

SENATE BILL 25

56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023

INTRODUCED BY

George K. Muñoz

This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

AN ACT

RELATING TO PUBLIC FINANCE; CREATING THE FEDERAL INFRASTRUCTURE MATCHING FUND TO ASSIST TRIBAL GOVERNMENTS IN MEETING MATCH REQUIREMENTS FOR FEDERAL TRIBAL INFRASTRUCTURE GRANTS IN NEW MEXICO; PROVIDING LIMITATIONS; MAKING AN APPROPRIATION.

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

SECTION 1. Section 6-29-1 NMSA 1978 (being Laws 2005, Chapter 146, Section 1) is amended to read:

.223305.1AIC February 10, 2023 (10:56am)

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"6-29-1. SHORT TITLE.--~~[This act]~~ Chapter 6, Article 29 NMSA 1978 may be cited as the "Tribal Infrastructure Act"."

SECTION 2. Section 6-29-5 NMSA 1978 (being Laws 2005, Chapter 146, Section 5) is amended to read:

"6-29-5. BOARD--DUTIES.--The board shall:

A. adopt rules governing terms, conditions and priorities for providing financial assistance to tribes, including developing application and evaluation procedures and forms and qualifications for applicants and for projects;

B. provide financial assistance to tribes for qualified projects on terms and conditions established by the board;

C. authorize funding for qualified projects, including:

(1) planning, designing, constructing, improving, expanding or equipping water and wastewater facilities, major water systems, electrical power lines, communications infrastructure, roads, health infrastructure, emergency response facilities and infrastructure needed to encourage economic development;

(2) developing engineering feasibility reports for infrastructure projects;

(3) inspecting construction of qualified projects;

(4) providing special engineering services;

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(5) completing environmental assessments or archaeological clearances and other surveys for infrastructure projects;

(6) acquiring land, easements or rights of way; and

(7) paying legal costs and fiscal agent fees associated with development of qualified projects; and

D. authorize grants from the federal infrastructure matching fund to a tribal applicant to meet match requirements for federal grants for infrastructure projects in New Mexico."

SECTION 3. A new section of the Tribal Infrastructure Act is enacted to read:

"[NEW MATERIAL] FEDERAL INFRASTRUCTURE MATCHING FUND--  
CREATED--PURPOSE--APPROVALS SIRC→~~EXPENDITURE LIMITATION~~←SIRC  
. --

A. The "federal infrastructure matching fund" is created as a nonreverting fund in the state treasury. The fund consists of appropriations, income from investment of the fund, gifts, grants and donations. The fund shall be administered by the department of finance and administration. Money in the fund is subject to appropriation by the legislature to provide a funding source for tribal governments to meet match requirements for federal tribal infrastructure grants for projects wholly within New Mexico. SIRC→~~The total amount that may be expended from the fund per year is ten million dollars~~

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~~(\$10,000,000).~~ ← SIRC

B. Tribal governments may submit applications on forms provided by the board. The application shall include project approval by the state fiscal agent. The board, in consultation with tribal governments, shall specify by rule application requirements, including a maximum amount allowable from the fund for any one grant based on the number of applications submitted."

SECTION 4. APPROPRIATION.--One hundred million dollars (\$100,000,000) is appropriated from the general fund to the federal infrastructure matching fund for expenditure in fiscal year 2024 and subsequent fiscal years to meet match requirements for federal tribal infrastructure grants. Any unexpended or unencumbered balance remaining at the end of a fiscal year shall not revert to the general fund.