

1 SENATE BILL 25

2 **56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

3 INTRODUCED BY

4 George K. Muñoz

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9  
10 AN ACT

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

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

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

19 "6-29-1. SHORT TITLE.--~~[This act]~~ Chapter 6, Article 29  
20 NMSA 1978 may be cited as the "Tribal Infrastructure Act"."

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

23 "6-29-5. BOARD--DUTIES.--The board shall:

24 A. adopt rules governing terms, conditions and  
25 priorities for providing financial assistance to tribes,

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1 including developing application and evaluation procedures and  
2 forms and qualifications for applicants and for projects;

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

6 C. authorize funding for qualified projects,  
7 including:

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

14 (2) developing engineering feasibility reports  
15 for infrastructure projects;

16 (3) inspecting construction of qualified  
17 projects;

18 (4) providing special engineering services;

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

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

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

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

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

6           "[NEW MATERIAL] FEDERAL INFRASTRUCTURE MATCHING FUND--  
7 CREATED--PURPOSE--APPROVALS--EXPENDITURE LIMITATION.--

8           A. The "federal infrastructure matching fund" is  
9 created as a nonreverting fund in the state treasury. The fund  
10 consists of appropriations, income from investment of the fund,  
11 gifts, grants and donations. The fund shall be administered by  
12 the department of finance and administration. Money in the  
13 fund is subject to appropriation by the legislature to provide  
14 a funding source for tribal governments to meet match  
15 requirements for federal tribal infrastructure grants for  
16 projects wholly within New Mexico. The total amount that may  
17 be expended from the fund per year is ten million dollars  
18 (\$10,000,000).

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

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