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HOUSE BILL 36

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

INTRODUCED BY

Miguel P. Garcia and Tomás E. Salazar  
and Elizabeth "Liz" Stefanics

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  
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

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1 CREATED--DISTRIBUTION.--

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

11 B. Money in the land grant-merced assistance fund  
12 may be used to pay the costs and expenses incurred by land  
13 grants-mercedes to:

14 (1) carry out their administrative functions,  
15 including contracting with technical experts for compliance  
16 with state reporting requirements, letting out contracts and  
17 holding elections;

18 (2) enter into agreements for grants-in-aid;

19 (3) purchase office equipment and supplies;

20 and

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

25 C. Each year on or before July 5, the Guadalupe

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1 Hidalgo treaty division of the office of the attorney general  
2 shall notify in writing the local government division of the  
3 department of finance and administration of each land grant-  
4 merced that constitutes a political subdivision of the state  
5 pursuant to the provisions of Chapter 49 NMSA 1978.

6 D. Each year on or before July 10, the local  
7 government division shall calculate the amount as appropriated  
8 by the legislature to be distributed from the land grant-merced  
9 assistance fund to each certified land grant-merced. A  
10 distribution amount to each certified land grant-merced shall  
11 be an equal share of the money available in the land grant-  
12 merced assistance fund as appropriated by the legislature;  
13 provided that a distribution amount to a land grant-merced  
14 shall not exceed thirty thousand dollars (\$30,000), except as  
15 otherwise appropriated by the legislature.

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

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

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1 government division for that year.

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

6 SECTION 3. APPROPRIATION.--One million two hundred fifty  
7 thousand dollars (\$1,250,000) is appropriated from the general  
8 fund to the land grant-merced assistance fund for expenditure  
9 in fiscal year 2020 for the purposes of the fund. Any  
10 unexpended or unencumbered balance remaining at the end of  
11 fiscal year 2020 shall revert to the general fund.

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

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