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SENATE BILL 8

**52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SPECIAL SESSION, 2016**

INTRODUCED BY

Carlos Cisneros and Stuart Ingle

AN ACT

RELATING TO CAPITAL EXPENDITURES; REVERTING OR DISENCUMBERING  
BALANCES OF APPROPRIATIONS MADE FOR CERTAIN CAPITAL PROJECTS;  
CHANGING PURPOSES AND AUTHORIZATIONS FOR THE EXPENDITURE OF  
SEVERANCE TAX BOND PROCEEDS OR CERTAIN OTHER FUNDS; VOIDING  
APPROPRIATIONS MADE FOR CERTAIN CAPITAL PROJECTS; AUTHORIZING  
THE ISSUANCE OF SEVERANCE TAX BONDS; REDUCING THE PERCENTAGES  
OF ESTIMATED SEVERANCE TAX BONDING CAPACITY ALLOCATED TO WATER,  
TRIBAL AND COLONIAS INFRASTRUCTURE PROJECTS; PROVIDING FOR A  
TEMPORARY CHANGE IN THE DETERMINATION OF ESTIMATED SEVERANCE  
TAX BONDING CAPACITY ALLOCATED TO THOSE PROJECTS; MAKING  
APPROPRIATIONS; DECLARING AN EMERGENCY.

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

SECTION 1. GENERAL FUND BALANCES REVERTED.--The following  
appropriations from the general fund shall not be expended, and

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1 the unexpended balances up to the amount specified shall revert  
2 to the general fund:

3 A. to the administrative office of the courts, five  
4 hundred thirty-four thousand five hundred sixty-one dollars  
5 (\$534,561) in Item (4) of Section 5 of Chapter 11 of Laws 2016  
6 to address court priorities, including funding for vehicles,  
7 furniture and equipment, at courts statewide;

8 B. to the corrections department, two million four  
9 hundred thousand dollars (\$2,400,000) in Item (19) of Section 7  
10 of Chapter 11 of Laws 2016 to purchase a commercial off-the-  
11 shelf offender management information system;

12 C. to the cultural affairs department, three  
13 hundred thousand dollars (\$300,000) in Item (13) of Section 7  
14 of Chapter 11 of Laws 2016 to modernize the cultural resources  
15 information system;

16 D. to the economic development department, twenty-  
17 one million five hundred fifty thousand dollars (\$21,550,000)  
18 in Item (21) of Section 5 of Chapter 101 of Laws 2015 for local  
19 economic development projects statewide;

20 E. to the department of public safety, three  
21 million two hundred eighteen thousand dollars (\$3,218,000) in  
22 the other category of appropriations to that department in Laws  
23 2016, Chapter 11, Section 4;

24 F. to the Indian water rights settlement fund, five  
25 hundred thousand dollars (\$500,000) in Laws 2015 (1st S.S.),

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1 Chapter 3, Section 49;

2 G. to the office of the state engineer, five  
3 hundred thousand dollars (\$500,000) in Laws 2015 (1st S.S.),  
4 Chapter 3, Section 48 to plan, design and construct repairs,  
5 including purchase and installation of a liner to address the  
6 abutment and seepage mitigation, at Cabresto dam in Taos county  
7 and to design and construct outlet structures and other site  
8 improvements at Morphy Lake dam in Mora county; and

9 H. to the department of transportation:

10 (1) twenty-two million five hundred thousand  
11 dollars (\$22,500,000) to the state road fund in Laws 2015 (1st  
12 S.S.), Chapter 3, Section 44 for expenditure in fiscal years  
13 2016 through 2018 for road improvements statewide;

14 (2) four million dollars (\$4,000,000) in  
15 Subsection 1 of Section 45 of Chapter 3 of Laws 2015 (1st S.S.)  
16 to plan, conduct environmental clearances, design, acquire  
17 rights of way, construct and reconstruct New Mexico highway  
18 136, Airport road and Industrial road in the Santa Teresa area  
19 of Dona Ana county; and

20 (3) six hundred fifty thousand dollars  
21 (\$650,000) in Subsection 2 of Section 45 of Chapter 3 of Laws  
22 2015 (1st S.S.) to acquire rights of way and to plan, design  
23 and construct a bridge across the Puerco river on Allison road  
24 in Gallup in McKinley county.

25 SECTION 2. SEVERANCE TAX BONDS--CHANGE PURPOSES--CHANGE

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1 AUTHORIZATIONS AND PROVIDE FOR EXPENDITURES.--

2 A. Notwithstanding the requirements for reversion  
3 in Laws 2013, Chapter 226, the unexpended or unencumbered  
4 balances remaining up to the amount specified of severance tax  
5 bond proceeds authorized or appropriated in Laws 2013, Chapter  
6 226 for the following described projects under the control of  
7 the following agencies shall not be expended for the original  
8 purposes but may be expended as provided in Section 3 of this  
9 2016 act:

10 (1) to the aging and long-term services  
11 department:

12 1. sixty thousand dollars (\$60,000) to  
13 make improvements for building code compliance, including  
14 purchase and installation of equipment, to the Reserve senior  
15 center in Catron county; and

16 2. five thousand dollars (\$5,000) to  
17 make improvements for building code compliance, including  
18 purchase and installation of equipment, to the Pueblo of Santa  
19 Ana senior center in Sandoval county;

20 (2) to the department of environment, ten  
21 thousand dollars (\$10,000) to plan, design and construct water  
22 system improvements, including a water storage tank, for the  
23 Sena mutual domestic water consumers association in San Miguel  
24 county;

25 (3) to the department of transportation:

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1                   1. fifteen thousand dollars (\$15,000) to  
2 plan, design and construct a mid-block pedestrian safety  
3 crossing with pedestrian signal on Zuni road near Pennsylvania  
4 street in the international district in southeast Albuquerque  
5 in Bernalillo county;

6                   2. four hundred thirty thousand dollars  
7 (\$430,000) to plan, design and construct improvements to Zuni  
8 road in Albuquerque in Bernalillo county;

9                   3. two hundred ninety-nine thousand  
10 dollars (\$299,000) to plan, design and construct improvements,  
11 including curbs, gutters and drainage, to Corona road in the  
12 east mesa area of Dona Ana county; and

13                   4. seventy-five thousand dollars  
14 (\$75,000) to plan, design and construct improvements to Navajo  
15 route 7054 in the Pinedale chapter of the Navajo Nation in  
16 McKinley county;

17                   (4) to the interstate stream commission:

18                   1. thirty thousand dollars (\$30,000) to  
19 plan, design and construct improvements to acequias Anton  
20 Chico, La Loma and Tecolotito in Guadalupe county;

21                   2. one hundred thousand dollars  
22 (\$100,000) to purchase water rights and storage space at the  
23 reservoirs in northern New Mexico for use by the memberships of  
24 acequias nortenas and the Rio de Chama acequias on the Rio  
25 Chama in Rio Arriba county;

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1                                   3. fifteen thousand dollars (\$15,000) to  
2 plan, design and construct ditch improvements, including a  
3 concrete-capped gabion and irrigation pipeline water control  
4 system, for the Gallina east and west community ditch in Rio  
5 Arriba county and to pay off an interstate stream commission  
6 loan; and

7                                   4. nine thousand five hundred dollars  
8 (\$9,500) to construct improvements to the acequia de Morada in  
9 Santa Fe in Santa Fe county;

10                                 (5) to the local government division of the  
11 department of finance and administration:

12                                   1. ten thousand dollars (\$10,000) to  
13 plan, design, construct and equip outdoor lighting at the  
14 Anthony ballpark in Chaparral in Dona Ana county;

15                                   2. two hundred sixteen thousand dollars  
16 (\$216,000) to plan, design, repair, renovate and equip the  
17 sexual assault service provider and trauma treatment center and  
18 site, including purchasing and installing information  
19 technology and related infrastructure, in Santa Fe in Santa Fe  
20 county;

21                                   3. twenty-five thousand dollars  
22 (\$25,000) to plan, design and construct improvements, including  
23 renovation of the parking area and installation of surrounding  
24 fencing, at the Talpa community center in Taos county; and

25                                   4. twenty-five thousand dollars

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1 (\$25,000) for renovations to the plaza in the arts and cultural  
2 district in Taos in Taos county;

3 (6) to the office of the state engineer:

4 1. twenty thousand dollars (\$20,000) for  
5 a hydrologic study of the upper Rio Hondo basin, including  
6 purchase and installation of well-monitoring equipment, in  
7 Lincoln county;

8 2. fifty thousand dollars (\$50,000) to  
9 plan, design, renovate and construct improvements, including  
10 dredging, to the Nambe dam in Santa Fe county; and

11 3. four hundred twenty-five thousand  
12 dollars (\$425,000) to construct a flood control facility and  
13 infrastructure downstream of interstate 25 in Belen in Valencia  
14 county; and

15 (7) to the public education department:

16 1. fifty thousand dollars (\$50,000) to  
17 purchase, repair, replace and install perimeter fencing for the  
18 playground at El Dorado elementary school in the Santa Fe  
19 public school district in Santa Fe county; and

20 2. one hundred thousand dollars  
21 (\$100,000) to plan, design, renovate and construct roofs at El  
22 Dorado elementary school in the Santa Fe public school district  
23 in Santa Fe county.

24 B. Notwithstanding the requirements for reversion  
25 in Laws 2014, Chapters 64 and 66, the unexpended or

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1 unencumbered balances remaining up to the amount specified of  
2 severance tax bond proceeds authorized, appropriated or  
3 reauthorized in Laws 2014, Chapters 64 and 66 for the following  
4 described projects under the control of the following agencies  
5 shall not be expended for the original or reauthorized purposes  
6 but may be expended as provided in Section 3 of this 2016 act:

7 (1) to the aging and long-term services  
8 department, fifty thousand dollars (\$50,000) to design and  
9 construct an addition to the senior center in the Two Grey  
10 Hills chapter of the Navajo Nation in San Juan county;

11 (2) to the board of regents of New Mexico  
12 state university, one hundred twenty-five thousand dollars  
13 (\$125,000) to construct the rehabilitation of the Garfield  
14 watershed structure for the Caballo soil and water conservation  
15 district in Dona Ana county;

16 (3) to the cultural affairs department, five  
17 hundred sixty-four thousand dollars (\$564,000) to plan, design,  
18 construct, equip and furnish an information and welcome center  
19 at the entrance of the national Hispanic cultural center in  
20 Albuquerque in Bernalillo county;

21 (4) to the department of environment:  
22 1. forty thousand dollars (\$40,000) for  
23 property acquisition, and to construct and equip a zero  
24 discharge wastewater treatment facility, in Cimarron in Colfax  
25 county;

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1 (\$100,000) to design and construct improvements to the water  
2 lines and system and to install fire hydrants in Elephant Butte  
3 in Sierra county; and

4 9. twenty-six thousand dollars (\$26,000)  
5 to plan, design, construct and equip a well and water system  
6 improvements for La Lama mutual domestic water consumers  
7 association in Taos county;

8 (5) to the department of transportation:

9 1. one hundred five thousand dollars  
10 (\$105,000) to plan, design and construct phase 2 improvements  
11 to the intersection of Carlisle boulevard and Constitution  
12 avenue in Albuquerque in Bernalillo county;

13 2. one hundred thousand dollars  
14 (\$100,000) for a center lane road median in the 100 block of  
15 Louisiana boulevard northeast in Albuquerque in Bernalillo  
16 county;

17 3. seventy thousand dollars (\$70,000) to  
18 plan, design and construct improvements and rehabilitation of  
19 Rio Grande boulevard from Candelaria road to Griegos road,  
20 including signage and bicycle and pedestrian lanes, in  
21 Albuquerque in Bernalillo county;

22 4. one hundred thousand dollars  
23 (\$100,000) for pedestrian safety, traffic calming and public  
24 art improvements on San Mateo boulevard, Gibson boulevard,  
25 Tramway boulevard and Lomas boulevard in Albuquerque in

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1 Bernalillo county;

2                                   5. one hundred fifty thousand dollars  
3 (\$150,000) to plan, design and construct pedestrian safety,  
4 traffic calming and public art improvements on south Fourth  
5 street in Albuquerque in Bernalillo county;

6                                   6. one hundred thousand dollars  
7 (\$100,000) to purchase and install street lights along Trumbull  
8 avenue southeast and San Pedro drive southeast in Albuquerque  
9 in Bernalillo county;

10                                  7. two hundred twenty-five thousand  
11 dollars (\$225,000) to design and construct infrastructure  
12 improvements on Second street in Grants in Cibola county;

13                                  8. one hundred thousand dollars  
14 (\$100,000) to construct street lighting and lighting  
15 improvements in the Alameda Depot neighborhood in Las Cruces in  
16 Dona Ana county;

17                                  9. four hundred twenty-five thousand  
18 dollars (\$425,000) to plan, design, construct and equip a  
19 terminal at the regional airport in Lea county;

20                                  10. seventy-five thousand dollars  
21 (\$75,000) to design, construct and equip improvements to  
22 downtown Main street, including curbs and gutters, sidewalks,  
23 irrigation, lighting and drainage, in Eunice in Lea county;

24                                  11. twenty-five thousand dollars  
25 (\$25,000) to plan, design and construct sidewalk improvements

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1 to comply with the Americans with Disabilities Act of 1990 on  
2 Main street, United States highway 54, in Corona in Lincoln  
3 county;

4 12. one hundred thousand dollars  
5 (\$100,000) to plan, design and construct improvements to  
6 Johnson road in the Twin Lakes chapter and surrounding area of  
7 the Navajo Nation in McKinley county;

8 13. one hundred thousand dollars  
9 (\$100,000) to plan, design, construct and equip quiet railroad  
10 crossings south of Algodones in Sandoval county;

11 14. four hundred thousand dollars  
12 (\$400,000) to plan, design and construct phase 2 drainage  
13 improvements for flood control on Alberta road for the southern  
14 Sandoval county arroyo flood control authority in Rio Rancho in  
15 Sandoval county;

16 15. one hundred seventy-five thousand  
17 dollars (\$175,000) to design a south bridge over the Rio Grande  
18 in the Pueblo of San Felipe in Sandoval county; and

19 16. two hundred fifteen thousand dollars  
20 (\$215,000) to plan, design and construct phase 2 improvements  
21 to Christopher road in Belen in Valencia county;

22 (6) to the Indian affairs department:

23 1. five hundred eighty-seven thousand  
24 five hundred dollars (\$587,500) reauthorized to plan, design,  
25 renovate, construct, equip and furnish the permanent museum at

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1 the Indian pueblo cultural center;

2                   2. one hundred thousand dollars  
3 (\$100,000) to design and construct improvements to the chapter  
4 house in the Baahaali chapter of the Navajo Nation in McKinley  
5 county;

6                   3. ninety-five thousand dollars  
7 (\$95,000) to plan, design and construct power lines in the  
8 Coyote Canyon chapter of the Navajo Nation in McKinley county;

9                   4. four hundred thousand dollars  
10 (\$400,000) to plan, design and construct a veterans building in  
11 the Tohatchi chapter of the Navajo Nation in McKinley county;

12                   5. fifty thousand dollars (\$50,000) to  
13 plan, design and construct phase 2 of a roads maintenance yard  
14 for the Navajo department of transportation in the Whitehorse  
15 Lake chapter of the Navajo Nation in McKinley county;

16                   6. three hundred sixty-five thousand  
17 dollars (\$365,000) to plan, design and construct a multipurpose  
18 building in the Rock Springs chapter of the Navajo Nation in  
19 McKinley and San Juan counties; and

20                   7. forty-five thousand dollars (\$45,000)  
21 to construct and equip the Captain Tom irrigation canal system  
22 in the Newcomb chapter of the Navajo Nation in San Juan county;

23                   (7) to the interstate stream commission:

24                   1. sixty thousand dollars (\$60,000) to  
25 plan, design and construct improvements for acequia de las

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1 Canovas in Servilleta Plaza in Rio Arriba county;

2 2. twenty thousand dollars (\$20,000) to  
3 plan, design, construct and equip improvements to the Tecolote  
4 acequia system and infrastructure in San Miguel county;

5 3. eighty thousand dollars (\$80,000) to  
6 plan, design and construct improvements to acequia Agua Fria in  
7 Santa Fe county; and

8 4. twenty thousand dollars (\$20,000) to  
9 construct improvements to La Bajada community ditch in Santa Fe  
10 county;

11 (8) to the local government division of the  
12 department of finance and administration:

13 1. one hundred seventy-three thousand  
14 dollars (\$173,000) to plan, design, construct and equip a  
15 radiology room at Roosevelt general hospital in the Roosevelt  
16 county special hospital district in Roosevelt county;

17 2. one hundred thousand dollars  
18 (\$100,000) to plan, design, construct and replace the roof on  
19 the Roosevelt general hospital in the Roosevelt county special  
20 hospital district in Roosevelt county; and

21 3. one hundred thousand dollars  
22 (\$100,000) to construct phase 3 improvements to the community  
23 center and commercial kitchen in Sabinal in Socorro county;

24 (9) to the office of the state engineer:

25 1. four hundred thousand dollars

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1 (\$400,000) to plan, design, renovate and construct improvements  
2 to the San Mateo dam in Cibola county; and

3 2. three hundred thousand dollars  
4 (\$300,000) to plan, design, renovate and construct improvements  
5 to the Cimarroncito dam in Colfax county; and

6 (10) to the public education department:

7 1. fifty-five thousand dollars (\$55,000)  
8 to renovate, equip and furnish facilities at La Promesa early  
9 learning center charter school in Albuquerque in Bernalillo  
10 county;

11 2. ninety thousand dollars (\$90,000) to  
12 purchase land and a building and to plan, design, construct,  
13 renovate and equip facilities for the Nuestros Valores charter  
14 school in the Albuquerque public school district in Bernalillo  
15 county;

16 3. ninety thousand dollars (\$90,000) to  
17 plan, design and construct a hangar and tarmac for the  
18 Southwest Aeronautics, Mathematics and Science Academy charter  
19 school in Albuquerque in Bernalillo county;

20 4. forty thousand dollars (\$40,000) to  
21 plan, design and construct a rainwater catchment and  
22 distribution system at the El Dorado community school in the  
23 Santa Fe public school district in Santa Fe county;

24 5. thirteen thousand five hundred  
25 dollars (\$13,500) reauthorized to design, construct, equip and

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1 furnish improvements to the playground areas at Nye early  
2 childhood center at Wood Gormley elementary school in the Santa  
3 Fe public school district in Santa Fe county; and

4 6. thirty-five thousand dollars  
5 (\$35,000) reauthorized to plan, design, construct and equip  
6 drainage improvements at the SER career academy in the Santa Fe  
7 public school district in Santa Fe county.

8 SECTION 3. SEVERANCE TAX BONDS--APPROPRIATIONS OF  
9 PROCEEDS.--The proceeds from severance tax bonds issued  
10 pursuant to Section 8 of this 2016 act or authorized as  
11 indicated in Section 2 of this 2016 act may be expended in the  
12 following amounts by the following agencies for the following  
13 purposes:

14 A. to the administrative office of the courts, five  
15 hundred thirty-four thousand five hundred sixty-one dollars  
16 (\$534,561) to address court priorities, including funding for  
17 vehicles, furniture and equipment, at courts statewide;

18 B. to the corrections department, two million four  
19 hundred thousand dollars (\$2,400,000) to purchase and implement  
20 a commercial off-the-shelf offender management information  
21 system;

22 C. to the cultural affairs department, three  
23 hundred thousand dollars (\$300,000) to modernize the cultural  
24 resources information system;

25 D. to the economic development department, twenty-

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1 one million five hundred fifty thousand dollars (\$21,550,000)  
2 for local economic development projects statewide;

3 E. to the department of public safety, three  
4 million two hundred eighteen thousand dollars (\$3,218,000) to  
5 purchase and equip law enforcement vehicles;

6 F. to the Indian water rights settlement fund, five  
7 hundred thousand dollars (\$500,000); notwithstanding the  
8 requirement for a joint resolution of the legislature in  
9 Subsection A of Section 72-1-11 NMSA 1978, if corresponding  
10 commitments have been made for the federal portion of the  
11 settlements in the Navajo Nation, Taos and Aamodt cases, the  
12 money may be expended by the interstate stream commission in  
13 fiscal year 2017 and subsequent fiscal years to implement the  
14 state's portion of the settlements, and any unexpended or  
15 unencumbered balance remaining at the end of a fiscal year  
16 shall not revert;

17 G. to the office of the state engineer, five  
18 hundred thousand dollars (\$500,000) to plan, design and  
19 construct repairs, including purchase and installation of a  
20 liner to address the abutment and seepage mitigation, at  
21 Cabresto dam in Taos county and to design and construct outlet  
22 structures and other site improvements at Morphy Lake dam in  
23 Mora county; and

24 H. to the department of transportation:

25 (1) twenty-two million five hundred thousand

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1 dollars (\$22,500,000) to the state road fund for expenditure in  
2 fiscal years 2017 through 2020 for road improvements statewide;  
3 notwithstanding the provisions of Subsection A of Section  
4 13-1-119.1 NMSA 1978, the department may use a design and build  
5 delivery system for all projects funded through this  
6 appropriation;

7 (2) four million dollars (\$4,000,000) to plan,  
8 conduct environmental clearances, design, acquire rights of  
9 way, construct and reconstruct New Mexico highway 136, Airport  
10 road and Industrial road in the Santa Teresa area of Dona Ana  
11 county; notwithstanding the provisions of Subsection A of  
12 Section 13-1-119.1 NMSA 1978, the department may use a design  
13 and build delivery system for all projects funded through this  
14 appropriation; and

15 (3) six hundred fifty thousand dollars  
16 (\$650,000) to acquire rights of way and to plan, design and  
17 construct a bridge across the Puerco river on Allison road in  
18 Gallup in McKinley county; notwithstanding the provisions of  
19 Subsection A of Section 13-1-119.1 NMSA 1978, the department  
20 may use a design and build delivery system for the project  
21 funded through this appropriation.

22 SECTION 4. SEVERANCE TAX BONDS--CHANGE AUTHORIZATIONS TO  
23 RESTORE GENERAL FUND ALLOTMENTS.--

24 A. Notwithstanding the requirements for reversion  
25 in Laws 2013, Chapter 226, the unexpended or unencumbered

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1 balances remaining up to the amount specified of severance tax  
2 bond proceeds authorized or appropriated in Laws 2013, Chapter  
3 226 for the following described projects under the control of  
4 the following agencies shall not be expended for the original  
5 purposes but may be expended as provided in Subsection C of  
6 this section:

7 (1) to the aging and long-term services  
8 department:

9 1. seventy-five thousand dollars  
10 (\$75,000) to construct and renovate the senior center in the  
11 Manuelito chapter of the Navajo Nation in McKinley county; and

12 2. fifty thousand dollars (\$50,000) to  
13 plan and design the renovation and conversion of a senior  
14 center to a group home in the Two Grey Hills chapter of the  
15 Navajo Nation in San Juan county;

16 (2) to the department of environment:

17 1. fifty thousand dollars (\$50,000) to  
18 plan, design, renovate, construct and equip water and  
19 wastewater system improvements in Cimarron in Colfax county;

20 2. fifty-one thousand dollars (\$51,000)  
21 to plan, design and construct wastewater system improvements,  
22 including a collection system, for the Desert Aire mutual  
23 domestic water and sewer works association in Dona Ana county;

24 3. fifty thousand dollars (\$50,000) to  
25 plan, design and construct water system improvements, including

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1 a well and water lines, for the Desert Aire mutual domestic  
2 water and sewer works association in Dona Ana county;

3 4. one hundred thousand dollars  
4 (\$100,000) to construct phase 3 water system improvements in  
5 the Alamo chapter of the Navajo Nation in Socorro county; and

6 5. fifteen thousand dollars (\$15,000) to  
7 plan, design and construct water system improvements, including  
8 a well for fire suppression, in Bartola canyon in Valencia  
9 county;

10 (3) to the department of game and fish, one  
11 hundred fifty thousand dollars (\$150,000) to plan, design,  
12 construct, equip and landscape a cold water fish production  
13 facility in Santa Rosa in Guadalupe county;

14 (4) to the department of transportation:

15 1. three hundred three thousand dollars  
16 (\$303,000) to plan, design and construct improvements,  
17 including environmental remediation, to the Albuquerque  
18 railyards in Bernalillo county;

19 2. three hundred twenty-five thousand  
20 dollars (\$325,000) to plan, design and construct improvements  
21 to streets in Roswell in Chaves county;

22 3. twenty-five thousand dollars  
23 (\$25,000) to design and construct Sky City road in the  
24 Manuelito chapter of the Navajo Nation in McKinley county;

25 4. twenty thousand dollars (\$20,000) to

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1 plan, design and construct improvements to roads in the Red  
2 Lake chapter of the Navajo Nation in McKinley county;

3 5. one hundred thousand dollars  
4 (\$100,000) to plan, design and construct improvements to  
5 Johnson road in the Twin Lakes chapter of the Navajo Nation in  
6 McKinley county; and

7 6. one hundred thousand dollars  
8 (\$100,000) to design and construct improvements to the north  
9 Belen interchange in Valencia county;

10 (5) to the interstate stream commission:

11 1. twenty-five thousand dollars  
12 (\$25,000) to plan, design and construct improvements to acequia  
13 del Molino in east Pecos in San Miguel county;

14 2. forty-six thousand seven hundred  
15 fifty dollars (\$46,750) to plan, design and construct system  
16 improvements, including providing connections to acequia water  
17 sources and purchasing rights of way, for the acequia Agua Fria  
18 in Santa Fe county; and

19 3. fifty thousand three hundred eighty-  
20 six dollars (\$50,386) to improve the electrical system to  
21 convey water from the well to the acequia for the acequia de la  
22 Cienega in La Cienega in Santa Fe county;

23 (6) to the local government division of the  
24 department of finance and administration, fifty thousand  
25 dollars (\$50,000) to plan, design, construct and equip a

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1 shooting range in northern Eddy county; and

2 (7) to the office of the state engineer, fifty  
3 thousand dollars (\$50,000) to plan and purchase water rights  
4 for Questa in Taos county.

5 B. Notwithstanding the requirements for reversion  
6 in Laws 2014, Chapters 64 and 66, the unexpended or  
7 unencumbered balances remaining up to the amount specified of  
8 severance tax bond proceeds authorized, appropriated or  
9 reauthorized in Laws 2014, Chapters 64 and 66 for the following  
10 described projects under the control of the following agencies  
11 shall not be expended for the original or reauthorized purposes  
12 but may be expended as provided in Subsection C of this  
13 section:

14 (1) to the aging and long-term services  
15 department, one hundred fifty thousand dollars (\$150,000) to  
16 plan, design and construct a parking lot, including lighting,  
17 at the senior center in the Chichiltah chapter of the Navajo  
18 Nation in McKinley county;

19 (2) to the department of environment:

20 1. one hundred thousand dollars  
21 (\$100,000) to plan, design and construct water system  
22 improvements for the Colonias mutual domestic water consumers  
23 association in Las Colonias in Guadalupe county;

24 2. thirty thousand dollars (\$30,000) to  
25 purchase and equip a water hauling truck and tractor for the

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1 Pastura mutual domestic water consumers association in  
2 Guadalupe county;

3 3. fifty thousand dollars (\$50,000) to  
4 plan, design, construct and equip a potable water fill station  
5 in Carrizozo in Lincoln county;

6 4. fifty thousand dollars (\$50,000) to  
7 plan, design and construct water system improvements for the  
8 Arroyo del Agua mutual domestic water association in Rio Arriba  
9 county;

10 5. one hundred thousand dollars  
11 (\$100,000) to plan, design and construct improvements to the  
12 domestic drinking water system for the Abiquiu mutual domestic  
13 water consumers association and mutual sewage works association  
14 in Rio Arriba county;

15 6. fifteen thousand dollars (\$15,000) to  
16 plan, purchase and install valves for the Chamita mutual  
17 domestic water consumers and sewage works association in Ohkay  
18 Owingeh in Rio Arriba county;

19 7. one hundred thousand dollars  
20 (\$100,000) to plan, design and construct water lines in the  
21 Naschitti chapter of the Navajo Nation in San Juan county;

22 8. twenty thousand dollars (\$20,000) to  
23 plan and construct water system improvements, including a pump  
24 house and installation of radio read meters, for the Tecolotito  
25 mutual domestic water consumers association in San Miguel

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1 county; and

2 9. forty thousand dollars (\$40,000) to  
3 plan, design and construct improvements to the water well,  
4 distribution and storage systems in Questa in Taos county;

5 (3) to the department of finance and  
6 administration, one hundred thousand dollars (\$100,000) to  
7 purchase an incomplete subdivision and plan, design and  
8 construct infrastructure improvements to provide green-built  
9 affordable housing for veterans, the elderly and low- to  
10 moderate-income families in Santa Fe in Santa Fe county  
11 pursuant to the provisions of the Affordable Housing Act;

12 (4) to the department of transportation:

13 1. seventy thousand dollars (\$70,000) to  
14 design and construct street and drainage improvements in Angel  
15 Fire in Colfax county;

16 2. fifty thousand dollars (\$50,000) to  
17 plan, design and construct safety improvements at the junction  
18 of United States highway 491 and Navajo service route 34 in the  
19 Sanostee chapter of the Navajo Nation in San Juan county; and

20 3. fifty thousand dollars (\$50,000) to  
21 prepare the site for and to plan, design and construct a hangar  
22 facility at Taos regional airport in Taos county;

23 (5) to the Indian affairs department:

24 1. twenty thousand dollars (\$20,000) to  
25 purchase and install information technology, including related

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1 equipment, furniture and infrastructure, at the Albuquerque  
2 Indian center in Albuquerque in Bernalillo county;

3 2. fifty thousand dollars (\$50,000)  
4 reauthorized to plan, design and construct a multipurpose  
5 building in the Manuelito chapter of the Navajo Nation in  
6 McKinley county;

7 3. ninety thousand dollars (\$90,000) to  
8 construct a modular building for the emergency response team in  
9 the Red Rock chapter of the Navajo Nation in McKinley county;  
10 and

11 4. seventy-five thousand dollars  
12 (\$75,000) to plan, design, construct, equip and furnish the  
13 renovation and expansion of the medical and dental clinic  
14 serving the Torreón-Star Lake chapter of the Navajo Nation in  
15 Sandoval and McKinley counties;

16 (6) to the interstate stream commission:

17 1. fifteen thousand dollars (\$15,000) to  
18 plan, design and construct improvements and to pay off a loan  
19 for acequia de la Posecion in Truchas in Rio Arriba county;

20 2. twenty-five thousand dollars  
21 (\$25,000) to construct, purchase and install improvements,  
22 including the installation of head gates and ditch liners, to  
23 the acequia de los Chupaderos in Santa Fe county; and

24 3. seventy-five thousand dollars  
25 (\$75,000) to design and construct the acequia de los Ranchos

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1 embankment structure and improvements in Chimayo in Santa Fe  
2 county;

3 (7) to the local government division of the  
4 department of finance and administration:

5 1. twenty thousand dollars (\$20,000)  
6 reauthorized to plan, design and construct improvements to the  
7 Little Gardens lateral of Los Ranchos de Atrisco acequia in the  
8 middle Rio Grande conservancy district;

9 2. one hundred thousand dollars  
10 (\$100,000) to purchase property for and to plan, design,  
11 construct and equip a route 66 story plaza in and around  
12 Louisiana boulevard and Central avenue in Bernalillo county;

13 3. one hundred fifteen thousand dollars  
14 (\$115,000) to plan, design and construct phase 2 of the  
15 economic development project at Fifty-Seventh street and  
16 Central avenue northwest in the west Central metropolitan  
17 redevelopment district in Albuquerque in Bernalillo county;

18 4. seventy-five thousand dollars  
19 (\$75,000) to purchase, plan, design and construct a  
20 multipurpose room for the youth crisis shelter in the south  
21 valley in Albuquerque in Bernalillo county;

22 5. seventy thousand dollars (\$70,000) to  
23 purchase and equip passenger vans for the crossroads program in  
24 Eddy county;

25 6. thirty thousand dollars (\$30,000) to

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1 plan, design and construct interior and exterior renovations to  
2 El Museo cultural facility in Santa Fe in Santa Fe county; and

3 7. seventy thousand dollars (\$70,000) to  
4 plan, design and construct a playground in the town of Tajique  
5 land grant in Torrance county; and

6 (8) to the public education department:

7 1. one hundred five thousand dollars  
8 (\$105,000) to purchase land and a building, to plan, design,  
9 construct, renovate and equip facilities and to purchase and  
10 install information technology, including related equipment,  
11 furniture and infrastructure, for Cien Aguas international  
12 school in Albuquerque in Bernalillo county; and

13 2. one hundred ten thousand dollars  
14 (\$110,000) reauthorized to purchase property for and to design  
15 and construct a facility, including the purchase of a building  
16 and planning, renovating and equipping facilities and  
17 classrooms and the purchase and installation of information  
18 technology, including related furniture, equipment and  
19 infrastructure, for Cien Aguas international school in  
20 Albuquerque in Bernalillo county.

21 C. Upon certification by the secretary of finance  
22 and administration of the need to use proceeds from severance  
23 tax bonds authorized in Subsections A and B of this section to  
24 restore the allotments from the general fund for capital  
25 project appropriations whose expenditure periods ended on or

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1 before June 30, 2016, the board of finance division of the  
2 department of finance and administration shall transfer those  
3 proceeds to the general fund for that use by the department in  
4 fiscal year 2017.

5 SECTION 5. PUBLIC SCHOOL CAPITAL OUTLAY FUND  
6 APPROPRIATIONS DISENCUMBERED--TRANSFER TO DEPARTMENT OF FINANCE  
7 AND ADMINISTRATION TO RESTORE ALLOTMENTS FROM THE GENERAL  
8 FUND.--

9 A. Notwithstanding provisions of Section 7-27-12,  
10 7-27-12.2 or 22-24-4 NMSA 1978 or any other law to the  
11 contrary, the unexpended balance of the appropriation from the  
12 public school capital outlay fund in Laws 2013, Chapter 226 to  
13 the board of regents of the New Mexico school for the deaf to  
14 purchase, install, plan, design, renovate and construct  
15 improvements to infrastructure throughout the campus of the New  
16 Mexico school for the deaf in Santa Fe in Santa Fe county shall  
17 not be expended for the original purpose, but shall be  
18 disencumbered and may be expended as provided in Subsection C  
19 of this section.

20 B. Notwithstanding provisions of Section 7-27-12,  
21 7-27-12.2 or 22-24-4 NMSA 1978 or any other law to the  
22 contrary, the unexpended balance of the appropriation from the  
23 public school capital outlay fund in Laws 2015 (1st S.S.),  
24 Chapter 3, Section 75 to renovate and construct public school  
25 pre-kindergarten classrooms statewide shall not be expended for

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1 the original purpose, but shall be disencumbered and may be  
2 expended as provided in Subsection C of this section.

3 C. Upon certification by the secretary of finance  
4 and administration of the need to use the amount disencumbered  
5 pursuant to Subsections A and B of this section to restore the  
6 allotments from the general fund for capital project  
7 appropriations whose expenditure periods ended on or before  
8 June 30, 2016, the board of finance division of the department  
9 of finance and administration shall transfer the disencumbered  
10 amount to the general fund for that use by the department in  
11 fiscal year 2017.

12 SECTION 6. APPROPRIATION FROM PUBLIC SCHOOL CAPITAL  
13 OUTLAY FUND--TRANSFER TO DEPARTMENT OF FINANCE AND  
14 ADMINISTRATION TO RESTORE ALLOTMENTS FROM THE GENERAL FUND.--

15 A. The following appropriation is from the  
16 unexpended proceeds of supplemental severance tax bonds that  
17 are no longer needed for the projects for which bonds were  
18 issued. Notwithstanding the provisions of Section 7-27-12,  
19 7-27-12.2 or 22-24-4 NMSA 1978 or any other law to the  
20 contrary, an amount not to exceed twelve million three hundred  
21 sixty-eight thousand six hundred twenty-nine dollars  
22 (\$12,368,629) is appropriated from the public school capital  
23 outlay fund, contingent upon approval of the public school  
24 capital outlay council, for expenditure as provided in  
25 Subsection B of this section.

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1           B. Upon certification by the secretary of finance  
2 and administration of the need to use an amount from the public  
3 school capital outlay fund as specified in Subsection A of this  
4 section to restore the allotments from the general fund for  
5 capital project appropriations whose expenditure periods ended  
6 on or before June 30, 2016, the board of finance division of  
7 the department of finance and administration shall transfer  
8 that amount to the general fund for that use by the department  
9 in fiscal year 2017.

10           **SECTION 7. AUTHORIZATION TO ISSUE ADDITIONAL SHORT-TERM**  
11 **SEVERANCE TAX BONDS.--**

12           A. In fiscal year 2017, in addition to the bonds  
13 issued in accordance with Section 7-27-14 NMSA 1978 and  
14 notwithstanding the limitations of that section, the state  
15 board of finance may, in accordance with the Severance Tax  
16 Bonding Act, issue and sell severance tax bonds whose terms end  
17 on or before June 30, 2017 when the secretary of finance and  
18 administration certifies the need for the bonds.

19           B. The secretary of finance and administration  
20 shall certify the need for bonds only if the balance in the  
21 severance tax bonding fund as of the date that the bonds are  
22 issued exceeds the sum of:

23                   (1) the debt service on the severance tax  
24 bonds issued in accordance with this section and Section 8 of  
25 this 2016 act;

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1 (2) the debt service scheduled to be paid  
2 during the remainder of the fiscal year on all outstanding  
3 severance tax bonds and supplemental severance tax bonds; and

4 (3) the amount necessary to meet all principal  
5 and interest payments on outstanding bonds payable from the  
6 severance tax bonding fund on the next two ensuing semiannual  
7 payment dates.

8 C. The state board of finance shall schedule the  
9 issuance and sale of the bonds as expeditiously and  
10 economically as possible. The board shall further take the  
11 appropriate steps necessary to comply with the Internal Revenue  
12 Code of 1986, as amended.

13 D. Proceeds from the sale of the bonds are  
14 appropriated to the general fund. The board of finance  
15 division of the department of finance and administration shall  
16 transfer the proceeds to the general fund for use by the  
17 department in fiscal year 2017 to restore the allotments from  
18 the general fund for capital project appropriations whose  
19 expenditure periods ended on or before June 30, 2016.

20 **SECTION 8. SEVERANCE TAX BONDS--AUTHORIZATIONS--**  
21 **APPROPRIATION OF PROCEEDS.--**

22 A. The state board of finance may issue and sell  
23 severance tax bonds in compliance with the Severance Tax  
24 Bonding Act in an amount not to exceed the total of the amounts  
25 authorized for purposes specified in Section 3 of this 2016 act

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1 and for which severance tax bond proceeds authorized pursuant  
2 to Section 2 of this 2016 act are not otherwise used. The  
3 state board of finance shall schedule the issuance and sale of  
4 the bonds in the most expeditious and economical manner  
5 possible upon a finding by the board that the project has been  
6 developed sufficiently to justify the issuance and that the  
7 project can proceed to contract within a reasonable time. The  
8 state board of finance shall further take the appropriate steps  
9 necessary to comply with the federal Internal Revenue Code of  
10 1986, as amended. Proceeds from the sale of the bonds issued  
11 pursuant to this section or authorized as provided in Section 2  
12 of this 2016 act are appropriated for the purposes specified in  
13 Section 3 of this 2016 act.

14 B. The agencies named in this act shall certify to  
15 the state board of finance when the money from the proceeds of  
16 the severance tax bonds appropriated in this section or  
17 authorized as provided in Section 2 of this 2016 act is needed  
18 for the purposes specified in Section 3 of this 2016 act. If  
19 an agency has not certified the need for severance tax bond  
20 proceeds for a particular project by the end of fiscal year  
21 2019, the authorization for that project is void.

22 C. Before an agency may certify for the need of  
23 severance tax bond proceeds issued pursuant to this section or  
24 authorized as provided in Section 2 of this 2016 act, the  
25 project must be developed sufficiently so that the agency

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1 reasonably expects to:

2 (1) incur within six months after the  
3 applicable bond proceeds are available for the project a  
4 substantial binding obligation to a third party to expend at  
5 least five percent of the bond proceeds for the project; and

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

9 D. Except as otherwise specifically provided by  
10 law:

11 (1) the unexpended balance from the proceeds  
12 of severance tax bonds appropriated in this section or  
13 authorized as provided in Section 2 of this 2016 act for a  
14 project shall revert to the severance tax bonding fund no later  
15 than the following dates:

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

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

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1 which the severance tax bond proceeds were made available for  
2 the purchase; and

3 (c) for any other project for which  
4 severance tax bonds were appropriated, within six months of  
5 completion of the project, but no later than the end of fiscal  
6 year 2021; and

7 (2) all remaining balances from the proceeds  
8 of severance tax bonds appropriated for a project pursuant to  
9 this section shall revert to the severance tax bonding fund  
10 three months after the latest reversion date specified for that  
11 type of project in Paragraph (1) of this subsection.

12 E. Except for appropriations to the capital program  
13 fund, money from severance tax bond proceeds provided pursuant  
14 to this section shall not be used to pay indirect project  
15 costs.

16 F. Except for a project that was originally funded  
17 using a tax-exempt loan or bond issue, a project involving  
18 repayment of debt previously incurred shall be funded through  
19 the issuance of taxable severance tax bonds.

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

24 SECTION 9. Section 7-27-10.1 NMSA 1978 (being Laws 2003,  
25 Chapter 134, Section 1, as amended) is amended to read:

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1           "7-27-10.1. BONDING CAPACITY--AUTHORIZATION FOR SEVERANCE  
2 TAX BONDS--PRIORITY FOR WATER PROJECTS AND TRIBAL  
3 INFRASTRUCTURE PROJECTS.--

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

7           B. The division shall allocate [~~ten~~] nine percent  
8 of the estimated bonding capacity each year for water projects,  
9 and the legislature authorizes the state board of finance to  
10 issue severance tax bonds in the annually allocated amount for  
11 use by the water trust board to fund water projects statewide  
12 [~~except for projects authorized in Subsection F of this~~  
13 ~~section~~]. The water trust board shall certify to the state  
14 board of finance the need for issuance of bonds for water  
15 projects. The state board of finance may issue and sell the  
16 bonds in the same manner as other severance tax bonds in an  
17 amount not to exceed the authorized amount provided for in this  
18 subsection. If necessary, the state board of finance shall  
19 take the appropriate steps to comply with the federal Internal  
20 Revenue Code of 1986, as amended. Proceeds from the sale of  
21 the bonds are appropriated to the water project fund in the New  
22 Mexico finance authority for the purposes certified by the  
23 water trust board to the state board of finance.

24           C. The division shall allocate the following  
25 percentages of the estimated bonding capacity for tribal

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1 infrastructure projects:

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

3 (2) in 2017 and each subsequent year, [~~five~~  
4 ~~and one-half~~] four and one-half percent.

5 D. The legislature authorizes the state board of  
6 finance to issue severance tax bonds in the amount allocated  
7 pursuant to this section for use by the tribal infrastructure  
8 board to fund tribal infrastructure projects. The tribal  
9 infrastructure board shall certify to the state board of  
10 finance the need for issuance of bonds for tribal  
11 infrastructure projects. The state board of finance may issue  
12 and sell the bonds in the same manner as other severance tax  
13 bonds in an amount not to exceed the authorized amount provided  
14 for in this subsection. If necessary, the state board of  
15 finance shall take the appropriate steps to comply with the  
16 federal Internal Revenue Code of 1986, as amended. Proceeds  
17 from the sale of the bonds are appropriated to the tribal  
18 infrastructure project fund for the purposes certified by the  
19 tribal infrastructure board to the state board of finance.

20 E. Money from the severance tax bonds provided for  
21 in this section shall not be used to pay indirect project  
22 costs. Any unexpended balance from proceeds of severance tax  
23 bonds issued for a water project or a tribal infrastructure  
24 project shall revert to the severance tax bonding fund within  
25 six months of completion of the project. The New Mexico

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1 finance authority shall monitor and ensure proper reversions of  
2 the bond proceeds appropriated for water projects, and the  
3 department of finance and administration shall monitor and  
4 ensure proper reversions of the bond proceeds appropriated for  
5 tribal infrastructure projects.

6 [F.—The division shall:

7 (1)—void the authorization to the water  
8 project fund held at the New Mexico finance authority to make  
9 grants or loans of severance tax bond proceeds for projects  
10 pursuant to Subsection U of Section 1 of Chapter 41 of Laws  
11 2006 for the northwest New Mexico council of governments in  
12 McKinley county for a water distribution project and Subsection  
13 25 of Section 1 of Chapter 139 of Laws 2007 for the Navajo  
14 Nation division of natural resources department of water  
15 resources water management branch for a regional water project  
16 in Rio Arriba, Sandoval, McKinley, San Juan and Cibola  
17 counties; and

18 (2)—authorize the department of environment to  
19 make a grant of the unexpended proceeds of severance tax bonds  
20 issued in fiscal years 2006 and 2007 for the purposes of the  
21 water project fund to be used for the authorizations identified  
22 in Paragraph (1) of this subsection and appropriate to the  
23 department of environment five million three hundred seventy-  
24 five thousand two hundred forty-four dollars (\$5,375,244) for  
25 the Navajo Nation division of natural resources department of

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1 ~~water resources water management branch for a regional water~~  
2 ~~distribution project in Rio Arriba, Sandoval, McKinley, San~~  
3 ~~Juan and Cibola counties. Any unexpended balance of the funds~~  
4 ~~authorized for expenditure in this section shall revert to the~~  
5 ~~severance tax bonding fund at the end of fiscal year 2013 or~~  
6 ~~upon completion of the project, whichever is earlier.~~

7 ~~G.]~~ F. As used in this section:

8 (1) "division" means the board of finance  
9 division of the department of finance and administration;

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

12 (3) "water project" means a capital outlay  
13 project for:

14 (a) the storage, conveyance or delivery  
15 of water to end users;

16 (b) the implementation of federal  
17 Endangered Species Act of 1973 collaborative programs;

18 (c) the restoration and management of  
19 watersheds;

20 (d) flood prevention; or

21 (e) conservation, recycling, treatment  
22 or reuse of water."

23 **SECTION 10.** Section 7-27-12.5 NMSA 1978 (being Laws 2010,  
24 Chapter 10, Section 9, as amended) is amended to read:

25 "7-27-12.5. AUTHORIZATION FOR SEVERANCE TAX BONDS--

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1 PRIORITY FOR INFRASTRUCTURE PROJECTS FOR COLONIAS.--

2 A. After the annual estimate of severance tax  
3 bonding capacity pursuant to Subsection A of Section 7-27-10.1  
4 NMSA 1978, the board of finance division of the department of  
5 finance and administration shall allocate the following  
6 percentages of the estimated bonding capacity for colonias  
7 infrastructure projects:

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

9 (2) in 2017 and each subsequent year, [~~five~~  
10 ~~and one-half~~] four and one-half percent.

11 B. The legislature authorizes the state board of  
12 finance to issue severance tax bonds in the amount allocated  
13 pursuant to this section for use by the colonias infrastructure  
14 board to fund the projects. The colonias infrastructure board  
15 shall certify to the state board of finance the need for  
16 issuance of bonds for colonias infrastructure projects. The  
17 state board of finance may issue and sell the bonds in the same  
18 manner as other severance tax bonds in an amount not to exceed  
19 the authorized amount provided for in this subsection. If  
20 necessary, the state board of finance shall take the  
21 appropriate steps to comply with the federal Internal Revenue  
22 Code of 1986, as amended. Proceeds from the sale of the bonds  
23 are appropriated to the colonias infrastructure project fund  
24 for the purposes certified by the colonias infrastructure board  
25 to the state board of finance.

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1           C. Money from the severance tax bonds provided for  
2 in this section shall not be used to pay indirect project  
3 costs. Any unexpended balance from proceeds of severance tax  
4 bonds issued for a colonias infrastructure project shall revert  
5 to the severance tax bonding fund within six months of  
6 completion of the project. The colonias infrastructure board  
7 shall monitor and ensure proper reversions of the bond proceeds  
8 appropriated for the projects.

9           D. As used in this section, "colonias  
10 infrastructure project" means a qualified project under the  
11 Colonias Infrastructure Act."

12           **SECTION 11. SEVERANCE TAX BONDING CAPACITY ESTIMATE--**  
13 **FISCAL YEAR 2017.--**The board of finance division of the  
14 department of finance and administration shall subtract the  
15 amount of severance tax bonds issued in fiscal year 2017  
16 pursuant to this 2016 act when it estimates the amount of  
17 severance tax bonding capacity available in fiscal year 2017  
18 for severance tax bonds to be allocated for water projects and  
19 tribal infrastructure projects pursuant to Section 7-27-10.1  
20 NMSA 1978 and for colonias infrastructure projects pursuant to  
21 Section 7-27-12.5 NMSA 1978.

22           **SECTION 12. SEVERABILITY.--**If, in this 2016 act, a  
23 specific reversion, a voided authorization, a change in the use  
24 of severance tax bond proceeds or an authorization to expend  
25 severance tax bond proceeds is held invalid or otherwise cannot

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1 be effectuated, the remainder of the act and any other  
2 reversion, voided authorization, change in the use of severance  
3 tax bond proceeds or authorization to expend severance tax bond  
4 proceeds shall not be affected.

5 SECTION 13. EMERGENCY.--It is necessary for the public  
6 peace, health and safety that this act take effect immediately.