
2           APPROPRIATION FROM THE BIG GAME ENHANCEMENT ACCOUNT OF THE GAME  
3           PROTECTION FUND.--One million dollars (\$1,000,000) is  
4           appropriated from the big game enhancement account of the game  
5           protection fund to the department of game and fish for  
6           expenditure in fiscal years 2017 through 2021, unless otherwise  
7           provided in Section 10 of this act, to improve, restore and  
8           develop state-owned wildlife and waterfowl management areas to  
9           prevent catastrophic wildfires and to improve watershed health  
10          statewide.

11          **SECTION 30. DEPARTMENT OF GAME AND FISH PROJECT--**  
12          APPROPRIATION FROM THE GAME AND FISH BOND RETIREMENT FUND.--Six  
13          hundred thousand dollars (\$600,000) is appropriated from the  
14          game and fish bond retirement fund to the department of game  
15          and fish for expenditure in fiscal years 2017 through 2021,  
16          unless otherwise provided in Section 10 of this act, to  
17          renovate and make improvements, including the replacement of  
18          water lines, at the Glenwood and Red River hatcheries in Grant  
19          and Taos counties.

20          **SECTION 31. DEPARTMENT OF GAME AND FISH PROJECTS--**  
21          APPROPRIATIONS FROM THE GAME PROTECTION FUND.--The following  
22          amounts are appropriated from the game protection fund to the  
23          department of game and fish for expenditure in fiscal years  
24          2017 through 2021, unless otherwise provided in Section 10 of  
25          this act, for the following purposes:

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1           1. three million dollars (\$3,000,000) to renovate  
2 and make improvements, including the replacement of water  
3 lines, at the Glenwood and Red River hatcheries in Grant and  
4 Taos counties; and

5           2. five hundred thousand dollars (\$500,000) for  
6 wildlife and riparian habitat restoration on the San Juan river  
7 quality waters in San Juan county.

8           **SECTION 32. DEPARTMENT OF GAME AND FISH PROJECT--**  
9 **APPROPRIATION FROM THE HABITAT MANAGEMENT FUND.--**

10 Notwithstanding the provisions of Section 17-4-34 NMSA 1978 to  
11 the contrary, one million dollars (\$1,000,000) is appropriated  
12 from the habitat management fund to the department of game and  
13 fish for expenditure in fiscal years 2017 through 2021, unless  
14 otherwise provided in Section 10 of this act, to improve,  
15 restore and maintain state-owned wildlife and waterfowl  
16 management areas to prevent catastrophic wildfires and to  
17 improve watershed health statewide.

18           **SECTION 33. PUBLIC SCHOOL CAPITAL OUTLAY COUNCIL**  
19 **PROJECT--APPROPRIATION FROM THE PUBLIC SCHOOL CAPITAL OUTLAY**  
20 **FUND.--**Four million dollars (\$4,000,000) is appropriated from  
21 the public school capital outlay fund to the public school  
22 capital outlay council for expenditure in fiscal years 2017  
23 through 2021, unless otherwise provided in Section 10 of this  
24 act, for capital asset deficiencies and infrastructure  
25 improvements for the Zuni public school district in McKinley

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1 county, the Gallup-McKinley county school district in McKinley  
2 county and the Grants-Cibola county school district in Cibola  
3 county contingent upon the approval of the public school  
4 capital outlay council.

5 SECTION 34. PROJECT SCOPE--EXPENDITURES.--If an  
6 appropriation for a project authorized in Sections 11 through  
7 33 of this act is not sufficient to complete all the purposes  
8 specified, the appropriation may be expended for any portion of  
9 the purposes specified in the appropriation. Expenditures  
10 shall not be made for purposes other than those specified in  
11 the appropriation.

12 SECTION 35. ART IN PUBLIC PLACES.--Pursuant to Section  
13 13-4A-4 NMSA 1978 and where applicable, the appropriations made  
14 in Sections 11 through 33 of this act include one percent for  
15 the art in public places fund.

16 SECTION 36. EMERGENCY.--It is necessary for the public  
17 peace, health and safety that this act take effect immediately.