

1 AN ACT

2 RELATING TO CAPITAL EXPENDITURES; REVERTING OR DISENCUMBERING
3 BALANCES OF APPROPRIATIONS MADE FOR CERTAIN CAPITAL PROJECTS;
4 CHANGING PURPOSES AND AUTHORIZATIONS FOR THE EXPENDITURE OF
5 SEVERANCE TAX BOND PROCEEDS OR CERTAIN OTHER FUNDS; VOIDING
6 APPROPRIATIONS MADE FOR CERTAIN CAPITAL PROJECTS; AUTHORIZING
7 THE ISSUANCE OF SEVERANCE TAX BONDS; REDUCING THE PERCENTAGES
8 OF ESTIMATED SEVERANCE TAX BONDING CAPACITY ALLOCATED TO
9 WATER, TRIBAL AND COLONIAS INFRASTRUCTURE PROJECTS; PROVIDING
10 FOR A TEMPORARY CHANGE IN THE DETERMINATION OF ESTIMATED
11 SEVERANCE TAX BONDING CAPACITY ALLOCATED TO THOSE PROJECTS;
12 MAKING APPROPRIATIONS; DECLARING AN EMERGENCY.

13
14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

15 SECTION 1. GENERAL FUND BALANCES REVERTED.--The
16 following appropriations from the general fund shall not be
17 expended, and the unexpended balances up to the amount
18 specified shall revert to the general fund:

19 A. to the administrative office of the courts,
20 five hundred thirty-four thousand five hundred sixty-one
21 dollars (\$534,561) in Item (4) of Section 5 of Chapter 11 of
22 Laws 2016 to address court priorities, including funding for
23 vehicles, furniture and equipment, at courts statewide;

24 B. to the corrections department, two million four
25 hundred thousand dollars (\$2,400,000) in Item (19) of Section

1 7 of Chapter 11 of Laws 2016 to purchase a commercial
2 off-the-shelf offender management information system;

3 C. to the cultural affairs department, three
4 hundred thousand dollars (\$300,000) in Item (13) of Section 7
5 of Chapter 11 of Laws 2016 to modernize the cultural
6 resources information system;

7 D. to the economic development department, twenty-
8 one million five hundred fifty thousand dollars (\$21,550,000)
9 in Item (21) of Section 5 of Chapter 101 of Laws 2015 for
10 local economic development projects statewide;

11 E. to the department of public safety, three
12 million two hundred eighteen thousand dollars (\$3,218,000) in
13 the other category of appropriations to that department in
14 Laws 2016, Chapter 11, Section 4;

15 F. to the Indian water rights settlement fund,
16 five hundred thousand dollars (\$500,000) in Laws 2015 (1st
17 S.S.), Chapter 3, Section 49;

18 G. to the office of the state engineer, five
19 hundred thousand dollars (\$500,000) in Laws 2015 (1st S.S.),
20 Chapter 3, Section 48 to plan, design and construct repairs,
21 including purchase and installation of a liner to address the
22 abutment and seepage mitigation, at Cabresto dam in Taos
23 county and to design and construct outlet structures and
24 other site improvements at Morphy Lake dam in Mora county;
25 and

1 H. to the department of transportation:

2 (1) twenty-two million five hundred thousand
3 dollars (\$22,500,000) to the state road fund in Laws 2015
4 (1st S.S.), Chapter 3, Section 44 for expenditure in fiscal
5 years 2016 through 2018 for road improvements statewide;

6 (2) four million dollars (\$4,000,000) in
7 Subsection 1 of Section 45 of Chapter 3 of Laws 2015 (1st
8 S.S.) to plan, conduct environmental clearances, design,
9 acquire rights of way, construct and reconstruct New Mexico
10 highway 136, Airport road and Industrial road in the Santa
11 Teresa area of Dona Ana county; and

12 (3) six hundred fifty thousand dollars
13 (\$650,000) in Subsection 2 of Section 45 of Chapter 3 of Laws
14 2015 (1st S.S.) to acquire rights of way and to plan, design
15 and construct a bridge across the Puerco river on Allison
16 road in Gallup in McKinley county.

17 SECTION 2. SEVERANCE TAX BONDS--CHANGE PURPOSES--CHANGE
18 AUTHORIZATIONS AND PROVIDE FOR EXPENDITURES.--

19 A. Notwithstanding the requirements for reversion
20 in Laws 2013, Chapter 226, the unexpended or unencumbered
21 balances remaining up to the amount specified of severance
22 tax bond proceeds authorized or appropriated in Laws 2013,
23 Chapter 226 for the following described projects under the
24 control of the following agencies shall not be expended for
25 the original purposes but may be expended as provided in

1 Section 3 of this 2016 act:

2 (1) to the aging and long-term services
3 department:

4 1. sixty thousand dollars (\$60,000) to
5 make improvements for building code compliance, including
6 purchase and installation of equipment, to the Reserve senior
7 center in Catron county; and

8 2. five thousand dollars (\$5,000) to
9 make improvements for building code compliance, including
10 purchase and installation of equipment, to the Pueblo of
11 Santa Ana senior center in Sandoval county;

12 (2) to the department of environment, ten
13 thousand dollars (\$10,000) to plan, design and construct
14 water system improvements, including a water storage tank,
15 for the Sena mutual domestic water consumers association in
16 San Miguel county;

17 (3) to the department of transportation:

18 1. fifteen thousand dollars (\$15,000)
19 to plan, design and construct a mid-block pedestrian safety
20 crossing with pedestrian signal on Zuni road near
21 Pennsylvania street in the international district in
22 southeast Albuquerque in Bernalillo county;

23 2. four hundred thirty thousand dollars
24 (\$430,000) to plan, design and construct improvements to Zuni
25 road in Albuquerque in Bernalillo county;

1 3. two hundred ninety-nine thousand
2 dollars (\$299,000) to plan, design and construct
3 improvements, including curbs, gutters and drainage, to
4 Corona road in the east mesa area of Dona Ana county; and

5 4. seventy-five thousand dollars
6 (\$75,000) to plan, design and construct improvements to
7 Navajo route 7054 in the Pinedale chapter of the Navajo
8 Nation in McKinley county;

9 (4) to the interstate stream commission:

10 1. thirty thousand dollars (\$30,000) to
11 plan, design and construct improvements to acequias Anton
12 Chico, La Loma and Tecolotito in Guadalupe county;

13 2. one hundred thousand dollars
14 (\$100,000) to purchase water rights and storage space at the
15 reservoirs in northern New Mexico for use by the memberships
16 of acequias nortenas and the Rio de Chama acequias on the Rio
17 Chama in Rio Arriba county;

18 3. fifteen thousand dollars (\$15,000)
19 to plan, design and construct ditch improvements, including a
20 concrete-capped gabion and irrigation pipeline water control
21 system, for the Gallina east and west community ditch in Rio
22 Arriba county and to pay off an interstate stream commission
23 loan; and

24 4. nine thousand five hundred dollars
25 (\$9,500) to construct improvements to the acequia de Morada

1 in Santa Fe in Santa Fe county;

2 (5) to the local government division of the
3 department of finance and administration:

4 1. ten thousand dollars (\$10,000) to
5 plan, design, construct and equip outdoor lighting at the
6 Anthony ballpark in Chaparral in Dona Ana county;

7 2. two hundred sixteen thousand dollars
8 (\$216,000) to plan, design, repair, renovate and equip the
9 sexual assault service provider and trauma treatment center
10 and site, including purchasing and installing information
11 technology and related infrastructure, in Santa Fe in Santa
12 Fe county;

13 3. twenty-five thousand dollars
14 (\$25,000) to plan, design and construct improvements,
15 including renovation of the parking area and installation of
16 surrounding fencing, at the Talpa community center in Taos
17 county; and

18 4. twenty-five thousand dollars
19 (\$25,000) for renovations to the plaza in the arts and
20 cultural district in Taos in Taos county;

21 (6) to the office of the state engineer:

22 1. twenty thousand dollars (\$20,000)
23 for a hydrologic study of the upper Rio Hondo basin,
24 including purchase and installation of well-monitoring
25 equipment, in Lincoln county;

1 2. fifty thousand dollars (\$50,000) to
2 plan, design, renovate and construct improvements, including
3 dredging, to the Nambe dam in Santa Fe county; and

4 3. four hundred twenty-five thousand
5 dollars (\$425,000) to construct a flood control facility and
6 infrastructure downstream of interstate 25 in Belen in
7 Valencia county; and

8 (7) to the public education department:

9 1. fifty thousand dollars (\$50,000) to
10 purchase, repair, replace and install perimeter fencing for
11 the playground at El Dorado elementary school in the Santa Fe
12 public school district in Santa Fe county; and

13 2. one hundred thousand dollars
14 (\$100,000) to plan, design, renovate and construct roofs at
15 El Dorado elementary school in the Santa Fe public school
16 district in Santa Fe county.

17 B. Notwithstanding the requirements for reversion
18 in Laws 2014, Chapters 64 and 66, the unexpended or
19 unencumbered balances remaining up to the amount specified of
20 severance tax bond proceeds authorized, appropriated or
21 reauthorized in Laws 2014, Chapters 64 and 66 for the
22 following described projects under the control of the
23 following agencies shall not be expended for the original or
24 reauthorized purposes but may be expended as provided in
25 Section 3 of this 2016 act:

1 (1) to the aging and long-term services
2 department, fifty thousand dollars (\$50,000) to design and
3 construct an addition to the senior center in the Two Grey
4 Hills chapter of the Navajo Nation in San Juan county;

5 (2) to the board of regents of New Mexico
6 state university, one hundred twenty-five thousand dollars
7 (\$125,000) to construct the rehabilitation of the Garfield
8 watershed structure for the Caballo soil and water
9 conservation district in Dona Ana county;

10 ~~(3) to the cultural affairs department, five~~
11 ~~hundred sixty-four thousand dollars (\$564,000) to plan,~~
12 ~~design, construct, equip and furnish an information and~~
13 ~~welcome center at the entrance of the national Hispanic~~
14 ~~cultural center in Albuquerque in Bernalillo county;~~

15 (4) to the department of environment:

16 1. forty thousand dollars (\$40,000) for
17 property acquisition, and to construct and equip a zero
18 discharge wastewater treatment facility, in Cimarron in
19 Colfax county;

20 2. twenty-five thousand dollars
21 (\$25,000) to purchase and install information technology and
22 upgrades to the supervisory control and data acquisition
23 system, including related furniture, equipment and
24 infrastructure, in Jal in Lea county;

25 3. one hundred fifty thousand dollars

1 (\$150,000) to plan, design and construct water system
2 improvements in the Becenti chapter of the Navajo Nation in
3 McKinley county;

4 4. twenty-five thousand dollars
5 (\$25,000) for site improvements and remediation for a
6 community water tank in the Red Lake chapter of the Navajo
7 Nation in McKinley county;

8 5. fifty thousand dollars (\$50,000) to
9 plan, design and construct improvements and repairs to water
10 infrastructure and acequias for the Rio Arriba regional
11 association of water users in Rio Arriba county;

12 6. fifty thousand dollars (\$50,000) to
13 plan, design, purchase and install water system improvements
14 for the Gallina mutual domestic water consumers and mutual
15 sewage works association in Rio Arriba county;

16 7. fifty-five thousand dollars
17 (\$55,000) to plan, design and construct a well and
18 rehabilitate pumps in the Pueblo of Jemez in Sandoval county;

19 8. one hundred thousand dollars
20 (\$100,000) to design and construct improvements to the water
21 lines and system and to install fire hydrants in Elephant
22 Butte in Sierra county; and

23 9. twenty-six thousand dollars
24 (\$26,000) to plan, design, construct and equip a well and
25 water system improvements for La Lama mutual domestic water

1 consumers association in Taos county;

2 (5) to the department of transportation:

3 1. one hundred five thousand dollars
4 (\$105,000) to plan, design and construct phase 2 improvements
5 to the intersection of Carlisle boulevard and Constitution
6 avenue in Albuquerque in Bernalillo county;

7 2. one hundred thousand dollars
8 (\$100,000) for a center lane road median in the 100 block of
9 Louisiana boulevard northeast in Albuquerque in Bernalillo
10 county;

11 3. seventy thousand dollars (\$70,000)
12 to plan, design and construct improvements and rehabilitation
13 of Rio Grande boulevard from Candelaria road to Griegos road,
14 including signage and bicycle and pedestrian lanes, in
15 Albuquerque in Bernalillo county;

16 4. one hundred thousand dollars
17 (\$100,000) for pedestrian safety, traffic calming and public
18 art improvements on San Mateo boulevard, Gibson boulevard,
19 Tramway boulevard and Lomas boulevard in Albuquerque in
20 Bernalillo county;

21 5. one hundred fifty thousand dollars
22 (\$150,000) to plan, design and construct pedestrian safety,
23 traffic calming and public art improvements on south Fourth
24 street in Albuquerque in Bernalillo county;

25 ~~6. one hundred thousand dollars~~

1 ~~(\$100,000) to purchase and install street lights along~~
2 ~~Trumbull avenue southeast and San Pedro drive southeast in~~
3 ~~Albuquerque in Bernalillo county;~~

4 7. two hundred twenty-five thousand
5 dollars (\$225,000) to design and construct infrastructure
6 improvements on Second street in Grants in Cibola county;

7 8. one hundred thousand dollars
8 (\$100,000) to construct street lighting and lighting
9 improvements in the Alameda Depot neighborhood in Las Cruces
10 in Dona Ana county;

11 9. four hundred twenty-five thousand
12 dollars (\$425,000) to plan, design, construct and equip a
13 terminal at the regional airport in Lea county;

14 10. seventy-five thousand dollars
15 (\$75,000) to design, construct and equip improvements to
16 downtown Main street, including curbs and gutters, sidewalks,
17 irrigation, lighting and drainage, in Eunice in Lea county;

18 11. twenty-five thousand dollars
19 (\$25,000) to plan, design and construct sidewalk improvements
20 to comply with the Americans with Disabilities Act of 1990 on
21 Main street, United States highway 54, in Corona in Lincoln
22 county;

23 12. one hundred thousand dollars
24 (\$100,000) to plan, design and construct improvements to
25 Johnson road in the Twin Lakes chapter and surrounding area

1 of the Navajo Nation in McKinley county;

2 13. one hundred thousand dollars
3 (\$100,000) to plan, design, construct and equip quiet
4 railroad crossings south of Algodones in Sandoval county;

5 ~~14. four hundred thousand dollars~~
6 ~~(\$400,000) to plan, design and construct phase 2 drainage~~
7 ~~improvements for flood control on Alberta road for the~~
8 ~~southern Sandoval county arroyo flood control authority in~~
9 ~~Rio Rancho in Sandoval county;~~

10 15. one hundred seventy-five thousand
11 dollars (\$175,000) to design a south bridge over the Rio
12 Grande in the Pueblo of San Felipe in Sandoval county; and

13 16. two hundred fifteen thousand
14 dollars (\$215,000) to plan, design and construct phase 2
15 improvements to Christopher road in Belen in Valencia county;

16 (6) to the Indian affairs department:

17 ~~1. five hundred eighty-seven thousand~~
18 ~~five hundred dollars (\$587,500) reauthorized to plan, design,~~
19 ~~renovate, construct, equip and furnish the permanent museum~~
20 ~~at the Indian pueblo cultural center;~~

21 2. one hundred thousand dollars
22 (\$100,000) to design and construct improvements to the
23 chapter house in the Baahaali chapter of the Navajo Nation in
24 McKinley county;

25 3. ninety-five thousand dollars

1 (\$95,000) to plan, design and construct power lines in the
2 Coyote Canyon chapter of the Navajo Nation in McKinley
3 county;

4 4. four hundred thousand dollars
5 (\$400,000) to plan, design and construct a veterans building
6 in the Tohatchi chapter of the Navajo Nation in McKinley
7 county;

8 5. fifty thousand dollars (\$50,000) to
9 plan, design and construct phase 2 of a roads maintenance
10 yard for the Navajo department of transportation in the
11 Whitehorse Lake chapter of the Navajo Nation in McKinley
12 county;

13 6. three hundred sixty-five thousand
14 dollars (\$365,000) to plan, design and construct a
15 multipurpose building in the Rock Springs chapter of the
16 Navajo Nation in McKinley and San Juan counties; and

17 7. forty-five thousand dollars
18 (\$45,000) to construct and equip the Captain Tom irrigation
19 canal system in the Newcomb chapter of the Navajo Nation in
20 San Juan county;

21 (7) to the interstate stream commission:

22 1. sixty thousand dollars (\$60,000) to
23 plan, design and construct improvements for acequia de las
24 Canovas in Servilleta Plaza in Rio Arriba county;

25 2. twenty thousand dollars (\$20,000) to

1 plan, design, construct and equip improvements to the
2 Tecolote acequia system and infrastructure in San Miguel
3 county;

4 3. eighty thousand dollars (\$80,000) to
5 plan, design and construct improvements to acequia Agua Fria
6 in Santa Fe county; and

7 4. twenty thousand dollars (\$20,000) to
8 construct improvements to La Bajada community ditch in Santa
9 Fe county;

10 (8) to the local government division of the
11 department of finance and administration:

12 1. one hundred seventy-three thousand
13 dollars (\$173,000) to plan, design, construct and equip a
14 radiology room at Roosevelt general hospital in the Roosevelt
15 county special hospital district in Roosevelt county;

16 2. one hundred thousand dollars
17 (\$100,000) to plan, design, construct and replace the roof on
18 the Roosevelt general hospital in the Roosevelt county
19 special hospital district in Roosevelt county; and

20 3. one hundred thousand dollars
21 (\$100,000) to construct phase 3 improvements to the community
22 center and commercial kitchen in Sabinal in Socorro county;

23 (9) to the office of the state engineer:

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

1 improvements to the San Mateo dam in Cibola county; and

2 2. three hundred thousand dollars
3 (\$300,000) to plan, design, renovate and construct
4 improvements to the Cimarroncito dam in Colfax county; and

5 (10) to the public education department:

6 1. fifty-five thousand dollars
7 (\$55,000) to renovate, equip and furnish facilities at La
8 Promesa early learning center charter school in Albuquerque
9 in Bernalillo county;

10 2. ninety thousand dollars (\$90,000) to
11 purchase land and a building and to plan, design, construct,
12 renovate and equip facilities for the Nuestros Valores
13 charter school in the Albuquerque public school district in
14 Bernalillo county;

15 3. ninety thousand dollars (\$90,000) to
16 plan, design and construct a hangar and tarmac for the
17 Southwest Aeronautics, Mathematics and Science Academy
18 charter school in Albuquerque in Bernalillo county;

19 4. forty thousand dollars (\$40,000) to
20 plan, design and construct a rainwater catchment and
21 distribution system at the El Dorado community school in the
22 Santa Fe public school district in Santa Fe county;

23 5. thirteen thousand five hundred
24 dollars (\$13,500) reauthorized to design, construct, equip
25 and furnish improvements to the playground areas at Nye early

1 childhood center at Wood Gormley elementary school in the
2 Santa Fe public school district in Santa Fe county; and

3 6. thirty-five thousand dollars
4 (\$35,000) reauthorized to plan, design, construct and equip
5 drainage improvements at the SER career academy in the Santa
6 Fe public school district in Santa Fe county.

7 SECTION 3. SEVERANCE TAX BONDS--APPROPRIATIONS OF
8 PROCEEDS.--The proceeds from severance tax bonds issued
9 pursuant to Section 8 of this 2016 act or authorized as
10 indicated in Section 2 of this 2016 act may be expended in
11 the following amounts by the following agencies for the
12 following purposes:

13 A. to the administrative office of the courts,
14 five hundred thirty-four thousand five hundred sixty-one
15 dollars (\$534,561) to address court priorities, including
16 funding for vehicles, furniture and equipment, at courts
17 statewide;

18 B. to the corrections department, two million four
19 hundred thousand dollars (\$2,400,000) to purchase and
20 implement a commercial off-the-shelf offender management
21 information system;

22 C. to the cultural affairs department, three
23 hundred thousand dollars (\$300,000) to modernize the cultural
24 resources information system;

25 D. to the economic development department, twenty-

1 one million five hundred fifty thousand dollars (\$21,550,000)
2 for local economic development projects statewide;

3 E. to the department of public safety, three
4 million two hundred eighteen thousand dollars (\$3,218,000) to
5 purchase and equip law enforcement vehicles;

6 F. to the Indian water rights settlement fund,
7 five hundred thousand dollars (\$500,000); notwithstanding the
8 requirement for a joint resolution of the legislature in
9 Subsection A of Section 72-1-11 NMSA 1978, if corresponding
10 commitments have been made for the federal portion of the
11 settlements in the Navajo Nation, Taos and Aamodt cases, the
12 money may be expended by the interstate stream commission in
13 fiscal year 2017 and subsequent fiscal years to implement the
14 state's portion of the settlements, and any unexpended or
15 unencumbered balance remaining at the end of a fiscal year
16 shall not revert;

17 G. to the office of the state engineer, five
18 hundred thousand dollars (\$500,000) to plan, design and
19 construct repairs, including purchase and installation of a
20 liner to address the abutment and seepage mitigation, at
21 Cabresto dam in Taos county and to design and construct
22 outlet structures and other site improvements at Morphy Lake
23 dam in Mora county; and

24 H. to the department of transportation:

25 (1) twenty-two million five hundred thousand

1 dollars (\$22,500,000) to the state road fund for expenditure
2 in fiscal years 2017 through 2020 for road improvements
3 statewide; notwithstanding the provisions of Subsection A of
4 Section 13-1-119.1 NMSA 1978, the department may use a design
5 and build delivery system for all projects funded through
6 this appropriation;

7 (2) four million dollars (\$4,000,000) to
8 plan, conduct environmental clearances, design, acquire
9 rights of way, construct and reconstruct New Mexico highway
10 136, Airport road and Industrial road in the Santa Teresa
11 area of Dona Ana county; notwithstanding the provisions of
12 Subsection A of Section 13-1-119.1 NMSA 1978, the department
13 may use a design and build delivery system for all projects
14 funded through this appropriation; and

15 (3) six hundred fifty thousand dollars
16 (\$650,000) to acquire rights of way and to plan, design and
17 construct a bridge across the Puerco river on Allison road in
18 Gallup in McKinley county; notwithstanding the provisions of
19 Subsection A of Section 13-1-119.1 NMSA 1978, the department
20 may use a design and build delivery system for the project
21 funded through this appropriation.

22 SECTION 4. SEVERANCE TAX BONDS--CHANGE AUTHORIZATIONS
23 TO RESTORE GENERAL FUND ALLOTMENTS.--

24 A. Notwithstanding the requirements for reversion
25 in Laws 2013, Chapter 226, the unexpended or unencumbered

1 balances remaining up to the amount specified of severance
2 tax bond proceeds authorized or appropriated in Laws 2013,
3 Chapter 226 for the following described projects under the
4 control of the following agencies shall not be expended for
5 the original purposes but may be expended as provided in
6 Subsection C of this section:

7 (1) to the aging and long-term services
8 department:

9 1. seventy-five thousand dollars
10 (\$75,000) to construct and renovate the senior center in the
11 Manuelito chapter of the Navajo Nation in McKinley county;
12 and

13 2. fifty thousand dollars (\$50,000) to
14 plan and design the renovation and conversion of a senior
15 center to a group home in the Two Grey Hills chapter of the
16 Navajo Nation in San Juan county;

17 (2) to the department of environment:

18 1. fifty thousand dollars (\$50,000) to
19 plan, design, renovate, construct and equip water and
20 wastewater system improvements in Cimarron in Colfax county;

21 2. fifty-one thousand dollars (\$51,000)
22 to plan, design and construct wastewater system improvements,
23 including a collection system, for the Desert Aire mutual
24 domestic water and sewer works association in Dona Ana
25 county;

1 3. fifty thousand dollars (\$50,000) to
2 plan, design and construct water system improvements,
3 including a well and water lines, for the Desert Aire mutual
4 domestic water and sewer works association in Dona Ana
5 county;

6 4. one hundred thousand dollars
7 (\$100,000) to construct phase 3 water system improvements in
8 the Alamo chapter of the Navajo Nation in Socorro county; and

9 5. fifteen thousand dollars (\$15,000)
10 to plan, design and construct water system improvements,
11 including a well for fire suppression, in Bartola canyon in
12 Valencia county;

13 (3) to the department of game and fish, one
14 hundred fifty thousand dollars (\$150,000) to plan, design,
15 construct, equip and landscape a cold water fish production
16 facility in Santa Rosa in Guadalupe county;

17 (4) to the department of transportation:

18 1. three hundred three thousand dollars
19 (\$303,000) to plan, design and construct improvements,
20 including environmental remediation, to the Albuquerque
21 railyards in Bernalillo county;

22 2. three hundred twenty-five thousand
23 dollars (\$325,000) to plan, design and construct improvements
24 to streets in Roswell in Chaves county;

25 3. twenty-five thousand dollars

1 (\$25,000) to design and construct Sky City road in the
2 Manuelito chapter of the Navajo Nation in McKinley county;

3 4. twenty thousand dollars (\$20,000) to
4 plan, design and construct improvements to roads in the Red
5 Lake chapter of the Navajo Nation in McKinley county;

6 5. one hundred thousand dollars
7 (\$100,000) to plan, design and construct improvements to
8 Johnson road in the Twin Lakes chapter of the Navajo Nation
9 in McKinley county; and

10 6. one hundred thousand dollars
11 (\$100,000) to design and construct improvements to the north
12 Belen interchange in Valencia county;

13 (5) to the interstate stream commission:

14 1. twenty-five thousand dollars
15 (\$25,000) to plan, design and construct improvements to
16 acequia del Molino in east Pecos in San Miguel county;

17 2. forty-six thousand seven hundred
18 fifty dollars (\$46,750) to plan, design and construct system
19 improvements, including providing connections to acequia
20 water sources and purchasing rights of way, for the acequia
21 Agua Fria in Santa Fe county; and

22 3. fifty thousand three hundred eighty-
23 six dollars (\$50,386) to improve the electrical system to
24 convey water from the well to the acequia for the acequia de
25 la Cienega in La Cienega in Santa Fe county;

1 (6) to the local government division of the
2 department of finance and administration, fifty thousand
3 dollars (\$50,000) to plan, design, construct and equip a
4 shooting range in northern Eddy county; and

5 (7) to the office of the state engineer,
6 fifty thousand dollars (\$50,000) to plan and purchase water
7 rights for Questa in Taos county.

8 B. Notwithstanding the requirements for reversion
9 in Laws 2014, Chapters 64 and 66, the unexpended or
10 unencumbered balances remaining up to the amount specified of
11 severance tax bond proceeds authorized, appropriated or
12 reauthorized in Laws 2014, Chapters 64 and 66 for the
13 following described projects under the control of the
14 following agencies shall not be expended for the original or
15 reauthorized purposes but may be expended as provided in
16 Subsection C of this section:

17 (1) to the aging and long-term services
18 department, one hundred fifty thousand dollars (\$150,000) to
19 plan, design and construct a parking lot, including lighting,
20 at the senior center in the Chichiltah chapter of the Navajo
21 Nation in McKinley county;

22 (2) to the department of environment:

23 1. one hundred thousand dollars
24 (\$100,000) to plan, design and construct water system
25 improvements for the Colonias mutual domestic water consumers

1 association in Las Colonias in Guadalupe county;

2 2. thirty thousand dollars (\$30,000) to
3 purchase and equip a water hauling truck and tractor for the
4 Pastura mutual domestic water consumers association in
5 Guadalupe county;

6 3. fifty thousand dollars (\$50,000) to
7 plan, design, construct and equip a potable water fill
8 station in Carrizozo in Lincoln county;

9 4. fifty thousand dollars (\$50,000) to
10 plan, design and construct water system improvements for the
11 Arroyo del Agua mutual domestic water association in Rio
12 Arriba county;

13 5. one hundred thousand dollars
14 (\$100,000) to plan, design and construct improvements to the
15 domestic drinking water system for the Abiquiu mutual
16 domestic water consumers association and mutual sewage works
17 association in Rio Arriba county;

18 6. fifteen thousand dollars (\$15,000)
19 to plan, purchase and install valves for the Chamita mutual
20 domestic water consumers and sewage works association in
21 Ohkay Owingeh in Rio Arriba county;

22 7. one hundred thousand dollars
23 (\$100,000) to plan, design and construct water lines in the
24 Naschitti chapter of the Navajo Nation in San Juan county;

25 8. twenty thousand dollars (\$20,000) to

1 plan and construct water system improvements, including a
2 pump house and installation of radio read meters, for the
3 Tecolotito mutual domestic water consumers association in San
4 Miguel county; and

5 9. forty thousand dollars (\$40,000) to
6 plan, design and construct improvements to the water well,
7 distribution and storage systems in Questa in Taos county;

8 (3) to the department of finance and
9 administration, one hundred thousand dollars (\$100,000) to
10 purchase an incomplete subdivision and plan, design and
11 construct infrastructure improvements to provide green-built
12 affordable housing for veterans, the elderly and low- to
13 moderate-income families in Santa Fe in Santa Fe county
14 pursuant to the provisions of the Affordable Housing Act;

15 (4) to the department of transportation:

16 1. seventy thousand dollars (\$70,000)
17 to design and construct street and drainage improvements in
18 Angel Fire in Colfax county;

19 2. fifty thousand dollars (\$50,000) to
20 plan, design and construct safety improvements at the
21 junction of United States highway 491 and Navajo service
22 route 34 in the Sanostee chapter of the Navajo Nation in San
23 Juan county; and

24 3. fifty thousand dollars (\$50,000) to
25 prepare the site for and to plan, design and construct a

1 hangar facility at Taos regional airport in Taos county;

2 (5) to the Indian affairs department:

3 1. twenty thousand dollars (\$20,000) to
4 purchase and install information technology, including
5 related equipment, furniture and infrastructure, at the
6 Albuquerque Indian center in Albuquerque in Bernalillo
7 county;

8 2. fifty thousand dollars (\$50,000)
9 reauthorized to plan, design and construct a multipurpose
10 building in the Manuelito chapter of the Navajo Nation in
11 McKinley county;

12 3. ninety thousand dollars (\$90,000) to
13 construct a modular building for the emergency response team
14 in the Red Rock chapter of the Navajo Nation in McKinley
15 county; and

16 4. seventy-five thousand dollars
17 (\$75,000) to plan, design, construct, equip and furnish the
18 renovation and expansion of the medical and dental clinic
19 serving the Torreon-Star Lake chapter of the Navajo Nation in
20 Sandoval and McKinley counties;

21 (6) to the interstate stream commission:

22 1. fifteen thousand dollars (\$15,000)
23 to plan, design and construct improvements and to pay off a
24 loan for acequia de la Posecion in Truchas in Rio Arriba
25 county;

1 multipurpose room for the youth crisis shelter in the south
2 valley in Albuquerque in Bernalillo county;

3 5. seventy thousand dollars (\$70,000)
4 to purchase and equip passenger vans for the crossroads
5 program in Eddy county;

6 6. thirty thousand dollars (\$30,000) to
7 plan, design and construct interior and exterior renovations
8 to El Museo cultural facility in Santa Fe in Santa Fe county;
9 and

10 7. seventy thousand dollars (\$70,000)
11 to plan, design and construct a playground in the town of
12 Tajique land grant in Torrance county; and

13 (8) to the public education department:

14 1. one hundred five thousand dollars
15 (\$105,000) to purchase land and a building, to plan, design,
16 construct, renovate and equip facilities and to purchase and
17 install information technology, including related equipment,
18 furniture and infrastructure, for Cien Aguas international
19 school in Albuquerque in Bernalillo county; and

20 2. one hundred ten thousand dollars
21 (\$110,000) reauthorized to purchase property for and to
22 design and construct a facility, including the purchase of a
23 building and planning, renovating and equipping facilities
24 and classrooms and the purchase and installation of
25 information technology, including related furniture,

1 equipment and infrastructure, for Cien Aguas international
2 school in Albuquerque in Bernalillo county.

3 C. Upon certification by the secretary of finance
4 and administration of the need to use proceeds from severance
5 tax bonds authorized in Subsections A and B of this section
6 to restore the allotments from the general fund for capital
7 project appropriations whose expenditure periods ended on or
8 before June 30, 2016, the board of finance division of the
9 department of finance and administration shall transfer those
10 proceeds to the general fund for that use by the department
11 in fiscal year 2017.

12 SECTION 5. PUBLIC SCHOOL CAPITAL OUTLAY FUND
13 APPROPRIATIONS DISENCUMBERED--TRANSFER TO DEPARTMENT OF
14 FINANCE AND ADMINISTRATION TO RESTORE ALLOTMENTS FROM THE
15 GENERAL FUND.--

16 A. Notwithstanding provisions of Section 7-27-12,
17 7-27-12.2 or 22-24-4 NMSA 1978 or any other law to the
18 contrary, the unexpended balance of the appropriation from
19 the public school capital outlay fund in Laws 2013, Chapter
20 226 to the board of regents of the New Mexico school for the
21 deaf to purchase, install, plan, design, renovate and
22 construct improvements to infrastructure throughout the
23 campus of the New Mexico school for the deaf in Santa Fe in
24 Santa Fe county shall not be expended for the original
25 purpose, but shall be disencumbered and may be expended as

1 provided in Subsection C of this section.

2 B. Notwithstanding provisions of Section 7-27-12,
3 7-27-12.2 or 22-24-4 NMSA 1978 or any other law to the
4 contrary, the unexpended balance of the appropriation from
5 the public school capital outlay fund in Laws 2015 (1st
6 S.S.), Chapter 3, Section 75 to renovate and construct public
7 school pre-kindergarten classrooms statewide shall not be
8 expended for the original purpose, but shall be disencumbered
9 and may be expended as provided in Subsection C of this
10 section.

11 C. Upon certification by the secretary of finance
12 and administration of the need to use the amount
13 disencumbered pursuant to Subsections A and B of this section
14 to restore the allotments from the general fund for capital
15 project appropriations whose expenditure periods ended on or
16 before June 30, 2016, the board of finance division of the
17 department of finance and administration shall transfer the
18 disencumbered amount to the general fund for that use by the
19 department in fiscal year 2017.

20 SECTION 6. APPROPRIATION FROM PUBLIC SCHOOL CAPITAL
21 OUTLAY FUND--TRANSFER TO DEPARTMENT OF FINANCE AND
22 ADMINISTRATION TO RESTORE ALLOTMENTS FROM THE GENERAL FUND.--

23 A. The following appropriation is from the
24 unexpended proceeds of supplemental severance tax bonds that
25 are no longer needed for the projects for which bonds were

1 issued. Notwithstanding the provisions of Section 7-27-12,
2 7-27-12.2 or 22-24-4 NMSA 1978 or any other law to the
3 contrary, an amount not to exceed twelve million three
4 hundred sixty-eight thousand six hundred twenty-nine dollars
5 (\$12,368,629) is appropriated from the public school capital
6 outlay fund, contingent upon approval of the public school
7 capital outlay council, for expenditure as provided in
8 Subsection B of this section.

9 B. Upon certification by the secretary of finance
10 and administration of the need to use an amount from the
11 public school capital outlay fund as specified in Subsection
12 A of this section to restore the allotments from the general
13 fund for capital project appropriations whose expenditure
14 periods ended on or before June 30, 2016, the board of
15 finance division of the department of finance and
16 administration shall transfer that amount to the general fund
17 for that use by the department in fiscal year 2017.

18 SECTION 7. AUTHORIZATION TO ISSUE ADDITIONAL SHORT-TERM
19 SEVERANCE TAX BONDS.--

20 A. In fiscal year 2017, in addition to the bonds
21 issued in accordance with Section 7-27-14 NMSA 1978 and
22 notwithstanding the limitations of that section, the state
23 board of finance may, in accordance with the Severance Tax
24 Bonding Act, issue and sell severance tax bonds whose terms
25 end on or before June 30, 2017 when the secretary of finance

1 and administration certifies the need for the bonds.

2 B. The secretary of finance and administration
3 shall certify the need for bonds only if the balance in the
4 severance tax bonding fund as of the date that the bonds are
5 issued exceeds the sum of:

6 (1) the debt service on the severance tax
7 bonds issued in accordance with this section and Section 8 of
8 this 2016 act;

9 (2) the debt service scheduled to be paid
10 during the remainder of the fiscal year on all outstanding
11 severance tax bonds and supplemental severance tax bonds; and

12 (3) the amount necessary to meet all
13 principal and interest payments on outstanding bonds payable
14 from the severance tax bonding fund on the next two ensuing
15 semiannual payment dates.

16 C. The state board of finance shall schedule the
17 issuance and sale of the bonds as expeditiously and
18 economically as possible. The board shall further take the
19 appropriate steps necessary to comply with the Internal
20 Revenue Code of 1986, as amended.

21 D. Proceeds from the sale of the bonds are
22 appropriated to the general fund. The board of finance
23 division of the department of finance and administration
24 shall transfer the proceeds to the general fund for use by
25 the department in fiscal year 2017 to restore the allotments

1 from the general fund for capital project appropriations
2 whose expenditure periods ended on or before June 30, 2016.

3 SECTION 8. SEVERANCE TAX BONDS--AUTHORIZATIONS--
4 APPROPRIATION OF PROCEEDS.--

5 A. The state board of finance may issue and sell
6 severance tax bonds in compliance with the Severance Tax
7 Bonding Act in an amount not to exceed the total of the
8 amounts authorized for purposes specified in Section 3 of
9 this 2016 act and for which severance tax bond proceeds
10 authorized pursuant to Section 2 of this 2016 act are not
11 otherwise used. The state board of finance shall schedule
12 the issuance and sale of the bonds in the most expeditious
13 and economical manner possible upon a finding by the board
14 that the project has been developed sufficiently to justify
15 the issuance and that the project can proceed to contract
16 within a reasonable time. The state board of finance shall
17 further take the appropriate steps necessary to comply with
18 the federal Internal Revenue Code of 1986, as amended.
19 Proceeds from the sale of the bonds issued pursuant to this
20 section or authorized as provided in Section 2 of this 2016
21 act are appropriated for the purposes specified in Section 3
22 of this 2016 act.

23 B. The agencies named in this act shall certify to
24 the state board of finance when the money from the proceeds
25 of the severance tax bonds appropriated in this section or

1 authorized as provided in Section 2 of this 2016 act is
2 needed for the purposes specified in Section 3 of this 2016
3 act. If an agency has not certified the need for severance
4 tax bond proceeds for a particular project by the end of
5 fiscal year 2019, the authorization for that project is void.

6 C. Before an agency may certify for the need of
7 severance tax bond proceeds issued pursuant to this section
8 or authorized as provided in Section 2 of this 2016 act, the
9 project must be developed sufficiently so that the agency
10 reasonably expects to:

11 (1) incur within six months after the
12 applicable bond proceeds are available for the project a
13 substantial binding obligation to a third party to expend at
14 least five percent of the bond proceeds for the project; and

15 (2) spend at least eighty-five percent of
16 the bond proceeds within three years after the applicable
17 bond proceeds are available for the project.

18 D. Except as otherwise specifically provided by
19 law:

20 (1) the unexpended balance from the proceeds
21 of severance tax bonds appropriated in this section or
22 authorized as provided in Section 2 of this 2016 act for a
23 project shall revert to the severance tax bonding fund no
24 later than the following dates:

25 (a) for a project for which severance

1 tax bond proceeds were appropriated to match federal grants,
2 six months after completion of the project;

3 (b) for a project for which severance
4 tax bond proceeds were appropriated to purchase vehicles,
5 including emergency vehicles and other vehicles that require
6 special equipment; heavy equipment; books; educational
7 technology; or other equipment or furniture that is not
8 related to a more inclusive construction or renovation
9 project, at the end of the fiscal year two years following
10 the fiscal year in which the severance tax bond proceeds were
11 made available for the purchase; and

12 (c) for any other project for which
13 severance tax bonds were appropriated, within six months of
14 completion of the project, but no later than the end of
15 fiscal year 2021; and

16 (2) all remaining balances from the proceeds
17 of severance tax bonds appropriated for a project pursuant to
18 this section shall revert to the severance tax bonding fund
19 three months after the latest reversion date specified for
20 that type of project in Paragraph (1) of this subsection.

21 E. Except for appropriations to the capital
22 program fund, money from severance tax bond proceeds provided
23 pursuant to this section shall not be used to pay indirect
24 project costs.

25 F. Except for a project that was originally funded SB 8

1 using a tax-exempt loan or bond issue, a project involving
2 repayment of debt previously incurred shall be funded through
3 the issuance of taxable severance tax bonds.

4 G. For the purpose of this section, "unexpended
5 balance" means the remainder of an appropriation after
6 reserving for unpaid costs and expenses covered by binding
7 written obligations to third parties.

8 SECTION 9. Section 7-27-10.1 NMSA 1978 (being Laws
9 2003, Chapter 134, Section 1, as amended) is amended to read:

10 "7-27-10.1. BONDING CAPACITY--AUTHORIZATION FOR
11 SEVERANCE TAX BONDS--PRIORITY FOR WATER PROJECTS AND TRIBAL
12 INFRASTRUCTURE PROJECTS.--

13 A. By January 15 of each year, the division shall
14 estimate the amount of bonding capacity available for
15 severance tax bonds to be authorized by the legislature.

16 B. The division shall allocate nine percent of the
17 estimated bonding capacity each year for water projects, and
18 the legislature authorizes the state board of finance to
19 issue severance tax bonds in the annually allocated amount
20 for use by the water trust board to fund water projects
21 statewide. The water trust board shall certify to the state
22 board of finance the need for issuance of bonds for water
23 projects. The state board of finance may issue and sell the
24 bonds in the same manner as other severance tax bonds in an
25 amount not to exceed the authorized amount provided for in

1 this subsection. If necessary, the state board of finance
2 shall take the appropriate steps to comply with the federal
3 Internal Revenue Code of 1986, as amended. Proceeds from the
4 sale of the bonds are appropriated to the water project fund
5 in the New Mexico finance authority for the purposes
6 certified by the water trust board to the state board of
7 finance.

8 C. The division shall allocate the following
9 percentages of the estimated bonding capacity for tribal
10 infrastructure projects:

- 11 (1) in 2016, six and one-half percent; and
- 12 (2) in 2017 and each subsequent year, four
13 and one-half percent.

14 D. The legislature authorizes the state board of
15 finance to issue severance tax bonds in the amount allocated
16 pursuant to this section for use by the tribal infrastructure
17 board to fund tribal infrastructure projects. The tribal
18 infrastructure board shall certify to the state board of
19 finance the need for issuance of bonds for tribal
20 infrastructure projects. The state board of finance may
21 issue and sell the bonds in the same manner as other
22 severance tax bonds in an amount not to exceed the authorized
23 amount provided for in this subsection. If necessary, the
24 state board of finance shall take the appropriate steps to
25 comply with the federal Internal Revenue Code of 1986, as

1 amended. Proceeds from the sale of the bonds are
2 appropriated to the tribal infrastructure project fund for
3 the purposes certified by the tribal infrastructure board to
4 the state board of finance.

5 E. Money from the severance tax bonds provided for
6 in this section shall not be used to pay indirect project
7 costs. Any unexpended balance from proceeds of severance tax
8 bonds issued for a water project or a tribal infrastructure
9 project shall revert to the severance tax bonding fund within
10 six months of completion of the project. The New Mexico
11 finance authority shall monitor and ensure proper reversions
12 of the bond proceeds appropriated for water projects, and the
13 department of finance and administration shall monitor and
14 ensure proper reversions of the bond proceeds appropriated
15 for tribal infrastructure projects.

16 F. As used in this section:

17 (1) "division" means the board of finance
18 division of the department of finance and administration;

19 (2) "tribal infrastructure project" means a
20 qualified project under the Tribal Infrastructure Act; and

21 (3) "water project" means a capital outlay
22 project for:

23 (a) the storage, conveyance or delivery
24 of water to end users;

25 (b) the implementation of federal

1 Endangered Species Act of 1973 collaborative programs;
2 (c) the restoration and management of
3 watersheds;
4 (d) flood prevention; or
5 (e) conservation, recycling, treatment
6 or reuse of water."

7 SECTION 10. Section 7-27-12.5 NMSA 1978 (being Laws
8 2010, Chapter 10, Section 9, as amended) is amended to read:

9 "7-27-12.5. AUTHORIZATION FOR SEVERANCE TAX BONDS--
10 PRIORITY FOR INFRASTRUCTURE PROJECTS FOR COLONIAS.--

11 A. After the annual estimate of severance tax
12 bonding capacity pursuant to Subsection A of Section
13 7-27-10.1 NMSA 1978, the board of finance division of the
14 department of finance and administration shall allocate the
15 following percentages of the estimated bonding capacity for
16 colonias infrastructure projects:

17 (1) in 2016, six and one-half percent; and
18 (2) in 2017 and each subsequent year, four
19 and one-half percent.

20 B. The legislature authorizes the state board of
21 finance to issue severance tax bonds in the amount allocated
22 pursuant to this section for use by the colonias
23 infrastructure board to fund the projects. The colonias
24 infrastructure board shall certify to the state board of
25 finance the need for issuance of bonds for colonias

1 infrastructure projects. The state board of finance may
2 issue and sell the bonds in the same manner as other
3 severance tax bonds in an amount not to exceed the authorized
4 amount provided for in this subsection. If necessary, the
5 state board of finance shall take the appropriate steps to
6 comply with the federal Internal Revenue Code of 1986, as
7 amended. Proceeds from the sale of the bonds are
8 appropriated to the colonias infrastructure project fund for
9 the purposes certified by the colonias infrastructure board
10 to the state board of finance.

11 C. Money from the severance tax bonds provided for
12 in this section shall not be used to pay indirect project
13 costs. Any unexpended balance from proceeds of severance tax
14 bonds issued for a colonias infrastructure project shall
15 revert to the severance tax bonding fund within six months of
16 completion of the project. The colonias infrastructure board
17 shall monitor and ensure proper reversions of the bond
18 proceeds appropriated for the projects.

19 D. As used in this section, "colonias
20 infrastructure project" means a qualified project under the
21 Colonias Infrastructure Act."

22 SECTION 11. SEVERANCE TAX BONDING CAPACITY ESTIMATE--
23 FISCAL YEAR 2017.--The board of finance division of the
24 department of finance and administration shall subtract the
25 amount of severance tax bonds issued in fiscal year 2017

1 pursuant to this 2016 act when it estimates the amount of
2 severance tax bonding capacity available in fiscal year 2017
3 for severance tax bonds to be allocated for water projects
4 and tribal infrastructure projects pursuant to Section
5 7-27-10.1 NMSA 1978 and for colonias infrastructure projects
6 pursuant to Section 7-27-12.5 NMSA 1978.

7 SECTION 12. SEVERABILITY.--If, in this 2016 act, a
8 specific reversion, a voided authorization, a change in the
9 use of severance tax bond proceeds or an authorization to
10 expend severance tax bond proceeds is held invalid or
11 otherwise cannot be effectuated, the remainder of the act and
12 any other reversion, voided authorization, change in the use
13 of severance tax bond proceeds or authorization to expend
14 severance tax bond proceeds shall not be affected.

15 SECTION 13. EMERGENCY.--It is necessary for the public
16 peace, health and safety that this act take effect
17 immediately. _____

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