

SENATE BILL 169

56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024

INTRODUCED BY

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This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

AN ACT

RELATING TO FINANCE; AMENDING THE STATE SUPPLEMENTAL LAND AND WATER CONSERVATION FUND; REMOVING THE POLITICAL SUBDIVISION FUND MATCHING REQUIREMENT; REMOVING THE INCORPORATED MUNICIPALITY POPULATION CAP; AMENDING ELIGIBLE RECIPIENTS OF FUNDS; REQUIRING PRIORITIZATION OF FUNDING REQUESTS OF INDIAN NATIONS, TRIBES AND PUEBLOS; SFC→**CLARIFYING FUND USAGES;**←SFC REMOVING A REFERENCE TO A DEFUNCT ENTITY; REVISING CITATIONS SFC→; ~~MAKING AN APPROPRIATION~~←SFC.

.226843.3AIC February 1, 2024 (2:38pm)

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

SECTION 1. Section 16-1-3 NMSA 1978 (being Laws 1973, Chapter 388, Section 3, as amended) is amended to read:

"16-1-3. ADMINISTRATION--STATE-FEDERAL-LOCAL COST SHARING FORMULA--LIMITATIONS.--

A. The energy, minerals and natural resources department shall administer the state supplemental land and water conservation fund and shall process all applications for grants from the state supplemental land and water conservation fund. Funds from the state supplemental land and water conservation fund shall be made available SFC→only←SFC upon the condition that the proceeds are matched by SCONC→the←SCONC federal [~~funds and other funds on the following basis: at least fifty percent federal funds not more than twenty-five percent state funds and the remainder by funds of political subdivisions~~] land and water conservation fund state and local assistance SCONC→formula grants←SCONC program SCONC→funding←SCONC .

B. Incorporated municipalities, with a population of less than [~~fifteen~~] sixty-five thousand persons according to the latest federal decennial census or counties, [~~sponsoring projects of unincorporated communities, including but not limited to~~] Indian [~~communities~~] nations, tribes and pueblos, state parks and other political subdivisions shall be entitled

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to receive funds from the state supplemental land and water conservation fund; [as prescribed and approved by the recreation priorities committee] provided that:

(1) funding requests from Indian nations, tribes and pueblos shall be prioritized;

(2) funding requests from rural communities shall be prioritized; SFC→~~and~~←SFC

(3) state parks shall be entitled to receive funds from the state supplemental land and water conservation fund in an amount not to exceed seven percent of New Mexico's annual apportionment of federal land and water conservation fund state and local assistance program funding to perform outreach to Indian nations, tribes and pueblos and political subdivisions of the state and provide technical assistance to prospective applicants SFC→~~.~~←SFC SFC→; ~~and~~←SFC

SFC→~~SCONG~~→(4) ~~"technical assistance" pursuant to this section shall not include compliance procedures conducted by the state parks division of the energy, minerals and natural resources department on behalf of the applicants for the federal National Environmental Policy Act of 1969, processing of permits, producing geographic information systems data, conducting project planning, developing designs or engaging, contracting or directing project management~~←SCONG←SFC

SFC→(4) "technical assistance" pursuant to

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this subsection shall not include compliance procedures conducted by the state parks division of the energy, minerals and natural resources department on behalf of the applicants for the National Environmental Policy Act of 1969, processing of permits, producing geographic information systems data, conducting project planning, developing designs or engaging, contracting or directing project management. ←SFC

C. Projects proposed [~~must~~] shall be in accordance with provisions of the federal Land and Water Conservation Fund Act of 1965, U.S.C. Section 460, and the regulations contained in the United States department of the interior [~~bureau of outdoor recreation and grants-in-aid manual~~]. Funds shall be made available from the state supplemental land and water conservation fund SFC→only←SFC in the event that the United States department of the interior provides fifty percent of the project cost SFC→, except that funds may be made available to provide assistance with compliance with the requirements of the National Environmental Policy Act of 1969 and related project pre-clearances ←SFC. State funds shall be made available for expenditure by the applicant political subdivision once the project is approved by the United States department of the interior [~~and the applicant demonstrates the availability and source of funds required for its share in the total project cost~~]."

SFC→SECTION 2. APPROPRIATION.--Ten million dollars

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~~(\$10,000,000) is appropriated from the general fund to the state supplemental land and water conservation fund for expenditure in fiscal year 2025 and subsequent fiscal years to carry out the purposes of the fund. Any unexpended or unencumbered balance remaining at the end of a fiscal year shall not revert to the general fund.~~ ←SFC

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