

AN ACT

RELATING TO INTERGOVERNMENTAL AGREEMENTS; EXPANDING THE  
DEFINITION OF "PUBLIC AGENCY" IN THE JOINT POWERS AGREEMENTS  
ACT TO INCLUDE ANY OTHER STATE.

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

Section 1. Section 11-1-2 NMSA 1978 (being Laws 1961,  
Chapter 135, Section 2, as amended) is amended to read:

"11-1-2. DEFINITIONS.--As used in the Joint Powers  
Agreements Act:

A. "public agency" means the federal government or  
a federal department, agency or instrumentality; this state,  
another state or a state department, agency or  
instrumentality; an Indian nation, tribe or pueblo; a  
subdivision of an Indian nation, tribe or pueblo that has  
authority pursuant to the law of that Indian nation, tribe or  
pueblo to enter into joint powers agreements directly with the  
state; a county, municipality, public corporation or public  
district of this state or another state; a New Mexico  
educational institution specified in Article 12, Section 11 of  
the constitution of New Mexico; and a New Mexico school  
district;

B. "agreement" means a written contractual  
agreement entered into between two or more public agencies  
subject to a constitutional or legislative restriction imposed

upon any of the contracting public agencies, but the Joint Powers Agreements Act does not authorize an interstate water supply agreement or limit the powers of an interstate water compact commission, the interstate stream commission or the state engineer, and it does not limit the powers of a state agency or political subdivision to enter into agreements with the interstate stream commission or the state engineer;

C. "bonds" means revenue bonds;

D. "bondholder" means a person who is the bearer of an outstanding bond or the owner of bonds that are at the time registered to other than the bearer;

E. "indenture" means the instrument providing the terms and conditions for the issuance of the bonds and may be a resolution, order, agreement or other instrument; and

F. "instrumentality" means a public corporate entity created by state law but that is not subject to the general laws of the state and is not a state agency or department."

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