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HOUSE BILL 306

53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018

INTRODUCED BY
Carl Trujillo

AN ACT

RELATING TO CAPITAL EXPENDITURES; AUTHORIZING THE ISSUANCE OF SEVERANCE TAX BONDS; AUTHORIZING EXPENDITURES FROM CERTAIN FUNDS AND BALANCES; REAPPROPRIATING BALANCES; CLARIFYING CONDITIONS FOR THE ISSUANCE OF BONDS; ESTABLISHING CONDITIONS FOR THE EXPENDITURE OF SEVERANCE TAX BOND PROCEEDS; ESTABLISHING CONDITIONS FOR THE REVERSION OF UNEXPENDED BALANCES; MAKING APPROPRIATIONS; DECLARING AN EMERGENCY.

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

**SECTION 1. SEVERANCE TAX BONDS--AUTHORIZATIONS--
APPROPRIATION OF PROCEEDS.--**

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

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1 of finance shall schedule the issuance and sale of the bonds in
2 the most expeditious and economical manner possible upon a
3 finding by the board that the project has been developed
4 sufficiently to justify the issuance and that the project can
5 proceed to contract within a reasonable time. The state board
6 of finance shall further take the appropriate steps necessary
7 to comply with the federal Internal Revenue Code of 1986, as
8 amended. Proceeds from the sale of the bonds are appropriated
9 for the purposes specified in this act.

10 B. The agencies named in this act shall certify to
11 the state board of finance when the money from the proceeds of
12 the severance tax bonds appropriated in this section is needed
13 for the purposes specified in the applicable section of this
14 act. If an agency has not certified the need for severance tax
15 bond proceeds for a particular project by the end of fiscal
16 year 2020, the authorization for that project is void.

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

20 (1) incur within six months after the
21 applicable bond proceeds are available for the project a
22 substantial binding obligation to a third party to expend at
23 least five percent of the bond proceeds for the project; and

24 (2) spend at least eighty-five percent of the
25 bond proceeds within three years after the applicable bond

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1 proceeds are available for the project.

2 D. Except as otherwise specifically provided by
3 law:

4 (1) the unexpended balance from the proceeds
5 of severance tax bonds appropriated in this act for a project
6 shall revert to the severance tax bonding fund no later than
7 the following dates:

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

11 (b) for a project for which severance
12 tax bond proceeds were appropriated to purchase vehicles,
13 including emergency vehicles and other vehicles that require
14 special equipment; heavy equipment; books; educational
15 technology; or other equipment or furniture that is not related
16 to a more inclusive construction or renovation project, at the
17 end of the fiscal year two years following the fiscal year in
18 which the severance tax bond proceeds were made available for
19 the purchase; and

20 (c) for any other project for which
21 severance tax bonds were appropriated, within six months of
22 completion of the project, but no later than the end of fiscal
23 year 2022; and

24 (2) all remaining balances from the proceeds
25 of severance tax bonds appropriated for a project in this act

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1 shall revert to the severance tax bonding fund three months
2 after the latest reversion date specified for that type of
3 project in Paragraph (1) of this subsection.

4 E. Except for appropriations to the capital program
5 fund, money from severance tax bond proceeds provided pursuant
6 to this act shall not be used to pay indirect project costs.

7 F. Except for a project that was originally funded
8 using a tax-exempt loan or bond issue, a project involving
9 repayment of debt previously incurred shall be funded through
10 the issuance of taxable severance tax bonds with a term that
11 does not extend beyond the fiscal year in which they are
12 issued.

13 G. For the purpose of this section, "unexpended
14 balance" means the remainder of an appropriation after
15 reserving for unpaid costs and expenses covered by binding
16 written obligations to third parties.

17 SECTION 2. GENERAL FUND AND OTHER FUND APPROPRIATIONS--
18 LIMITATIONS--REVERSIONS.--

19 A. Except as otherwise specifically provided by
20 law:

21 (1) the unexpended balance of an appropriation
22 made in this act from the general fund or other state funds
23 shall revert no later than the following dates:

24 (a) for a project for which an
25 appropriation was made to match federal grants, six months

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1 after completion of the project;

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

10 (c) for any other project for which an
11 appropriation was made, within six months of completion of the
12 project, but no later than the end of fiscal year 2020; and

13 (2) all remaining balances from an
14 appropriation made in this act for a project shall revert three
15 months after the latest reversion date specified for that type
16 of project in Paragraph (1) of this subsection.

17 B. Except for appropriations to the capital program
18 fund, money from appropriations made in this act shall not be
19 used to pay indirect project costs.

20 C. Except as provided in Subsection E of this
21 section, the balance of an appropriation made from the general
22 fund shall revert in the time frame set forth in Subsection A
23 of this section to the capital projects fund.

24 D. Except as provided in Subsection E of this
25 section, the balance of an appropriation made from other state

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1 funds shall revert in the time frame set forth in Subsection A
2 of this section to the originating fund.

3 E. The balance of an appropriation made from the
4 general fund or other state funds to the Indian affairs
5 department or the aging and long-term services department for a
6 project located on lands of an Indian nation, tribe or pueblo
7 shall revert in the time frame set forth in Subsection A of
8 this section to the tribal infrastructure project fund.

9 F. For the purpose of this section, "unexpended
10 balance" means the remainder of an appropriation after
11 reserving for unpaid costs and expenses covered by binding
12 written obligations to third parties.

13 SECTION 3. ADMINISTRATIVE OFFICE OF THE COURTS PROJECT--
14 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
15 of this act, upon certification by the administrative office of
16 the courts that the need exists for the issuance of the bonds,
17 one million four hundred thousand dollars (\$1,400,000) is
18 appropriated to the administrative office of the courts to
19 purchase and install security equipment at magistrate courts
20 and judicial district courts statewide.

21 SECTION 4. BERNALILLO COUNTY METROPOLITAN COURT PROJECT--
22 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
23 of this act, upon certification by the Bernalillo county
24 metropolitan court that the need exists for the issuance of the
25 bonds, one million dollars (\$1,000,000) 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 5. BORDER AUTHORITY PROJECT--SEVERANCE TAX

7 BONDS.--Pursuant to the provisions of Section 1 of this act,
8 upon certification by the border authority that the need exists
9 for the issuance of the bonds, five hundred thousand dollars
10 (\$500,000) is appropriated to the border authority to plan,
11 design and construct a flood control structure, including land
12 acquisition and environmental assessments, at the Columbus port
13 of entry in Columbus in Luna county.

14 SECTION 6. CAPITAL PROGRAM FUND PROJECTS--SEVERANCE TAX

15 BONDS.--Pursuant to the provisions of Section 1 of this act,
16 upon certification by the facilities management division of the
17 general services department that the need exists for the
18 issuance of the bonds, the following amounts are appropriated
19 to the capital program fund for the following purposes:

20 1. nine million dollars (\$9,000,000) to purchase,
21 plan, design, repair, replace, renovate, furnish and equip a
22 building for a child wellness center for the children, youth
23 and families department in Bernalillo county;

24 2. one million dollars (\$1,000,000) to plan,
25 design, construct, furnish and equip renovations to the client

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1 cottages, including client hygiene areas and staff stations, at
2 the youth diagnostic and development center in Albuquerque in
3 Bernalillo county;

4 3. one million two hundred thousand dollars
5 (\$1,200,000) to plan, design, construct, furnish and equip a
6 physical plant building and for renovations for a vocational
7 education building at the youth diagnostic and development
8 center in Albuquerque in Bernalillo county;

9 4. one hundred fifty thousand dollars (\$150,000) to
10 plan and design improvements to the Vietnam veterans memorial
11 in Colfax county;

12 5. six hundred sixty-seven thousand dollars
13 (\$667,000) to plan, design, construct, furnish and equip a
14 water line and infrastructure improvements, including repairs
15 and improvements to water tanks and infrastructure from spring
16 boxes to water tanks, extending from the new Fort Bayard
17 medical center to the old Fort Bayard facility in Grant county;

18 6. one million dollars (\$1,000,000) to plan,
19 design, decommission and demolish facilities, including
20 hazardous materials abatement and related site improvements, at
21 the Taylor hall book building in Albuquerque in Bernalillo
22 county, the old oil conservation division building in Hobbs in
23 Lea county and state-owned buildings on the Los Lunas campus in
24 Los Lunas in Valencia county;

25 7. two million dollars (\$2,000,000) to purchase and

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1 install equipment and to plan, design, construct, renovate and
2 furnish facilities and for infrastructure improvements,
3 including roofs, heating, ventilation and air conditioning
4 systems, lighting and interior service windows, at the Albert
5 Amador building in Espanola in Rio Arriba county, the Harriet
6 Sammons building in Farmington in San Juan county and the James
7 Murray building in Hobbs in Lea county;

8 8. four hundred thousand dollars (\$400,000) to
9 plan, design, construct, renovate, furnish and equip commission
10 for the blind facilities in Bernalillo and Otero counties to
11 comply with the federal Americans with Disabilities Act of
12 1990;

13 9. one million nine hundred thousand dollars
14 (\$1,900,000) to purchase and install equipment and
15 infrastructure improvements, including security system upgrades
16 and servers, and to plan, design, construct, renovate, furnish
17 and equip facilities at the youth diagnostic and development
18 center in Albuquerque in Bernalillo county, the Camino Nuevo
19 youth center in Albuquerque in Bernalillo county and the John
20 Paul Taylor center in Las Cruces in Dona Ana county;

21 10. seven hundred thousand dollars (\$700,000) to
22 plan, design, construct, renovate, furnish and equip a state
23 police district office in Santa Fe in Santa Fe county;

24 11. three million six hundred thousand dollars
25 (\$3,600,000) to plan, design, construct, equip, renovate,

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1 upgrade and furnish an existing state-owned site to house the
2 vital records and health statistics bureau of the department of
3 health in Santa Fe in Santa Fe county;

4 12. one million dollars (\$1,000,000) to plan,
5 design, repair and upgrade the heating, ventilation and air
6 conditioning system and for site drainage improvements at the
7 state records center and archives in Santa Fe in Santa Fe
8 county;

9 13. two hundred seventy thousand dollars (\$270,000)
10 to plan, design, construct, replace, purchase and install
11 improvements, including exterior sliding doors and fencing, at
12 the New Mexico state veterans' home in Truth or Consequences in
13 Sierra county;

14 14. four hundred thousand dollars (\$400,000) to
15 plan, design, repair and upgrade the heating, ventilation and
16 air conditioning system at the New Mexico state veterans' home
17 in Truth or Consequences in Sierra county;

18 15. three million dollars (\$3,000,000) to plan,
19 design, replace, renovate, construct and equip fire suppression
20 lines, hydrants, valves, cold water loops and sewer lines at
21 correctional facilities statewide;

22 16. eight million dollars (\$8,000,000) to plan,
23 design, construct, renovate, furnish, equip, repair, purchase
24 and install equipment and improve infrastructure, including
25 roofs and replacement of heating, ventilation and air

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1 conditioning systems, at correctional facilities statewide;

2 17. two million dollars (\$2,000,000) to plan,
3 design, construct, renovate, equip, furnish, purchase and
4 install equipment for security system upgrades at correctional
5 facilities statewide;

6 18. two million dollars (\$2,000,000) to replace,
7 repair, renovate, purchase and install emergency generators at
8 correctional facilities statewide;

9 19. five million eight hundred thirty-three
10 thousand dollars (\$5,833,000) to plan, design, construct,
11 renovate, furnish, equip, purchase and install equipment and
12 for facility upgrades at department of health facilities
13 statewide;

14 20. two million dollars (\$2,000,000) to plan,
15 design, construct, renovate, furnish and equip state police
16 district offices, including roadway and parking lot
17 improvements, erosion control and the repair or replacement of
18 heating, ventilation and air conditioning systems and
19 surveillance systems, at district offices statewide;

20 21. two million dollars (\$2,000,000) to plan,
21 design, construct, improve, renovate, remediate, furnish and
22 equip facilities, including infrastructure upgrades, at state-
23 owned facilities statewide;

24 22. four hundred thousand dollars (\$400,000) to
25 plan, design, construct, renovate and furnish and to purchase

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1 and install equipment, including making other improvements to
2 address building code compliance issues, at offices of the
3 workforce solutions department statewide; and

4 23. six hundred thousand dollars (\$600,000) to
5 remove, repair and install ramps, parking lot and pathway
6 improvements, including improvements to comply with the federal
7 Americans with Disabilities Act of 1990, at offices of the
8 workforce solutions department statewide.

9 SECTION 7. CULTURAL AFFAIRS DEPARTMENT PROJECT--SEVERANCE
10 TAX BONDS.--Pursuant to the provisions of Section 1 of this
11 act, upon certification by the cultural affairs department that
12 the need exists for the issuance of the bonds, five million
13 dollars (\$5,000,000) is appropriated to the cultural affairs
14 department to plan, design, construct, renovate, furnish and
15 equip infrastructure for sites, facilities and exhibits,
16 including fire suppression, security systems, climate control
17 and site preservation, at museums, monuments, historic sites
18 and cultural facilities statewide.

19 SECTION 8. CUMBRES AND TOLTEC SCENIC RAILROAD COMMISSION
20 PROJECT--SEVERANCE TAX BONDS.--Pursuant to the provisions of
21 Section 1 of this act, upon certification by the Cumbres and
22 Toltec scenic railroad commission that the need exists for the
23 issuance of the bonds, six hundred thousand dollars (\$600,000)
24 is appropriated to the Cumbres and Toltec scenic railroad
25 commission for track rehabilitation and related infrastructure

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1 improvements, including locomotive and boiler upgrades to
2 comply with federal railroad administration standards, and for
3 improvements to passenger cars for the Cumbres and Toltec
4 scenic railroad operating between New Mexico and Colorado.

5 SECTION 9. ECONOMIC DEVELOPMENT DEPARTMENT PROJECT--
6 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
7 of this act, upon certification by the economic development
8 department that the need exists for the issuance of the bonds,
9 five hundred thousand dollars (\$500,000) of the appropriation
10 to the economic development department in Subsection D of
11 Section 3 of Chapter 5 of Laws 2016 (2nd S.S.) for projects
12 pursuant to the Local Economic Development Act shall not be
13 expended for the original purpose but is changed to plan,
14 design and construct infrastructure improvements in mainstreet
15 districts statewide.

16 SECTION 10. ENERGY, MINERALS AND NATURAL RESOURCES
17 DEPARTMENT PROJECT--SEVERANCE TAX BONDS.--Pursuant to the
18 provisions of Section 1 of this act, upon certification by the
19 energy, minerals and natural resources department that the need
20 exists for the issuance of the bonds, five hundred thousand
21 dollars (\$500,000) is appropriated to the energy, minerals and
22 natural resources department to purchase and equip wildland
23 fire engines and firefighting crew carriers statewide.

24 SECTION 11. STATE PARKS DIVISION OF THE ENERGY, MINERALS
25 AND NATURAL RESOURCES DEPARTMENT PROJECT--SEVERANCE TAX

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1 BONDS.--Pursuant to the provisions of Section 1 of this act,
2 upon certification by the state parks division of the energy,
3 minerals and natural resources department that the need exists
4 for the issuance of the bonds, five hundred thousand dollars
5 (\$500,000) is appropriated to the state parks division of the
6 energy, minerals and natural resources department to plan,
7 design and construct upgrades and improvements to
8 infrastructure, including water and wastewater systems, in
9 state parks statewide.

10 SECTION 12. INDIAN WATER RIGHTS SETTLEMENT FUND--

11 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
12 of this act, upon certification by the office of the state
13 engineer that the need exists for the issuance of the bonds,
14 four million dollars (\$4,000,000) is appropriated to the Indian
15 water rights settlement fund. Notwithstanding the requirement
16 for a joint resolution of the legislature in Subsection A of
17 Section 72-1-11 NMSA 1978, if a corresponding commitment has
18 been made for the federal portion of the settlement in the
19 Aamodt case, the money may be expended by the interstate stream
20 commission in fiscal year 2019 and subsequent fiscal years to
21 implement the state's portion of the settlement, and any
22 unexpended or unencumbered balance remaining at the end of a
23 fiscal year shall not revert.

24 SECTION 13. STATE FAIR COMMISSION PROJECT--SEVERANCE TAX

25 BONDS.--Pursuant to the provisions of Section 1 of this act,

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1 upon certification by the state fair commission that the need
2 exists for the issuance of the bonds, two million dollars
3 (\$2,000,000) is appropriated to the state fair commission to
4 plan, design, construct, furnish and equip infrastructure and
5 infrastructure improvements, including electrical and power
6 upgrades, roofs, roads, pathways and parking lots, at the New
7 Mexico state fairgrounds in Albuquerque in Bernalillo county.

8 SECTION 14. DEPARTMENT OF INFORMATION TECHNOLOGY

9 PROJECT--SEVERANCE TAX BONDS.--Pursuant to the provisions of
10 Section 1 of this act, upon certification by the department of
11 information technology that the need exists for the issuance of
12 the bonds, two million dollars (\$2,000,000) is appropriated to
13 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 15. DEPARTMENT OF MILITARY AFFAIRS PROJECT--

17 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
18 of this act, upon certification by the department of military
19 affairs that the need exists for the issuance of the bonds, one
20 million five hundred thousand dollars (\$1,500,000) is
21 appropriated to the department of military affairs for
22 improvements, repairs and demolition and to purchase and
23 install systems to improve energy efficiency and for staging
24 areas at department of military affairs facilities statewide.

25 SECTION 16. DEPARTMENT OF PUBLIC SAFETY PROJECT--

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1 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
2 of this act, upon certification by the department of public
3 safety that the need exists for the issuance of the bonds, ten
4 million dollars (\$10,000,000) is appropriated to the department
5 of public safety to purchase and equip a search and rescue
6 helicopter for New Mexico state police operations statewide.

7 SECTION 17. OFFICE OF THE SECRETARY OF STATE PROJECT--
8 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
9 of this act, upon certification by the secretary of state that
10 the need exists for the issuance of the bonds, eight hundred
11 twenty-five thousand dollars (\$825,000) is appropriated to the
12 office of the secretary of state to purchase and install
13 information technology, including servers and related
14 infrastructure upgrades, for the office of the secretary of
15 state in Santa Fe in Santa Fe county.

16 SECTION 18. SPACEPORT AUTHORITY PROJECTS--SEVERANCE TAX
17 BONDS.--Pursuant to the provisions of Section 1 of this act,
18 upon certification by the spaceport authority that the need
19 exists for the issuance of the bonds, the following amounts are
20 appropriated to the spaceport authority for the following
21 purposes:

22 1. five hundred thousand dollars (\$500,000) to
23 plan, design, repair, construct, furnish and equip
24 infrastructure upgrades, including electrical, fire
25 suppression, water, sewer, security, mission control, heating,

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1 ventilation and air conditioning and building systems, at
2 Spaceport America facilities in Sierra county; and

3 2. three million dollars (\$3,000,000) of the
4 unexpended balance of the appropriation to the economic
5 development department in Subsection D of Section 3 of Chapter
6 5 of Laws 2016 (2nd S.S.) for projects pursuant to the Local
7 Economic Development Act shall not be expended for the original
8 purpose but is appropriated to the spaceport authority to plan,
9 design and construct a launch vehicle payload integration
10 facility at Spaceport America in Sierra county.

11 **SECTION 19. CAPITAL PROGRAM FUND PROJECT--GENERAL FUND.--**

12 Two hundred thousand dollars (\$200,000) is appropriated from
13 the general fund to the capital program fund for expenditure in
14 fiscal years 2018 through 2022, unless otherwise provided in
15 Section 2 of this act, to develop a master plan for
16 correctional facilities statewide.

17 **SECTION 20. DEPARTMENT OF HEALTH PROJECT--GENERAL FUND.--**

18 Five hundred thousand dollars (\$500,000) is appropriated from
19 the general fund to the department of health for expenditure in
20 fiscal years 2018 through 2022, unless otherwise provided in
21 Section 2 of this act, to purchase and install scientific,
22 analytical and medical equipment, including the recalibration
23 of existing equipment, at department of health facilities
24 statewide.

25 **SECTION 21. TAXATION AND REVENUE DEPARTMENT PROJECT--**

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1 GENERAL FUND.--Three hundred seventy-two thousand dollars
2 (\$372,000) is appropriated from the general fund to the
3 taxation and revenue department for expenditure in fiscal years
4 2018 through 2022, unless otherwise provided in Section 2 of
5 this act, to purchase, install and equip scanners and mail
6 slicers, including servers, information technology and related
7 equipment and infrastructure, for the revenue processing
8 division in Santa Fe in Santa Fe county.

9 SECTION 22. ENERGY, MINERALS AND NATURAL RESOURCES

10 DEPARTMENT PROJECT--APPROPRIATION FROM THE WATER PROJECT
11 FUND.--Notwithstanding the provisions of the Water Project
12 Finance Act to the contrary, two million dollars (\$2,000,000)
13 is appropriated from the water project fund to the energy,
14 minerals and natural resources department for expenditure in
15 fiscal years 2018 through 2022, unless otherwise provided in
16 Section 2 of this act, to plan, design and construct watershed
17 restoration and community wildfire protection improvements,
18 including forest thinning, statewide.

19 SECTION 23. INDIAN WATER RIGHTS SETTLEMENT FUND--

20 APPROPRIATION FROM THE WATER PROJECT FUND.--Notwithstanding the
21 provisions of the Water Project Finance Act to the contrary,
22 two million dollars (\$2,000,000) is appropriated from the water
23 project fund to the Indian water rights settlement fund.
24 Notwithstanding the requirement for a joint resolution of the
25 legislature in Subsection A of Section 72-1-11 NMSA 1978, if a

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1 corresponding commitment has been made for the federal portion
2 of the settlement in the Aamodt case, the money may be expended
3 by the interstate stream commission in fiscal year 2019 and
4 subsequent fiscal years to implement the state's portion of the
5 settlement, and any unexpended or unencumbered balance
6 remaining at the end of a fiscal year shall not revert.

7 SECTION 24. OFFICE OF THE STATE ENGINEER PROJECTS--
8 APPROPRIATIONS FROM THE WATER PROJECT FUND.--Notwithstanding
9 the provisions of the Water Project Finance Act to the
10 contrary, the following amounts are appropriated from the water
11 project fund to the office of the state engineer for
12 expenditure in fiscal years 2018 through 2022, unless otherwise
13 provided in Section 2 of this act, for the following purposes:

14 1. one million five hundred thousand dollars
15 (\$1,500,000) to plan, design, construct, rehabilitate and make
16 phase 2 improvements at Morphy lake dam in Mora county and for
17 improvements to publicly owned dams statewide; and

18 2. five hundred thousand dollars (\$500,000) to
19 purchase and install surface and ground water meters to assess
20 water use, water supply and impairment and to ensure public
21 welfare, conservation and water accountability statewide.

22 SECTION 25. STATE LAND OFFICE PROJECTS--APPROPRIATIONS
23 FROM THE STATE LANDS MAINTENANCE FUND.--The following amounts
24 are appropriated from the state lands maintenance fund to the
25 state land office for expenditure in fiscal years 2018

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1 through 2022, unless otherwise provided in Section 2 of this
2 act, for the following purposes:

3 1. one hundred eighty thousand dollars (\$180,000)
4 to plan, design, upgrade, repair and replace the heating,
5 ventilation and air conditioning system at the state land
6 office in Santa Fe in Santa Fe county; and

7 2. forty thousand dollars (\$40,000) to plan,
8 design, upgrade, repair and replace the parking lot and
9 sidewalks at the state land office in Santa Fe in Santa Fe
10 county.

11 SECTION 26. DEPARTMENT OF GAME AND FISH PROJECT--
12 APPROPRIATION FROM THE SIKES ACT ACCOUNT OF THE GAME PROTECTION
13 FUND.--One million dollars (\$1,000,000) is appropriated from
14 the Sikes Act account of the game protection fund to the
15 department of game and fish for expenditure in fiscal years
16 2018 through 2022, unless otherwise provided in Section 2 of
17 this act, for fisheries renovation and wildlife and riparian
18 habitat restoration and for improvements at properties owned by
19 the state game commission statewide.

20 SECTION 27. DEPARTMENT OF TRANSPORTATION PROJECT--
21 TRANSFER FROM THE PUBLIC PROJECT REVOLVING FUND TO THE LOCAL
22 GOVERNMENTS ROAD FUND.--Ten million dollars (\$10,000,000) is
23 transferred from the New Mexico finance authority to the local
24 governments road fund for expenditure in fiscal years 2019
25 through 2022, unless otherwise provided in Section 2 of this

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1 act, for local road projects statewide. Except as otherwise
2 provided in the Tax Administration Act, the amount is from the
3 authority's fiscal year 2018 portion of the governmental gross
4 receipts tax distributed to the authority pursuant to Section
5 7-1-6.38 NMSA 1978 that is not otherwise pledged for payment of
6 obligations of the authority.

7 SECTION 28. DEPARTMENT OF GAME AND FISH PROJECTS--
8 APPROPRIATIONS FROM THE HABITAT MANAGEMENT FUND.--The following
9 amounts are appropriated from the habitat management fund to
10 the department of game and fish for expenditure in fiscal years
11 2018 through 2022, unless otherwise provided in Section 2 of
12 this act, for the following purposes:

13 1. one million dollars (\$1,000,000) to plan, design
14 and construct improvements related to safety compliance at dams
15 owned by the state game commission and at publicly owned lakes
16 and associated dams and spillways statewide; and

17 2. two million dollars (\$2,000,000) for fisheries
18 renovation and wildlife and riparian habitat restoration and
19 for improvements at properties owned by the state game
20 commission statewide.

21 SECTION 29. DEPARTMENT OF GAME AND FISH PROJECTS--
22 APPROPRIATIONS FROM THE GAME PROTECTION FUND.--The following
23 amounts are appropriated from the game protection fund to the
24 department of game and fish for expenditure in fiscal years
25 2018 through 2022, unless otherwise provided in Section 2 of

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1 this act, for the following purposes:

2 1. three million dollars (\$3,000,000) to renovate
3 and make improvements at hatcheries owned by the state game
4 commission statewide;

5 2. one million dollars (\$1,000,000) to plan, design
6 and construct improvements related to safety compliance at dams
7 owned by the state game commission and at publicly owned lakes
8 and associated dams and spillways statewide;

9 3. one million two hundred thousand dollars
10 (\$1,200,000) for fisheries renovation and wildlife and riparian
11 habitat restoration and for improvements at properties owned by
12 the state game commission statewide; and

13 4. five hundred thousand dollars (\$500,000) to
14 plan, design, construct and improve new and existing shooting
15 ranges statewide.

16 SECTION 30. DEPARTMENT OF GAME AND FISH PROJECT--
17 APPROPRIATION FROM THE GAME AND FISH BOND RETIREMENT FUND.--One
18 million dollars (\$1,000,000) is appropriated from the game and
19 fish bond retirement fund to the department of game and fish
20 for expenditure in fiscal years 2018 through 2022, unless
21 otherwise provided in Section 2 of this act, to renovate and
22 make improvements at hatcheries owned by the state game
23 commission statewide.

24 SECTION 31. PUBLIC REGULATION COMMISSION PROJECT--
25 APPROPRIATION FROM THE FIRE PROTECTION FUND.--Notwithstanding

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1 the provisions of the Fire Protection Fund Law to the contrary,
2 two million five hundred thousand dollars (\$2,500,000) is
3 appropriated from the fire protection fund to the public
4 regulation commission for expenditure in fiscal years 2018
5 through 2022, unless otherwise provided in Section 2 of this
6 act, to plan, design and construct a firefighter training burn
7 building at the firefighter training academy in Socorro in
8 Socorro county.

9 SECTION 32. SUPREME COURT BUILDING COMMISSION PROJECT--
10 APPROPRIATION FROM THE CAPITOL BUILDINGS REPAIR FUND.--

11 Notwithstanding the provisions of Section 15-3B-17 NMSA 1978 to
12 the contrary, one hundred twenty-three thousand dollars
13 (\$123,000) is appropriated from the capitol buildings repair
14 fund to the supreme court building commission for expenditure
15 in fiscal years 2018 through 2022, unless otherwise provided in
16 Section 2 of this act, to plan, design, construct and renovate
17 facilities, including abatement and remediation of the exterior
18 courtyard stucco, at the supreme court building in Santa Fe in
19 Santa Fe county.

20 SECTION 33. DEPARTMENT OF GAME AND FISH PROJECT--
21 APPROPRIATION FROM THE BIG GAME ENHANCEMENT ACCOUNT OF THE GAME
22 PROTECTION FUND.--One million seven hundred fifty thousand
23 dollars (\$1,750,000) is appropriated from the big game
24 enhancement account of the game protection fund to the
25 department of game and fish for expenditure in fiscal years

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1 2018 through 2022, unless otherwise provided in Section 2 of
2 this act, for fisheries renovation and wildlife and riparian
3 habitat restoration and for improvements at properties owned by
4 the state game commission statewide.

5 SECTION 34. ENVIRONMENTAL MITIGATION TRUST--CONTINGENT
6 AUTHORIZATION--BUDGET INCREASE REQUEST FOR SCHOOL BUSES.--If,
7 pursuant to the environmental mitigation trust agreement for
8 state beneficiaries entered into pursuant to the partial
9 consent decrees entered in *In re: Volkswagen "Clean Diesel"*
10 *Marketing, Sales Practices, and Products Liability Litigation*,
11 MDL No. 2672 CRB (JSC) (Dkt. No. 2103-1), the trustee approves
12 the expenditure of funds to allow the public education
13 department to replace school-district-owned buses statewide
14 that are used to transport students to and from school pursuant
15 to the Public School Finance Act, the public education
16 department is authorized to request a budget increase for that
17 purpose of four million dollars (\$4,000,000), if that amount is
18 approved by the trustee, or any other amount that is authorized
19 by the trustee for the same purpose.

20 SECTION 35. PROJECT SCOPE--EXPENDITURES.--If an
21 appropriation for a project authorized in this act is not
22 sufficient to complete all the purposes specified, the
23 appropriation may be expended for any portion of the purposes
24 specified in the appropriation. Expenditures shall not be made
25 for purposes other than those specified in the appropriation.

.209205.1

