

**LEGISLATIVE EDUCATION STUDY COMMITTEE  
BILL ANALYSIS**

**Bill Number: \*HB 53aa**

**50th Legislature, 1st Session, 2011**

**Tracking Number: .182926.2SA**

**Short Title: NMFA Public Project Fund Projects**

**Sponsor(s): Representative Luciano “Lucky” Varela**

**Analyst: Eilani Gerstner**

**Date: April 27, 2011**

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**AS AMENDED**

**The Senate Finance Committee amendments:**

- **strike the House Taxation and Revenue Committee amendment that added authorization for several more projects, including two school districts and one institution of higher education; and**
- **add authorization for several additional projects, including three school districts, three charter schools, the New Mexico Military Institute, and two institutions of higher education (see Attachment).**

**The House Taxation and Revenue Committee amendments:**

- **change the authorization of a project for the Las Vegas school district to the “West” Las Vegas school district;**
- **delete the authorization of a project for the New Mexico Highlands University Foundation; and**
- **add authorization for several more projects, including projects in two more school districts and one more institution of higher education (see Attachment).**

**Original Bill Summary:**

HB 53 authorizes the New Mexico Finance Authority (NMFA) to make loans from the Public Project Revolving Fund to 130 entities, including 29 school districts and three institutions of higher education (see Attachment).

\* The bill contains an emergency clause.

**Fiscal Impact:**

HB 53 does not contain an appropriation.

## **Substantive Issues:**

According to current law, the *New Mexico Finance Authority Act* creates the Public Project Revolving Fund, which is administered by NMFA. The fund consists of principal of and interest on loans and securities held by NMFA, as well as any other dollars appropriated, distributed, or otherwise allocated to the fund for the purpose of financing public projects specifically authorized by law.

The act provides that loans of \$1.0 million or less do not require authorization by law.

A related bill, CS/SB 48, *Change NMFA Public Project Fund Requirements*, temporarily removes the requirement that projects be authorized by law (from July 1, 2011 to June 30, 2013), but requires NMFA to report quarterly to the Legislature and the NMFA Oversight Committee<sup>1</sup> on public projects approved by NMFA and the status of the Public Project Revolving Fund.

## **Related Bills:**

\*HB 143aaaa *NMFA Water Project Fund Projects*

\*SB 20 *NMFA Economic Development Fund Projects*

SB 26 *NMFA as Community Development Finance Entity*

CS/SB 48 *Change NMFA Public Project Fund Requirements*

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<sup>1</sup> The *New Mexico Finance Authority Act* creates the New Mexico Finance Authority (NMFA) Oversight Committee, a joint, interim legislative committee charged with monitoring and overseeing the operation of the NMFA.

## AS AMENDED

(bold print and ~~strikethrough~~ indicate amendments)

## HB 53aa, NMFA Public Project Fund Projects - Education-related Authorized Loans

| Entity                                                                     | Purpose                                                                                                                                                          |
|----------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>School Districts</b>                                                    |                                                                                                                                                                  |
| Alamogordo Public Schools                                                  | Building, equipment, infrastructure, and debt refinancing projects                                                                                               |
| Animas Public Schools                                                      | Building, equipment, infrastructure, and debt refinancing projects                                                                                               |
| Artesia Public Schools                                                     | Building, equipment, infrastructure, and debt refinancing projects                                                                                               |
| Bernalillo Public Schools                                                  | Building, equipment, infrastructure, debt refinancing, and land projects                                                                                         |
| <b>Bernalillo Public Schools</b>                                           | <b>Building, equipment, infrastructure, debt refinancing, water, wastewater, solid waste, road, and land projects</b>                                            |
| Capitan Municipal Schools                                                  | Building, equipment, infrastructure, debt refinancing, and land projects                                                                                         |
| Carlsbad Municipal Schools                                                 | Building, equipment, infrastructure, debt refinancing, and land projects                                                                                         |
| Clayton Public Schools                                                     | Building, equipment, infrastructure, debt refinancing, and land projects                                                                                         |
| Cloudcroft Municipal Schools                                               | Building, equipment, infrastructure, debt refinancing, and land projects                                                                                         |
| Clovis Municipal Schools                                                   | Building, equipment, infrastructure, debt refinancing, and land projects                                                                                         |
| Des Moines Municipal Schools                                               | Building, equipment, infrastructure, debt refinancing, and land projects                                                                                         |
| Española Public Schools                                                    | Building, equipment, infrastructure, debt refinancing, and land projects                                                                                         |
| Gadsden Independent Schools                                                | Building, equipment, infrastructure, debt refinancing, and land projects                                                                                         |
| <b>Hobbs Municipal Schools</b>                                             | <b>Building, equipment, infrastructure, debt refinancing, water, wastewater, water rights, solid waste, road, and land projects</b>                              |
| Hondo Valley Public Schools                                                | Building, equipment, infrastructure, debt refinancing, and land projects                                                                                         |
| Jemez Valley Public Schools                                                | Building, equipment, infrastructure, debt refinancing, and land projects                                                                                         |
| Las Cruces Public Schools                                                  | Building, equipment, infrastructure, debt refinancing, and land projects                                                                                         |
| Los Lunas Public Schools                                                   | Building, equipment, infrastructure, debt refinancing, and land projects                                                                                         |
| Magdalena Municipal Schools                                                | Building, equipment, infrastructure, debt refinancing, and land projects                                                                                         |
| <b>Melrose Public Schools</b>                                              | <b>Building, equipment, infrastructure, debt refinancing, water, wastewater, water rights, solid waste, road, and land projects</b>                              |
| Mora Independent Schools                                                   | Building, equipment, infrastructure, and debt refinancing projects                                                                                               |
| Pecos Independent Schools                                                  | Building, equipment, infrastructure, and debt refinancing projects                                                                                               |
| Peñasco Independent Schools                                                | Building, equipment, infrastructure, and debt refinancing projects                                                                                               |
| Pojoaque Valley Public Schools                                             | Building, equipment, infrastructure, and debt refinancing projects                                                                                               |
| Questa Independent Schools                                                 | Building, equipment, infrastructure, and debt refinancing projects                                                                                               |
| Raton Public Schools                                                       | Building, equipment, infrastructure, land acquisition, and debt refinancing projects                                                                             |
| Rio Rancho Public Schools                                                  | Building, equipment, infrastructure, and debt refinancing projects                                                                                               |
| Roswell Independent Schools                                                | Building, equipment, infrastructure, and debt refinancing projects                                                                                               |
| Santa Fe Public Schools                                                    | Building, equipment, infrastructure, and debt refinancing projects                                                                                               |
| Silver Consolidated Public Schools                                         | Building, equipment, infrastructure, and debt refinancing projects                                                                                               |
| Texico Municipal Schools                                                   | Building, equipment, infrastructure, and debt refinancing projects                                                                                               |
| West Las Vegas Public Schools                                              | Building, equipment, infrastructure, debt refinancing, and land projects                                                                                         |
| <b>Charter Schools</b>                                                     |                                                                                                                                                                  |
| El Camino Real Academy Charter School                                      | Building, equipment, infrastructure, land acquisition, and facilities acquisition projects                                                                       |
| Native American Community Academy Charter School                           | Building, equipment, infrastructure, land acquisition, and facilities acquisition projects                                                                       |
| New Mexico Building and Education Congress - ACE Leadership Charter School | Building, equipment, infrastructure, land acquisition, and facilities acquisition projects                                                                       |
| <b>Special State Schools</b>                                               |                                                                                                                                                                  |
| New Mexico Military Institute                                              | Building, equipment, infrastructure, refinancing, and land acquisition projects                                                                                  |
| <b>Higher Education Institutions</b>                                       |                                                                                                                                                                  |
| <b>Board of Regents of Eastern New Mexico University</b>                   | <b>Building, equipment, infrastructure, debt refinancing, water, wastewater, solid waste, road, and land projects</b>                                            |
| Higher Education Department                                                | Mesalands Community College for building, equipment, infrastructure, debt refinancing, and land projects                                                         |
| Higher Education Department                                                | New Mexico Junior College for building, equipment, infrastructure, debt refinancing, and land projects                                                           |
| <b>Higher Education Department</b>                                         | <b>Clovis Community College for building, equipment, infrastructure, debt refinancing, water, wastewater, water rights, solid waste, road, and land projects</b> |
| New Mexico Highlands University Foundation                                 | Building, equipment, infrastructure, debt refinancing, and land projects                                                                                         |