

1 AN ACT

2 RELATING TO FINANCE; AMENDING THE STATE SUPPLEMENTAL LAND AND  
3 WATER CONSERVATION FUND; REMOVING THE POLITICAL SUBDIVISION  
4 FUND MATCHING REQUIREMENT; REMOVING THE INCORPORATED  
5 MUNICIPALITY POPULATION CAP; AMENDING ELIGIBLE RECIPIENTS OF  
6 FUNDS; REQUIRING PRIORITIZATION OF FUNDING REQUESTS OF INDIAN  
7 NATIONS, TRIBES AND PUEBLOS; CLARIFYING FUND USAGES; REMOVING  
8 A REFERENCE TO A DEFUNCT ENTITY; REVISING CITATIONS.

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

11 SECTION 1. Section 16-1-3 NMSA 1978 (being Laws 1973,  
12 Chapter 388, Section 3, as amended) is amended to read:

13 "16-1-3. ADMINISTRATION--STATE-FEDERAL-LOCAL COST  
14 SHARING FORMULA--LIMITATIONS.--

15 A. The energy, minerals and natural resources  
16 department shall administer the state supplemental land and  
17 water conservation fund and shall process all applications  
18 for grants from the state supplemental land and water  
19 conservation fund. Funds from the state supplemental land  
20 and water conservation fund shall be made available upon the  
21 condition that the proceeds are matched by the federal land  
22 and water conservation fund state and local assistance  
23 formula grants program.

24 B. Incorporated municipalities, with a population  
25 of less than sixty-five thousand persons according to the

1 latest federal decennial census or counties, Indian nations,  
2 tribes and pueblos, state parks and other political  
3 subdivisions shall be entitled to receive funds from the  
4 state supplemental land and water conservation fund; provided  
5 that:

6 (1) funding requests from Indian nations,  
7 tribes and pueblos shall be prioritized;

8 (2) funding requests from rural communities  
9 shall be prioritized;

10 (3) state parks shall be entitled to receive  
11 funds from the state supplemental land and water conservation  
12 fund in an amount not to exceed seven percent of New Mexico's  
13 annual apportionment of federal land and water conservation  
14 fund state and local assistance program funding to perform  
15 outreach to Indian nations, tribes and pueblos and political  
16 subdivisions of the state and provide technical assistance to  
17 prospective applicants; and

18 (4) "technical assistance" pursuant to this  
19 subsection shall not include compliance procedures conducted  
20 by the state parks division of the energy, minerals and  
21 natural resources department on behalf of the applicants for  
22 the National Environmental Policy Act of 1969, processing of  
23 permits, producing geographic information systems data,  
24 conducting project planning, developing designs or engaging,  
25 contracting or directing project management.

1 C. Projects proposed shall be in accordance with  
2 provisions of the federal Land and Water Conservation Fund Act  
3 of 1965, U.S.C. Section 460, and the regulations contained in  
4 the United States department of the interior. Funds shall be  
5 made available from the state supplemental land and water  
6 conservation fund in the event that the United States  
7 department of the interior provides fifty percent of the  
8 project cost, except that funds may be made available to  
9 provide assistance with compliance with the requirements of  
10 the National Environmental Policy Act of 1969 and related  
11 project pre-clearances. State funds shall be made available  
12 for expenditure by the applicant political subdivision once  
13 the project is approved by the United States department of the  
14 interior." \_\_\_\_\_

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