

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SENATE BILL 101

53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017

INTRODUCED BY

Carlos R. Cisneros

AN ACT

RELATING TO CAPITAL EXPENDITURES; AUTHORIZING THE ISSUANCE OF SEVERANCE TAX BONDS; AUTHORIZING EXPENDITURES FROM CERTAIN FUNDS AND BALANCES; CLARIFYING CONDITIONS FOR THE ISSUANCE OF BONDS; ESTABLISHING CONDITIONS FOR THE EXPENDITURE OF SEVERANCE TAX BOND PROCEEDS; ESTABLISHING CONDITIONS FOR THE REVERSION OF UNEXPENDED BALANCES; MAKING APPROPRIATIONS; DECLARING AN EMERGENCY.

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

SECTION 1. SEVERANCE TAX BONDS--AUTHORIZATIONS--
APPROPRIATION OF PROCEEDS.--

A. The state board of finance may issue and sell severance tax bonds in compliance with the Severance Tax Bonding Act in an amount not to exceed the total of the amounts authorized for purposes specified in this act. The state board

.205614.1

underscoring material = new
~~[bracketed material] = delete~~

underscoring material = new
~~[bracketed material] = delete~~

1 of finance shall schedule the issuance and sale of the bonds in
2 the most expeditious and economical manner possible upon a
3 finding by the board that the project has been developed
4 sufficiently to justify the issuance and that the project can
5 proceed to contract within a reasonable time. The state board
6 of finance shall further take the appropriate steps necessary
7 to comply with the federal Internal Revenue Code of 1986, as
8 amended. Proceeds from the sale of the bonds are appropriated
9 for the purposes specified in this act.

10 B. The agencies named in this act shall certify to
11 the state board of finance when the money from the proceeds of
12 the severance tax bonds appropriated in this section is needed
13 for the purposes specified in the applicable section of this
14 act. If an agency has not certified the need for severance tax
15 bond proceeds for a particular project by the end of fiscal
16 year 2019, the authorization for that project is void.

17 C. Before an agency may certify for the need of
18 severance tax bond proceeds, the project must be developed
19 sufficiently so that the agency reasonably expects to:

20 (1) incur within six months after the
21 applicable bond proceeds are available for the project a
22 substantial binding obligation to a third party to expend at
23 least five percent of the bond proceeds for the project; and

24 (2) spend at least eighty-five percent of the
25 bond proceeds within three years after the applicable bond

.205614.1

underscoring material = new
~~[bracketed material] = delete~~

1 proceeds are available for the project.

2 D. Except as otherwise specifically provided by
3 law:

4 (1) the unexpended balance from the proceeds
5 of severance tax bonds appropriated in this act for a project
6 shall revert to the severance tax bonding fund no later than
7 the following dates:

8 (a) for a project for which severance
9 tax bond proceeds were appropriated to match federal grants,
10 six months after completion of the project;

11 (b) for a project for which severance
12 tax bond proceeds were appropriated to purchase vehicles,
13 including emergency vehicles and other vehicles that require
14 special equipment; heavy equipment; books; educational
15 technology; or other equipment or furniture that is not related
16 to a more inclusive construction or renovation project, at the
17 end of the fiscal year two years following the fiscal year in
18 which the severance tax bond proceeds were made available for
19 the purchase; and

20 (c) for any other project for which
21 severance tax bonds were appropriated, within six months of
22 completion of the project, but no later than the end of fiscal
23 year 2021; and

24 (2) all remaining balances from the proceeds
25 of severance tax bonds appropriated for a project in this act

.205614.1

underscored material = new
~~[bracketed material] = delete~~

1 shall revert to the severance tax bonding fund three months
2 after the latest reversion date specified for that type of
3 project in Paragraph (1) of this subsection.

4 E. Except for appropriations to the capital program
5 fund, money from severance tax bond proceeds provided pursuant
6 to this act shall not be used to pay indirect project costs.

7 F. Except for a project that was originally funded
8 using a tax-exempt loan or bond issue, a project involving
9 repayment of debt previously incurred shall be funded through
10 the issuance of taxable severance tax bonds with a term that
11 does not extend beyond the fiscal year in which they are
12 issued.

13 G. For the purpose of this section, "unexpended
14 balance" means the remainder of an appropriation after
15 reserving for unpaid costs and expenses covered by binding
16 written obligations to third parties.

17 SECTION 2. GENERAL FUND AND OTHER FUND APPROPRIATIONS--
18 LIMITATIONS--REVERSIONS.--

19 A. Except as otherwise specifically provided by
20 law:

21 (1) the unexpended balance of an appropriation
22 made in this act from the general fund or other state funds
23 shall revert no later than the following dates:

24 (a) for a project for which an
25 appropriation was made to match federal grants, six months

.205614.1

underscored material = new
[bracketed material] = delete

1 after completion of the project;

2 (b) for a project for which an
3 appropriation was made to purchase vehicles, including
4 emergency vehicles and other vehicles that require special
5 equipment; heavy equipment; books; educational technology; or
6 other equipment or furniture that is not related to a more
7 inclusive construction or renovation project, at the end of the
8 fiscal year two years following the fiscal year in which the
9 appropriation was made for the purchase; and

10 (c) for any other project for which an
11 appropriation was made, within six months of completion of the
12 project, but no later than the end of fiscal year 2021; and

13 (2) all remaining balances from an
14 appropriation made in this act for a project shall revert three
15 months after the latest reversion date specified for that type
16 of project in Paragraph (1) of this subsection.

17 B. Except for appropriations to the capital program
18 fund, money from appropriations made in this act shall not be
19 used to pay indirect project costs.

20 C. Except as provided in Subsection E of this
21 section, the balance of an appropriation made from the general
22 fund shall revert in the time frame set forth in Subsection A
23 of this section to the capital projects fund.

24 D. Except as provided in Subsection E of this
25 section, the balance of an appropriation made from other state

.205614.1

underscored material = new
~~[bracketed material] = delete~~

1 funds shall revert in the time frame set forth in Subsection A
2 of this section to the originating fund.

3 E. The balance of an appropriation made from the
4 general fund or other state funds to the Indian affairs
5 department or the aging and long-term services department for a
6 project located on lands of an Indian nation, tribe or pueblo
7 shall revert in the time frame set forth in Subsection A of
8 this section to the tribal infrastructure project fund.

9 F. For the purpose of this section, "unexpended
10 balance" means the remainder of an appropriation after
11 reserving for unpaid costs and expenses covered by binding
12 written obligations to third parties.

13 SECTION 3. ADMINISTRATIVE OFFICE OF THE COURTS PROJECT--
14 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
15 of this act, upon certification by the administrative office of
16 the courts that the need exists for the issuance of the bonds,
17 one million dollars (\$1,000,000) is appropriated to the
18 administrative office of the courts to purchase and install
19 high density security equipment and for related infrastructure
20 improvements at magistrate courts and judicial district courts
21 statewide.

22 SECTION 4. AGING AND LONG-TERM SERVICES DEPARTMENT
23 PROJECTS--SEVERANCE TAX BONDS.--Pursuant to the provisions of
24 Section 1 of this act, upon certification by the aging and
25 long-term services department that the need exists for the

.205614.1

underscoring material = new
~~[bracketed material] = delete~~

1 issuance of the bonds, the following amounts are appropriated
2 to the aging and long-term services department for the
3 following purposes:

4 1. twenty thousand seventy-five dollars (\$20,075)
5 for improvements to the facility to address code compliance
6 issues at the Paradise Hills senior center in Albuquerque in
7 Bernalillo county;

8 2. twenty-six thousand five hundred dollars
9 (\$26,500) for improvements to the facility to address code
10 compliance issues at the Glenwood senior center in Glenwood in
11 Catron county;

12 3. thirty-one thousand dollars (\$31,000) for
13 improvements to the facility to address code compliance issues
14 at the Quemado senior center in Quemado in Catron county;

15 4. fifty-seven thousand six hundred eighteen
16 dollars (\$57,618) for improvements to the facility to address
17 code compliance issues at the Anthony community center in
18 Anthony in Dona Ana county;

19 5. eighty-seven thousand five hundred eighty-two
20 dollars (\$87,582) for improvements to the facility to address
21 code compliance issues at the Betty McKnight multipurpose
22 center in Chaparral in Dona Ana county;

23 6. seven thousand five hundred dollars (\$7,500) for
24 improvements to the facility to address code compliance issues
25 at the Puerto de Luna senior center in Santa Rosa in Guadalupe

.205614.1

underscoring material = new
~~[bracketed material] = delete~~

1 county;

2 7. fifteen thousand dollars (\$15,000) for
3 improvements to the facility to address code compliance issues
4 at the Ena Mitchell senior center in Lordsburg in Hidalgo
5 county;

6 8. one hundred forty-one thousand six hundred
7 ninety-six dollars (\$141,696) for improvements to the facility
8 to address code compliance issues at the Ruidoso community
9 center in Ruidoso in Lincoln county;

10 9. eighty-eight thousand dollars (\$88,000) to plan,
11 design and construct a parking lot at the Baca senior center in
12 the Baca chapter of the Navajo Nation in McKinley county;

13 10. forty thousand five hundred thirty-six dollars
14 (\$40,536) to purchase and equip vehicles for the Chichiltah
15 senior center in the Chichiltah chapter of the Navajo Nation in
16 McKinley county;

17 11. one hundred eighty-eight thousand nine hundred
18 ninety-six dollars (\$188,996) to plan, design and construct
19 improvements to the facility to address code compliance issues
20 at the Twin Lakes senior center in the Twin Lakes chapter of
21 the Navajo Nation in McKinley county;

22 12. seven thousand dollars (\$7,000) for
23 improvements to the facility to address code compliance issues
24 at the Beatrice Martinez senior center in Espanola in Rio
25 Arriba county;

.205614.1

underscored material = new
~~[bracketed material] = delete~~

1 13. five thousand two hundred dollars (\$5,200) for
2 improvements to the facility to address code compliance issues
3 at the Bloomfield senior center in Bloomfield in San Juan
4 county;

5 14. five thousand twenty-four dollars (\$5,024) to
6 purchase and install meals equipment at the Bloomfield senior
7 center in Bloomfield in San Juan county;

8 15. ten thousand five hundred dollars (\$10,500) for
9 improvements to the facility to address code compliance issues
10 at the Corrales senior center in Corrales in Sandoval county;

11 16. seventy-six thousand six hundred sixty-one
12 dollars (\$76,661) to purchase and equip vehicles for the
13 Corrales senior center in Corrales in Sandoval county;

14 17. two hundred six thousand four hundred ninety-
15 six dollars (\$206,496) for improvements to the facility to
16 address code compliance issues at the Ken James senior center
17 in Truth or Consequences in Sierra county;

18 18. thirteen thousand eight hundred dollars
19 (\$13,800) for improvements to the facility to address code
20 compliance issues at the Magdalena senior center in Magdalena
21 in Socorro county;

22 19. eighty-four thousand five hundred twenty-four
23 dollars (\$84,524) for improvements to the facility to address
24 code compliance issues at the Socorro senior center in Socorro
25 in Socorro county;

.205614.1

underscoring material = new
~~[bracketed material]~~ = delete

1 20. sixteen thousand two hundred twenty-five
2 dollars (\$16,225) for improvements to the facility to address
3 code compliance issues at the Veguita senior center in Veguita
4 in Socorro county; and

5 21. one hundred ninety-five thousand dollars
6 (\$195,000) for improvements to the facility to address code
7 compliance issues at the Amalia senior center in Amalia in Taos
8 county.

9 **SECTION 5. BERNALILLO COUNTY METROPOLITAN COURT PROJECT--**
10 **SEVERANCE TAX BONDS.--**Pursuant to the provisions of Section 1
11 of this act, upon certification by the Bernalillo county
12 metropolitan court that the need exists for the issuance of the
13 bonds, one million dollars (\$1,000,000) is appropriated to the
14 Bernalillo county metropolitan court to plan, design,
15 construct, furnish and equip courtrooms, judges' chambers, jury
16 rooms and public and restricted access areas on the fourth
17 floor of the Bernalillo county metropolitan court courthouse in
18 Albuquerque in Bernalillo county.

19 **SECTION 6. CAPITAL PROGRAM FUND PROJECTS--SEVERANCE TAX**
20 **BONDS.--**Pursuant to the provisions of Section 1 of this act,
21 upon certification by the facilities management division of the
22 general services department that the need exists for the
23 issuance of the bonds, the following amounts are appropriated
24 to the capital program fund for the following purposes:

25 1. one million three hundred thousand dollars

.205614.1

underscored material = new
~~[bracketed material] = delete~~

1 (\$1,300,000) to plan, design, decommission and demolish
2 facilities, including hazardous materials abatement, at
3 state-owned buildings in Albuquerque in Bernalillo county, in
4 Hobbs in Lea county and in Los Lunas in Valencia county;

5 2. four million one hundred fifty thousand dollars
6 (\$4,150,000) to plan, design, construct, renovate, purchase and
7 install equipment and for infrastructure improvements,
8 including roofs, heating, ventilation and air conditioning
9 systems and interior service windows, at the Albert Amador
10 building in Espanola in Rio Arriba county, the Harriet Sammons
11 building in Farmington in San Juan county and the James Murray
12 building in Hobbs in Lea county;

13 3. nine hundred thousand dollars (\$900,000) to
14 plan, design, construct, renovate, furnish and equip commission
15 for the blind facilities in Bernalillo and Otero counties to
16 comply with the federal Americans with Disabilities Act of
17 1990;

18 4. three hundred fifty thousand dollars (\$350,000)
19 to plan and design a facility or to expand an existing state-
20 owned site to house the department of health vital records and
21 health statistics bureau in Santa Fe in Santa Fe county;

22 5. seven million five hundred thousand dollars
23 (\$7,500,000) to plan, design, construct, renovate, equip,
24 repair, purchase and install equipment and improve
25 infrastructure, including roofs, security upgrades and

.205614.1

underscored material = new
[bracketed material] = delete

1 replacement of heating, ventilation and air conditioning
2 systems, at correctional facilities statewide;

3 6. two million eight hundred thousand dollars
4 (\$2,800,000) to plan, design, construct, renovate, purchase and
5 install infrastructure improvements and equipment, including
6 security system upgrades and servers, security reception
7 stations, lighting and kitchen upgrades, at children, youth and
8 families department juvenile facilities statewide;

9 7. six million dollars (\$6,000,000) to plan,
10 design, construct, equip, purchase and install equipment and
11 for facility upgrades, including fire alarm and security
12 surveillance systems, at department of health facilities
13 statewide;

14 8. five hundred thousand dollars (\$500,000) to
15 plan, design, renovate, purchase and install equipment,
16 including heavy equipment, and for demolition and debris
17 removal and to replace and upgrade mechanical, electrical and
18 other infrastructure systems campus-wide for the department of
19 health at the old Fort Bayard medical center in Grant county;

20 9. two million dollars (\$2,000,000) to plan,
21 design, construct, renovate, furnish and equip state police
22 district offices, including roadway and parking lot
23 improvements, erosion control and the repair or replacement of
24 heating, ventilation and air conditioning systems, at district
25 offices statewide;

.205614.1

underscored material = new
~~[bracketed material] = delete~~

1 10. four million five hundred thousand dollars
2 (\$4,500,000) to plan, design, construct, improve, renovate,
3 remediate, furnish and equip facilities, including
4 infrastructure upgrades, at state-owned facilities statewide;
5 and

6 11. five hundred thousand dollars (\$500,000) to
7 plan, design, construct and renovate facilities and to purchase
8 and install equipment for building code compliance in offices
9 of the workforce solutions department statewide.

10 **SECTION 7. CULTURAL AFFAIRS DEPARTMENT PROJECT--SEVERANCE**
11 **TAX BONDS.**--Pursuant to the provisions of Section 1 of this
12 act, upon certification by the cultural affairs department that
13 the need exists for the issuance of the bonds, three million
14 dollars (\$3,000,000) is appropriated to the cultural affairs
15 department to plan, design, construct, renovate, furnish, equip
16 and make other improvements to comply with the federal
17 Americans with Disabilities Act of 1990, including lighting,
18 fire alarm and security upgrades, parking lot improvements and
19 heating, ventilation and air conditioning systems, at museums,
20 monuments, historic sites and cultural facilities statewide.

21 **SECTION 8. CUMBRES AND TOLTEC SCENIC RAILROAD COMMISSION**
22 **PROJECT--SEVERANCE TAX BONDS.**--Pursuant to the provisions of
23 Section 1 of this act, upon certification by the Cumbres and
24 Toltec scenic railroad commission that the need exists for the
25 issuance of the bonds, five hundred thousand dollars (\$500,000)

.205614.1

underscoring material = new
[bracketed material] = delete

1 is appropriated to the Cumbres and Toltec scenic railroad
2 commission for track rehabilitation and related infrastructure
3 improvements, including locomotive and boiler upgrades to
4 comply with federal railroad administration standards, for the
5 Cumbres and Toltec scenic railroad operating between New Mexico
6 and Colorado.

7 SECTION 9. ENERGY, MINERALS AND NATURAL RESOURCES

8 DEPARTMENT PROJECT--SEVERANCE TAX BONDS.--Pursuant to the
9 provisions of Section 1 of this act, upon certification by the
10 energy, minerals and natural resources department that the need
11 exists for the issuance of the bonds, four million dollars
12 (\$4,000,000) is appropriated to the energy, minerals and
13 natural resources department to plan, design and construct
14 watershed restoration and community wildfire protection
15 improvements, including forest thinning, statewide.

16 SECTION 10. OFFICE OF THE STATE ENGINEER PROJECT--

17 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
18 of this act, upon certification by the office of the state
19 engineer that the need exists for the issuance of the bonds,
20 two million dollars (\$2,000,000) is appropriated to the office
21 of the state engineer to plan, design, construct and
22 rehabilitate Cabresto, Morphy and Lake Maloya dams for water
23 supply, irrigation and recreational use in New Mexico.

24 SECTION 11. STATE FAIR COMMISSION PROJECT--SEVERANCE TAX

25 BONDS.--Pursuant to the provisions of Section 1 of this act,

.205614.1

underscored material = new
~~[bracketed material] = delete~~

1 upon certification by the state fair commission that the need
2 exists for the issuance of the bonds, one million five hundred
3 thousand dollars (\$1,500,000) is appropriated to the state fair
4 commission for infrastructure improvements and to plan, design,
5 construct and upgrade electrical systems at the New Mexico
6 state fairgrounds in Albuquerque in Bernalillo county.

7 **SECTION 12. DEPARTMENT OF HEALTH PROJECT--SEVERANCE TAX**
8 **BONDS.**--Pursuant to the provisions of Section 1 of this act,
9 upon certification by the department of health that the need
10 exists for the issuance of the bonds, five hundred thousand
11 dollars (\$500,000) is appropriated to the department of health
12 to purchase and install scientific, analytical and medical
13 equipment, including the recalibration of existing equipment,
14 at department of health facilities statewide.

15 **SECTION 13. INDIAN AFFAIRS DEPARTMENT PROJECT--SEVERANCE**
16 **TAX BONDS.**--Pursuant to the provisions of Section 1 of this
17 act, upon certification by the Indian affairs department that
18 the need exists for the issuance of the bonds, five hundred
19 thousand dollars (\$500,000) is appropriated to the Indian
20 affairs department to plan, design and construct an access lane
21 and other road improvements, including ingress and egress,
22 curbs and gutters and storm drainage, at the Santa Fe Indian
23 school in Santa Fe in Santa Fe county.

24 **SECTION 14. DEPARTMENT OF INFORMATION TECHNOLOGY**
25 **PROJECT--SEVERANCE TAX BONDS.**--Pursuant to the provisions of

.205614.1

underscoring material = new
[bracketed material] = delete

1 Section 1 of this act, upon certification by the department of
2 information technology that the need exists for the issuance of
3 the bonds, seven hundred seven thousand dollars (\$707,000) is
4 appropriated to the department of information technology to
5 plan, design, purchase, install and implement infrastructure to
6 stabilize and modernize public safety radio communications
7 statewide.

8 SECTION 15. INDIAN WATER RIGHTS SETTLEMENT FUND--

9 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
10 of this act, upon certification by the office of the state
11 engineer that the need exists for the issuance of the bonds,
12 nine million one hundred thousand dollars (\$9,100,000) is
13 appropriated to the Indian water rights settlement fund.
14 Notwithstanding the requirement for a joint resolution of the
15 legislature in Subsection A of Section 72-1-11 NMSA 1978, if
16 corresponding commitments have been made for the federal
17 portion of the settlement in the Aamodt case, the money may be
18 expended by the interstate stream commission in fiscal year
19 2018 and subsequent fiscal years to implement the state's
20 portion of the settlement, and any unexpended or unencumbered
21 balance remaining at the end of a fiscal year shall not revert.

22 SECTION 16. DEPARTMENT OF MILITARY AFFAIRS PROJECT--

23 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
24 of this act, upon certification by the department of military
25 affairs that the need exists for the issuance of the bonds, one

.205614.1

underscored material = new
~~[bracketed material] = delete~~

1 million dollars (\$1,000,000) is appropriated to the department
2 of military affairs for improvements, repairs and demolition
3 and to purchase and install systems to improve energy
4 efficiency and for staging areas at department of military
5 affairs facilities statewide.

6 SECTION 17. DEPARTMENT OF PUBLIC SAFETY PROJECT--
7 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
8 of this act, upon certification by the department of public
9 safety that the need exists for the issuance of the bonds,
10 seven million dollars (\$7,000,000) is appropriated to the
11 department of public safety to purchase and equip a search and
12 rescue helicopter for New Mexico state police operations
13 statewide.

14 SECTION 18. SUPREME COURT BUILDING COMMISSION PROJECT--
15 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
16 of this act, upon certification by the supreme court building
17 commission that the need exists for the issuance of the bonds,
18 one hundred twenty-three thousand dollars (\$123,000) is
19 appropriated to the supreme court building commission to plan,
20 design, construct and renovate facilities, including abatement
21 and remediation of the exterior courtyard stucco, at the
22 supreme court building in Santa Fe in Santa Fe county.

23 SECTION 19. TAXATION AND REVENUE DEPARTMENT PROJECT--
24 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
25 of this act, upon certification by the taxation and revenue

.205614.1

underscored material = new
~~[bracketed material] = delete~~

1 department that the need exists for the issuance of the bonds,
2 three hundred fifty-six thousand dollars (\$356,000) is
3 appropriated to the taxation and revenue department to
4 purchase, install and equip scanners, servers and information
5 technology, including related equipment and infrastructure, for
6 the revenue processing division in Santa Fe in Santa Fe county.

7 SECTION 20. DEPARTMENT OF GAME AND FISH PROJECT--

8 APPROPRIATION FROM THE BIG GAME ENHANCEMENT ACCOUNT OF THE GAME
9 PROTECTION FUND.--One million dollars (\$1,000,000) is
10 appropriated from the big game enhancement account of the game
11 protection fund to the department of game and fish for
12 expenditure in fiscal years 2017 through 2021, unless otherwise
13 provided in Section 2 of this act, to improve, restore and
14 develop state-owned wildlife and waterfowl management areas to
15 prevent catastrophic wildfires and to improve watershed health
16 statewide.

17 SECTION 21. DEPARTMENT OF GAME AND FISH PROJECT--

18 APPROPRIATION FROM THE GAME AND FISH BOND RETIREMENT FUND.--Six
19 hundred thousand dollars (\$600,000) is appropriated from the
20 game and fish bond retirement fund to the department of game
21 and fish for expenditure in fiscal years 2017 through 2021,
22 unless otherwise provided in Section 2 of this act, to renovate
23 and make improvements, including the replacement of water
24 lines, at the Glenwood and Red River hatcheries in Grant and
25 Taos counties.

.205614.1

underscored material = new
[bracketed material] = delete

1 **SECTION 22. DEPARTMENT OF GAME AND FISH PROJECTS--**
2 APPROPRIATIONS FROM THE GAME PROTECTION FUND.--The following
3 amounts are appropriated from the game protection fund to the
4 department of game and fish for expenditure in fiscal years
5 2017 through 2021, unless otherwise provided in Section 2 of
6 this act, for the following purposes:

7 1. three million dollars (\$3,000,000) to renovate
8 and make improvements, including the replacement of water
9 lines, at the Glenwood and Red River hatcheries in Grant and
10 Taos counties; and

11 2. five hundred thousand dollars (\$500,000) for
12 wildlife and riparian habitat restoration on the San Juan river
13 quality waters in San Juan county.

14 **SECTION 23. DEPARTMENT OF GAME AND FISH PROJECT--**
15 APPROPRIATION FROM THE HABITAT MANAGEMENT FUND.--
16 Notwithstanding the provisions of Section 17-4-34 NMSA 1978 to
17 the contrary, one million dollars (\$1,000,000) is appropriated
18 from the habitat management fund to the department of game and
19 fish for expenditure in fiscal years 2017 through 2021, unless
20 otherwise provided in Section 2 of this act, to improve,
21 restore and maintain state-owned wildlife and waterfowl
22 management areas to prevent catastrophic wildfires and to
23 improve watershed health statewide.

24 **SECTION 24. INTERSTATE STREAM COMMISSION PROJECT--**
25 APPROPRIATION FROM THE NEW MEXICO UNIT FUND.--Fifteen million

underscored material = new
~~[bracketed material] = delete~~

1 two hundred thousand dollars (\$15,200,000) is appropriated from
2 the New Mexico unit fund to the interstate stream commission
3 for expenditure in fiscal years 2018 through 2020, unless
4 otherwise provided in Section 2 of this act, to comply with
5 federal requirements to meet water supply demands, including
6 costs associated with planning and environmental compliance
7 activities and environmental mitigation and restoration, in the
8 southwest water planning region of New Mexico as determined by
9 the interstate stream commission in consultation with the
10 southwest New Mexico water study group or its successor.

11 SECTION 25. PUBLIC EDUCATION DEPARTMENT PROJECT--
12 APPROPRIATION FROM THE PUBLIC SCHOOL CAPITAL OUTLAY FUND.--Four
13 million dollars (\$4,000,000) is appropriated from the public
14 school capital outlay fund to the public education department
15 for expenditure in fiscal years 2017 through 2021, unless
16 otherwise provided in Section 2 of this act, for capital asset
17 deficiencies and infrastructure improvements for the Zuni
18 public school district and the Gallup-McKinley county school
19 district in McKinley county and the Grants-Cibola county school
20 district in Cibola county contingent upon approval of the
21 public school capital outlay council.

22 SECTION 26. PROJECT SCOPE--EXPENDITURES.--If an
23 appropriation for a project authorized in this act is not
24 sufficient to complete all the purposes specified, the
25 appropriation may be expended for any portion of the purposes

.205614.1

underscoring material = new
~~[bracketed material] = delete~~

1 specified in the appropriation. Expenditures shall not be made
2 for purposes other than those specified in the appropriation.

3 SECTION 27. ART IN PUBLIC PLACES.--Pursuant to Section
4 13-4A-4 NMSA 1978 and where applicable, the appropriations
5 authorized in this act include one percent for the art in
6 public places fund.

7 SECTION 28. EMERGENCY.--It is necessary for the public
8 peace, health and safety that this act take effect immediately.