

HOUSE BILL 36

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

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Pursuant to House Rule 24-1, this document incorporates amendments that have been adopted prior to consideration of this measure by the House. It is a tool to show the amendments in context and is not to be used for the purpose of amendments.

FOR THE LAND GRANT COMMITTEE

AN ACT

RELATING TO GOVERNMENT FINANCING; CREATING THE LAND GRANT-MERCED ASSISTANCE FUND; PRESCRIBING DUTIES; PROVIDING FOR DISTRIBUTIONS; MAKING AN APPROPRIATION.

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

SECTION 1. A new section of the Tax Administration Act is enacted to read:

"[NEW MATERIAL] DISTRIBUTION--LAND GRANT-MERCED ASSISTANCE FUND.--A distribution pursuant to Section 7-1-6.1 NMSA 1978 shall be made to the land grant-merced assistance fund in an

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amount equal to five-hundredths percent of the net receipts attributable to the gross receipts tax."

SECTION 2. A new section of Chapter 49 NMSA 1978 is enacted to read:

"[NEW MATERIAL] LAND GRANT-MERCED ASSISTANCE FUND CREATED--DISTRIBUTION.--

A. The "land grant-merced assistance fund" is created in the state treasury and shall be administered by the department of finance and administration. The fund consists of gifts, grants, donations, appropriations to the fund and distributions to the fund made pursuant to the Tax Administration Act. Subject to appropriation by the legislature, money in the fund shall be available for distribution to land grants-mercedes as provided in this section.

B. Money in the land grant-merced assistance fund may be used HLLC→as matching funds for federal and private grants and←HLLC to pay the costs and expenses incurred by land grants-mercedes to:

- (1) carry out their administrative functions, including HLLC→hiring staff,←HLLC contracting with technical experts for compliance with state reporting requirements, letting out contracts and holding elections;
- (2) enter into agreements for grants-in-aid;
- (3) purchase HLLC→office←HLLC

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HLLC→furniture, fixtures,←HLLC equipment HLLC→,vehicles, heavy
equipment←HLLC and supplies; HLLC→and←HLLC

(4) conduct land surveys, historical research
and hydrological studies and collect and analyze other
information needed for land use planning and protection of the
lands and waters of a land grant-merced HLLC→.←HLLC

HLLC→;←HLLC

HLLC→(5) carry out community and economic
development projects, including maintenance, repair, renovation
and construction of land grant-merced infrastructure,
buildings, facilities and parks and the acquisition of real
property; and

(6) carry out natural resource conservation
initiatives, including projects related to watershed health,
ecological restoration, fuels reduction, range improvements and
soil and water conservation.←HLLC

C. Each year on or before July 5, the Guadalupe
Hidalgo treaty division of the office of the attorney general
shall notify in writing the local government division of the
department of finance and administration of each land grant-
merced that constitutes a political subdivision of the state
pursuant to the provisions of Chapter 49 NMSA 1978.

D. Each year on or before July 10, the local
government division shall calculate the amount as appropriated
by the legislature to be distributed from the land grant-merced

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assistance fund to each certified land grant-merced. A distribution amount to each certified land grant-merced shall be an equal share of the money available in the land grant-merced assistance fund as appropriated by the legislature HLLC→; ~~provided that a distribution amount to a land grant-merced shall not exceed thirty thousand dollars (\$30,000), except as otherwise appropriated by the legislature~~←HLLC.

E. Each year on or before July 20, the local government division shall certify to the department of finance and administration's state budget division and financial control division the distribution amount appropriated by the legislature and calculated for each land grant-merced and the respective routing numbers required for electronic deposit.

F. Each year on or before July 25, the financial control division shall distribute via electronic transfer of funds to each certified land grant-merced the amount appropriated by the legislature and certified by the local government division for that year.

G. After a distribution is made to each land grant-merced from the land grant-merced assistance fund, but no later than July 30 of each year, the unexpended or unencumbered balance in the fund shall revert to the general fund."

SECTION 3. APPROPRIATION.--One million two hundred fifty thousand dollars (\$1,250,000) is appropriated from the general fund to the land grant-merced assistance fund for expenditure

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in fiscal year 2020 for the purposes of the fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2020 shall revert to the general fund.

SECTION 4. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2019.

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