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SENATE BILL 103

54TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2020

INTRODUCED BY

Jacob R. Candelaria

AN ACT

RELATING TO CAPITAL PROJECTS; CREATING A CULTURAL AFFAIRS
FACILITIES INFRASTRUCTURE FUND TO PAY THE COSTS OF CULTURAL
AFFAIRS FACILITIES AND EXHIBITS; AUTHORIZING APPROPRIATIONS
FROM THE PUBLIC PROJECT REVOLVING FUND TO THE CULTURAL AFFAIRS
FACILITIES INFRASTRUCTURE FUND; DELETING CERTAIN OUTDATED
PROVISIONS OF SECTION 6-21-6.1 NMSA 1978 (BEING LAWS 1994,
CHAPTER 145, SECTION 2, AS AMENDED); MAKING AN APPROPRIATION.

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

SECTION 1. Section 6-21-6.1 NMSA 1978 (being Laws 1994,
Chapter 145, Section 2, as amended) is amended to read:

"6-21-6.1. PUBLIC PROJECT REVOLVING FUND--APPROPRIATIONS
TO OTHER FUNDS.--

~~[A. The authority and the department of environment
may enter into a joint powers agreement pursuant to the Joint~~

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1 ~~Powers Agreements Act for the purpose of describing and~~
2 ~~allocating duties and responsibilities with respect to creation~~
3 ~~of an integrated loan and grant program to be financed through~~
4 ~~issuance of bonds payable from the public project revolving~~
5 ~~fund. The bonds may be issued in installments or at one time~~
6 ~~by the authority in amounts authorized by law. The aggregate~~
7 ~~amount of bonds authorized and outstanding pursuant to this~~
8 ~~subsection shall not be greater than the amount of bonds that~~
9 ~~may be annually repaid from an amount not to exceed thirty-five~~
10 ~~percent of the governmental gross receipts tax proceeds~~
11 ~~distributed to the public project revolving fund in the~~
12 ~~preceding fiscal year. The net proceeds may be used for~~
13 ~~purposes of the water and wastewater planning fund and the~~
14 ~~water and wastewater project grant fund as specified in the New~~
15 ~~Mexico Finance Authority Act; or for purposes of the Wastewater~~
16 ~~Facility Construction Loan Act, the Rural Infrastructure Act,~~
17 ~~the Solid Waste Act or the Drinking Water State Revolving Loan~~
18 ~~Fund Act.~~

19 ~~B. Public projects funded pursuant to the~~
20 ~~Wastewater Facility Construction Loan Act, the Rural~~
21 ~~Infrastructure Act, the Solid Waste Act, or the Drinking Water~~
22 ~~State Revolving Loan Fund Act shall not require specific~~
23 ~~authorization by law as required in Sections 6-21-6 and 6-21-8~~
24 ~~NMSA 1978.~~

25 ~~G.]~~ A. At the end of each fiscal year, after all

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1 debt service charges, replenishment of reserves and
2 administrative costs on all outstanding bonds, notes or other
3 obligations payable from the public project revolving fund are
4 satisfied, an aggregate amount not to exceed thirty-five
5 percent of the governmental gross receipts tax proceeds
6 distributed to the public project revolving fund in the
7 preceding fiscal year less all debt service charges and
8 administrative costs of the authority paid in the preceding
9 fiscal year on bonds issued pursuant to this section may be
10 appropriated by the legislature from the public project
11 revolving fund to:

12 (1) the following funds for local
13 infrastructure financing:

14 ~~[(1)]~~ (a) the wastewater facility
15 construction loan fund for purposes of the Wastewater Facility
16 Construction Loan Act;

17 ~~[(2)]~~ (b) the rural infrastructure
18 revolving loan fund for purposes of the Rural Infrastructure
19 Act;

20 ~~[(3)]~~ (c) the solid waste facility grant
21 fund for purposes of the Solid Waste Act;

22 ~~[(4)]~~ (d) the drinking water state
23 revolving loan fund for purposes of the Drinking Water State
24 Revolving Loan Fund Act;

25 ~~[(5)]~~ (e) the water and wastewater

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1 project grant fund for purposes specified in the New Mexico
2 Finance Authority Act; or

3 ~~[(6)]~~ (f) the ~~[water and wastewater]~~
4 local government planning fund for purposes specified in the
5 New Mexico Finance Authority Act; or

6 (2) the cultural affairs facilities
7 infrastructure fund.

8 ~~[D-]~~ B. The authority and the department of
9 ~~[environment]~~ finance and administration in coordination with
10 the New Mexico finance authority oversight committee may
11 recommend annually to each regular session of the legislature
12 amounts to be appropriated to the funds listed in Subsection
13 ~~[G]~~ A of this section ~~[for local infrastructure financing]."~~

14 **SECTION 2.** A new section of the Cultural Affairs
15 Department Act is enacted to read:

16 "[NEW MATERIAL] CULTURAL AFFAIRS FACILITIES INFRASTRUCTURE
17 FUND.--The "cultural affairs facilities infrastructure fund" is
18 created in the state treasury. The cultural affairs department
19 shall administer the fund, and money in the fund is
20 appropriated to that department to pay the costs of planning,
21 engineering, designing, constructing, renovating, repairing,
22 equipping and furnishing department facilities and exhibits.
23 Money in the fund shall consist of appropriations,
24 distributions, gifts, grants, donations, income from investment
25 of the fund and money otherwise accruing to the fund.

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1 Disbursements from the fund shall be made upon warrants drawn
2 by the secretary of finance and administration pursuant to
3 vouchers signed by the secretary of cultural affairs. Money in
4 the fund shall not revert to any other fund."

5 SECTION 3. APPROPRIATION.--Five million dollars
6 (\$5,000,000) is appropriated from the public project revolving
7 fund to the cultural affairs facilities infrastructure fund for
8 expenditure in fiscal year 2021 and subsequent fiscal years to
9 carry out the purposes of the fund. Any unexpended or
10 unencumbered balance remaining at the end of a fiscal year
11 shall not revert.