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HOUSE BILL 5

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

INTRODUCED BY

George Dodge Jr. And Patricia A. Lundstrom

AN ACT

RELATING TO CAPITAL EXPENDITURES; CHANGING PURPOSES AND  
AUTHORIZATIONS FOR THE EXPENDITURE OF SEVERANCE TAX BOND  
PROCEEDS; VOIDING AUTHORIZATIONS FOR THE ISSUANCE OF SEVERANCE  
TAX BONDS FOR CERTAIN CAPITAL PROJECTS; SUSPENDING A PORTION OF  
THE SEVERANCE TAX BONDING CAPACITY ALLOCATIONS FOR WATER,  
TRIBAL AND COLONIAS INFRASTRUCTURE PROJECTS; REQUIRING THE  
ISSUANCE OF SEVERANCE TAX BONDS; PROVIDING FOR CERTAIN  
TRANSFERS TO THE GENERAL FUND FROM OTHER FUNDS AND ACCOUNTS;  
REVERTING BALANCES FROM APPROPRIATIONS FOR A FIREFIGHTER  
TRAINING BURN BUILDING; MAKING AND AMENDING APPROPRIATIONS;  
DECLARING AN EMERGENCY.

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

SECTION 1. SEVERANCE TAX BONDS--CHANGE AUTHORIZATIONS TO  
RESTORE GENERAL FUND ALLOTMENTS.--

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1           A. Notwithstanding the requirements for reversion  
2 in Laws 2013, Chapter 226, the unexpended or unencumbered  
3 balance remaining up to one hundred fifty-five thousand dollars  
4 (\$155,000) of severance tax bond proceeds authorized or  
5 appropriated in Subsection 160 of Section 18 of Chapter 226 of  
6 Laws 2013 to the public education department to purchase and  
7 equip activity buses for the Las Vegas city public school  
8 district in San Miguel county shall not be expended for the  
9 original purpose but may be expended as provided in Subsection  
10 F of this section.

11           B. Notwithstanding the requirements for reversion  
12 in Laws 2014, Chapter 66, the unexpended or unencumbered  
13 balances remaining up to the amount specified of severance tax  
14 bond proceeds authorized or appropriated in Laws 2014, Chapter  
15 66, Section 22 for the following described projects under the  
16 control of the local government division of the department of  
17 finance and administration shall not be expended for the  
18 original purposes but may be expended as provided in Subsection  
19 F of this section:

20                   (1) one hundred thousand dollars (\$100,000) to  
21 purchase property for and to plan, design, construct, equip and  
22 furnish improvements to the cemetery in Hurley in Grant county,  
23 as identified in Subsection 116 of that section;

24                   (2) seventy thousand dollars (\$70,000) to  
25 plan, design, construct, renovate and equip improvements to the

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1 Columbus park gazebo, restrooms and lighting on north Boundary  
2 road and New Mexico highway 11 in Columbus in Luna county, as  
3 identified in Subsection 140 of that section;

4 (3) forty thousand dollars (\$40,000) to plan,  
5 design and construct a veterans memorial and cemetery at the  
6 Hillcrest cemetery in Gallup in McKinley county, as identified  
7 in Subsection 143 of that section;

8 (4) five hundred thousand dollars (\$500,000)  
9 to plan, design and construct phase 2 renovations for a child  
10 development center in Alamogordo in Otero county, as identified  
11 in Subsection 151 of that section;

12 (5) fifty thousand dollars (\$50,000) to plan,  
13 design and construct a county substance abuse therapeutic  
14 facility in Espanola in Rio Arriba county, as identified in  
15 Subsection 163 of that section; and

16 (6) one hundred thousand dollars (\$100,000) to  
17 plan, design and construct a veterans cemetery in Llano Quemado  
18 in Taos county, as identified in Subsection 208 of that  
19 section.

20 C. Notwithstanding the requirements for reversion  
21 in Laws 2015 (1st S.S.), Chapter 3, the unexpended or  
22 unencumbered balances remaining up to the amounts specified of  
23 severance tax bond proceeds authorized or appropriated in Laws  
24 2015 (1st S.S.), Chapter 3 for the following described projects  
25 under the control of the following agencies shall not be

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1 expended for the original purposes but may be expended as  
2 provided in Subsection F of this section:

3 (1) to the aging and long-term services  
4 department, forty thousand dollars (\$40,000) to plan, design  
5 and construct improvements to the Mora senior center in Mora  
6 county, as identified in Subsection 43 of Section 3 of that  
7 chapter;

8 (2) to the public education department:

9 (a) forty-three thousand dollars  
10 (\$43,000) to plan, design, purchase and install a heating,  
11 ventilation and air conditioning system and improvements for  
12 Media Arts Collaborative charter school in Bernalillo county,  
13 as identified in Subsection 3 of Section 15 of that chapter;

14 (b) one hundred forty-eight thousand two  
15 hundred fifty dollars (\$148,250) to plan, design and construct  
16 phase 1 of a multipurpose sports and performance center at  
17 Cottonwood Classical preparatory school in Albuquerque in  
18 Bernalillo county, as identified in Subsection 6 of Section 15  
19 of that chapter;

20 (c) one hundred twelve thousand dollars  
21 (\$112,000) to plan, design, construct, renovate and equip  
22 facilities and to purchase and install information technology,  
23 including related equipment, furniture and infrastructure, for  
24 La Promesa early learning center in Albuquerque in Bernalillo  
25 county, as identified in Subsection 11 of Section 15 of that

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1 chapter;

2 (d) nineteen thousand two hundred fifty  
3 dollars (\$19,250) to purchase and install high-definition video  
4 cameras for Media Arts Collaborative charter school in  
5 Bernalillo county, as identified in Subsection 12 of Section 15  
6 of that chapter;

7 (e) twenty-five thousand dollars  
8 (\$25,000) to plan, design, construct and install drainage  
9 improvements at Newcomb middle school in the Central  
10 consolidated school district in San Juan county, as identified  
11 in Subsection 228 of Section 15 of that chapter;

12 (f) one hundred thousand dollars  
13 (\$100,000) to prepare the site for and plan, design, construct  
14 and equip facilities for the New Mexico school for the arts in  
15 Santa Fe county, as identified in Subsection 240 of Section 15  
16 of that chapter;

17 (g) thirty thousand dollars (\$30,000) to  
18 plan, design, construct, purchase and install an upgraded alarm  
19 system for DeVargas middle school in the Santa Fe public school  
20 district in Santa Fe county, as identified in Subsection 244 of  
21 Section 15 of that chapter;

22 (h) six thousand dollars (\$6,000) to  
23 purchase and install interactive whiteboards for El Camino Real  
24 academy in the Santa Fe public school district in Santa Fe  
25 county, as identified in Subsection 246 of Section 15 of that

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1 chapter; and

2 (i) five thousand dollars (\$5,000) to  
3 plan, design, construct, purchase and install a burglar alarm  
4 system at Ortiz middle school in the Santa Fe public school  
5 district in Santa Fe county, as identified in Subsection 252 of  
6 Section 15 of that chapter;

7 (3) to the office of the state engineer, three  
8 hundred seventy-five thousand dollars (\$375,000) to plan,  
9 design and construct a flood control structure in the Dog  
10 canyon area of Otero county, as identified in Subsection 4 of  
11 Section 18 of that chapter;

12 (4) to the state fair commission, seventy  
13 thousand dollars (\$70,000) to purchase and install equipment  
14 and to purchase the permanent art exhibit and digital, video,  
15 sound and lighting equipment and an air conditioner for the  
16 sound room for the African American performing arts center at  
17 the New Mexico state fair in Albuquerque in Bernalillo county,  
18 as identified in Subsection 1 of Section 21 of that chapter;

19 (5) to the Indian affairs department:

20 (a) seventy-five thousand dollars  
21 (\$75,000) to plan, design, construct, equip, furnish, purchase  
22 and install a modular building for veterans in the Pinedale  
23 chapter of the Navajo Nation in McKinley county, as identified  
24 in Subsection 19 of Section 25 of that chapter; and

25 (b) fifty thousand dollars (\$50,000) to

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1 plan, design and construct a charter school facility in the Red  
2 Lake chapter of the Navajo Nation in McKinley county, as  
3 identified in Subsection 20 of Section 25 of that chapter;

4 (6) to the interstate stream commission:

5 (a) ten thousand dollars (\$10,000) to  
6 plan, design and construct improvements to the acequia de las  
7 Canovas, including installing piping, in Servilleta Plaza in  
8 Rio Arriba county, as identified in Subsection 9 of Section 27  
9 of that chapter; and

10 (b) fifteen thousand dollars (\$15,000)  
11 to plan and design improvements to the acequia de las Canovas  
12 in Servilleta Plaza in Rio Arriba county, as identified in  
13 Subsection 10 of Section 27 of that chapter;

14 (7) to the local government division of the  
15 department of finance and administration:

16 (a) forty-five thousand two hundred  
17 dollars (\$45,200) to plan, design, purchase, install and  
18 construct equipment for organic farming initiatives in the  
19 South Valley area in Bernalillo county, as identified in  
20 Subsection 2 of Section 28 of that chapter;

21 (b) one hundred thousand dollars  
22 (\$100,000) to plan, design, renovate and construct  
23 infrastructure improvements, including turf replacement, at the  
24 Altamont little league park and fields in Bernalillo county, as  
25 identified in Subsection 3 of Section 28 of that chapter;

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1 (c) seventy-three thousand nine hundred  
2 twenty dollars (\$73,920) to plan, design, construct, furnish  
3 and equip improvements to the Amistad youth crisis center in  
4 the South Valley area of Bernalillo county, as identified in  
5 Subsection 4 of Section 28 of that chapter;

6 (d) ten thousand dollars (\$10,000) to  
7 construct, purchase and install fencing and furnishings for the  
8 East Mountain little league in Bernalillo county, as identified  
9 in Subsection 7 of Section 28 of that chapter;

10 (e) two hundred ten thousand dollars  
11 (\$210,000) to plan, design, improve, construct and equip fields  
12 at the Swede Scholer regional recreational complex in  
13 Bernalillo county, as identified in Subsection 11 of Section 28  
14 of that chapter;

15 (f) one hundred sixty thousand dollars  
16 (\$160,000) to plan, design and construct infrastructure,  
17 including water, sewer, electricity and roads, at the South  
18 Valley commons in Bernalillo county, as identified in  
19 Subsection 13 of Section 28 of that chapter;

20 (g) fifty-five thousand dollars  
21 (\$55,000) to plan, design, purchase, construct and equip a food  
22 hub and manufacturing facility in the South Valley of  
23 Bernalillo county, as identified in Subsection 14 of Section 28  
24 of that chapter;

25 (h) fifty-five thousand dollars

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1 (\$55,000) to purchase vehicles and equipment for the commercial  
2 driver's license training program in Albuquerque in Bernalillo  
3 county, as identified in Subsection 23 of Section 28 of that  
4 chapter;

5 (i) one hundred six thousand dollars  
6 (\$106,000) to purchase, install and construct shade structures  
7 to cover bleachers at Paradise Hills little league fields in  
8 Albuquerque in Bernalillo county, as identified in Subsection  
9 46 of Section 28 of that chapter;

10 (j) forty-one thousand dollars (\$41,000)  
11 to purchase and install radio and media equipment and  
12 information technology, including related furniture and  
13 infrastructure, in the South Valley area in Albuquerque in  
14 Bernalillo county, as identified in Subsection 77 of Section 28  
15 of that chapter;

16 (k) one hundred seventy-three thousand  
17 six hundred dollars (\$173,600) to design, renovate, construct,  
18 equip, purchase and install final phase interior and exterior  
19 improvements to facilities and grounds at the transitional  
20 living and recovery center in Bernalillo county, as identified  
21 in Subsection 79 of Section 28 of that chapter;

22 (l) sixty-five thousand dollars  
23 (\$65,000) to purchase and install furniture, equipment and  
24 information technology, including related infrastructure, and  
25 to plan, design, construct, renovate and equip an indoor-

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1 outdoor playground and facility improvements for a program for  
2 abused and neglected children in Albuquerque in Bernalillo  
3 county, as identified in Subsection 80 of Section 28 of that  
4 chapter;

5 (m) forty thousand dollars (\$40,000) to  
6 plan, design, construct and furnish improvements to a youth  
7 crisis center in the South Valley in Albuquerque in Bernalillo  
8 county, as identified in Subsection 83 of Section 28 of that  
9 chapter;

10 (n) fifty-five thousand dollars  
11 (\$55,000) to renovate and restore the historic downtown Lyceum  
12 theater and to acquire buildings and plan, design, renovate and  
13 equip property adjacent to the theater for a performing arts  
14 and multiuse facility in Clovis in Curry county, as identified  
15 in Subsection 100 of Section 28 of that chapter;

16 (o) four hundred two thousand dollars  
17 (\$402,000) to plan, design, construct, furnish and equip a  
18 facility and related infrastructure to be owned by Las Cruces  
19 in Dona Ana county for film, digital media and entertainment  
20 arts production, as identified in Subsection 114 of Section 28  
21 of that chapter;

22 (p) twenty-five thousand dollars  
23 (\$25,000) to plan, design and construct improvements to the  
24 museums in Las Cruces in Dona Ana county, as identified in  
25 Subsection 121 of Section 28 of that chapter;

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1 (q) twenty-five thousand dollars  
2 (\$25,000) to plan, design and construct phase 1 of a primary  
3 health care clinic, including infrastructure and a solar array,  
4 for the Anton Chico land grant in Guadalupe county, as  
5 identified in Subsection 138 of Section 28 of that chapter;

6 (r) seventy thousand eight hundred ten  
7 dollars (\$70,810) to purchase and install storage buildings and  
8 to plan, design, construct and renovate facilities, including  
9 electrical, mechanical, plumbing, safety and accessibility  
10 improvements, at a residential care facility serving  
11 developmentally disabled adults in Carrizozo in Lincoln county,  
12 as identified in Subsection 151 of Section 28 of that chapter;

13 (s) thirty-two thousand five hundred  
14 dollars (\$32,500) to plan, design and construct improvements to  
15 the Sixteen Springs schoolhouse for the Sacramento mountains  
16 historical society and pioneer village in Cloudcroft in Otero  
17 county, as identified in Subsection 164 of Section 28 of that  
18 chapter;

19 (t) four thousand dollars (\$4,000) to  
20 purchase, equip and install a sound system, including  
21 accessories, for the Sacramento mountains historical society  
22 museum in Cloudcroft in Otero county, as identified in  
23 Subsection 165 of Section 28 of that chapter;

24 (u) twenty thousand dollars (\$20,000) to  
25 purchase a van for disabled veterans' transportation services

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1 in Espanola in Rio Arriba county, as identified in Subsection  
2 179 of Section 28 of that chapter;

3 (v) seventy thousand dollars (\$70,000)  
4 to plan, design, repair and construct improvements to the fire  
5 department and multipurpose facility in Cochiti Lake in  
6 Sandoval county, as identified in Subsection 194 of Section 28  
7 of that chapter;

8 (w) ninety thousand dollars (\$90,000) to  
9 plan, design, renovate and construct improvements to the  
10 historic Jemez Springs bathhouse in Jemez Springs in Sandoval  
11 county, as identified in Subsection 199 of Section 28 of that  
12 chapter;

13 (x) twenty-five thousand dollars  
14 (\$25,000) to equip and furnish the building and to purchase and  
15 install information technology, including related equipment,  
16 furniture and infrastructure, in the Agua Fria association  
17 water board office building in the Agua Fria area of Santa Fe  
18 county, as identified in Subsection 205 of Section 28 of that  
19 chapter;

20 (y) fifty thousand dollars (\$50,000) to  
21 plan, design and construct improvements and roof replacement in  
22 the Agua Fria association water board office building in the  
23 Agua Fria area of Santa Fe county, as identified in Subsection  
24 206 of Section 28 of that chapter;

25 (z) thirty thousand dollars (\$30,000) to

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1 plan, design, construct, purchase and install a heating,  
2 ventilation and air conditioning system for the boys and girls  
3 club in Santa Fe in Santa Fe county, as identified in  
4 Subsection 210 of Section 28 of that chapter; and

5 (aa) thirty thousand dollars (\$30,000)  
6 to plan, design and construct improvements, including the  
7 purchase and installation of playground equipment and surfaces,  
8 at boys and girls club facilities in Santa Fe in Santa Fe  
9 county, as identified in Subsection 211 of Section 28 of that  
10 chapter;

11 (8) to the department of transportation:

12 (a) one hundred twenty-five thousand  
13 three hundred seventy-six dollars (\$125,376) to plan, design  
14 and construct improvements to Carbon Coal road in McKinley  
15 county, as identified in Subsection 45 of Section 33 of that  
16 chapter;

17 (b) twenty-five thousand dollars  
18 (\$25,000) to acquire rights of way and to design and construct  
19 improvements to McKinley county road 16, also known as Sundance  
20 Coal Mine road, for the Churchrock chapter of the Navajo Nation  
21 in McKinley county, as identified in Subsection 46 of Section  
22 33 of that chapter; and

23 (c) twenty-five thousand dollars  
24 (\$25,000) to plan and design safety and drainage improvements  
25 and a bridge for United States highway 491 in the Sanostee

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1 chapter of the Navajo Nation in San Juan county, as identified  
2 in Subsection 55 of Section 33 of that chapter;

3 (9) to the board of regents of New Mexico  
4 military institute, two hundred thirty-eight thousand dollars  
5 (\$238,000) to plan, design, construct, demolish and equip the  
6 Stapp field military parade review stand, including seating and  
7 accessibility and electrical upgrades, at New Mexico military  
8 institute in Roswell in Chaves county, as identified in  
9 Subsection 2 of Section 37 of that chapter; and

10 (10) to the board of regents of northern New  
11 Mexico state school, sixty thousand dollars (\$60,000) to design  
12 and construct public restrooms, a mechanical room and a portal  
13 and to renovate and improve the parking lot east of the vendor  
14 plaza for the Espanola farmers' market on land owned by  
15 northern New Mexico state school in Espanola in Rio Arriba  
16 county, as identified in Subsection 2 of Section 40 of that  
17 chapter.

18 D. Notwithstanding the requirements for reversion  
19 in Laws 2015, Chapter 147, the unexpended or unencumbered  
20 balances remaining up to the amounts specified of severance tax  
21 bond proceeds reauthorized in Laws 2015, Chapter 147 for the  
22 following described projects under the control of the following  
23 agencies shall not be expended for the original or reauthorized  
24 purposes but may be expended as provided in Subsection F of  
25 this section:

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1 (1) to the public education department, fifty  
2 thousand dollars (\$50,000) reauthorized by Section 44 of that  
3 chapter to plan, design, purchase, construct, renovate and  
4 equip a multipurpose facility for tri-county youth and their  
5 families in the Moriarty-Edgewood school district in Torrance  
6 and Santa Fe counties;

7 (2) to the Indian affairs department:

8 (a) one hundred fifty thousand dollars  
9 (\$150,000) reauthorized by Section 38 of that chapter to plan,  
10 design and construct a power line extension in the Tohatchi  
11 chapter of the Navajo Nation in McKinley county; and

12 (b) fifty thousand dollars (\$50,000)  
13 reauthorized by Section 40 of that chapter to construct,  
14 purchase and install a warehouse facility in the Tohatchi  
15 chapter of the Navajo Nation in McKinley county;

16 (3) to the local government division of the  
17 department of finance and administration:

18 (a) ninety-three thousand seven hundred  
19 ninety dollars (\$93,790) reauthorized by Section 3 of that  
20 chapter to purchase and install equipment at a county facility  
21 in Bernalillo county;

22 (b) one hundred thousand dollars  
23 (\$100,000) reauthorized by Section 30 of that chapter for  
24 improvements, including tile and roof replacement, to the  
25 community pantry in Gallup in McKinley county;

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1 (c) fifty thousand dollars (\$50,000)  
2 reauthorized by Section 43 of that chapter to plan, design and  
3 construct a high-speed broadband infrastructure network into  
4 Bernalillo and Sandoval counties and rural northern New Mexico  
5 to integrate with the existing regional economic development  
6 initiative net open access network in north central New Mexico;

7 (d) seventy-five thousand dollars  
8 (\$75,000) reauthorized by Section 48 of that chapter for  
9 information technology for a residential substance abuse  
10 treatment and recovery program in Velarde in Rio Arriba county;  
11 and

12 (e) forty-five thousand dollars  
13 (\$45,000) reauthorized by Section 70 of that chapter to plan,  
14 design, construct and repair facilities, including the heating,  
15 ventilation and air conditioning system, and constructing and  
16 renovating security lighting, parking lots and sidewalks at the  
17 Alto street medical center clinic in Santa Fe in Santa Fe  
18 county; and

19 (4) to the department of transportation,  
20 thirty-five thousand dollars (\$35,000) reauthorized by Section  
21 28 of that chapter to plan, design and construct the south loop  
22 road around Carlsbad in Eddy county.

23 E. Notwithstanding the requirements for reversion  
24 in Laws 2016 (2nd S.S.), Chapter 5, seven million dollars  
25 (\$7,000,000) of the unexpended or unencumbered balance

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1 remaining of severance tax bond proceeds authorized or  
2 appropriated in Subsection D of Section 3 of Chapter 5 of Laws  
3 2016 (2nd S.S.) to the economic development department for  
4 local economic development projects statewide shall not be  
5 expended for the original purpose but may be expended as  
6 provided in Subsection F of this section.

7 F. Upon certification by the secretary of finance  
8 and administration of the need to use proceeds from severance  
9 tax bonds authorized in Subsections A through E of this section  
10 to restore the allotments from the general fund for capital  
11 project appropriations whose expenditure periods end on or  
12 before June 30, 2016, the board of finance division of the  
13 department of finance and administration shall transfer those  
14 proceeds to the general fund for that use by the department in  
15 fiscal year 2017.

16 SECTION 2. SEVERANCE TAX BONDS--VOID AUTHORIZATIONS FOR  
17 ISSUANCE OF BONDS.--

18 A. Notwithstanding the requirements for reversion  
19 in Laws 2015 (1st S.S.), Chapter 3, the authorization for each  
20 of the following described projects under the control of the  
21 following agencies in Laws 2015 (1st S.S.), Chapter 3 is void  
22 to the extent that severance tax bonds have not been issued for  
23 the project:

24 (1) to the capital program fund, thirty-five  
25 thousand dollars (\$35,000) to plan, design and construct a

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1 civil rights museum and a library for the Martin Luther King,  
2 Jr. commission in Albuquerque in Bernalillo county, as  
3 identified in Subsection 3 of Section 6 of that chapter;

4 (2) to the public education department, one  
5 hundred thousand dollars (\$100,000) to acquire land for  
6 Technology Leadership high school in Bernalillo county, as  
7 identified in Subsection 18 of Section 15 of that chapter;

8 (3) to the department of environment:

9 (a) ninety thousand dollars (\$90,000) to  
10 plan, design, construct, purchase and install improvements,  
11 including a water tank and supervisory control and data  
12 acquisition system connection, to the water system for Lake  
13 Arthur in Chaves county, as identified in Subsection 5 of  
14 Section 20 of that chapter; and

15 (b) fifty thousand dollars (\$50,000) to  
16 plan, design and construct a water storage tank for the Tierra  
17 Amarilla mutual domestic water association in Rio Arriba  
18 county, as identified in Subsection 45 of Section 20 of that  
19 chapter;

20 (4) to the Indian affairs department, one  
21 hundred thousand dollars (\$100,000) to plan, design and  
22 construct a new chapter house for the Lake Valley chapter of  
23 the Navajo Nation in San Juan county, as identified in  
24 Subsection 40 of Section 25 of that chapter;

25 (5) to the interstate stream commission:

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1 (a) thirty thousand dollars (\$30,000) to  
2 plan, design and construct improvements to the Hormigoso,  
3 Tecolotito, Ranchitos, Anton Chico and Vado de Juan Paiz  
4 acequias in Guadalupe county, as identified in Subsection 2 of  
5 Section 27 of that chapter;

6 (b) twenty thousand dollars (\$20,000) to  
7 repair and restore the acequia de la Otra Vanda in Rio Arriba  
8 county, as identified in Subsection 6 of Section 27 of that  
9 chapter;

10 (c) ten thousand dollars (\$10,000) to  
11 plan, design and construct improvements to the diversion dam  
12 and ditch, including headgates and mechanisms, for the San Jose  
13 de Hernandez community ditch in Hernandez in Rio Arriba county,  
14 as identified in Subsection 12 of Section 27 of that chapter;

15 (d) thirty thousand dollars (\$30,000) to  
16 plan, design and construct improvements to the Sanchez, Lucero,  
17 Trujillo acequia north of Ojo Caliente in Rio Arriba county, as  
18 identified in Subsection 8 of Section 27 of that chapter;

19 (e) ten thousand dollars (\$10,000) to  
20 plan, design and construct improvements to and repair and  
21 install headgates for the southside acequia Madre in Villanueva  
22 in San Miguel county, as identified in Subsection 18 of Section  
23 27 of that chapter;

24 (f) twenty-five thousand dollars  
25 (\$25,000) to plan, design and construct improvements to the

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1 acequia Madre de Las Vegas in San Miguel county, as identified  
2 in Subsection 16 of Section 27 of that chapter;

3 (g) twenty-five thousand dollars  
4 (\$25,000) to plan, design, construct and install phase 2  
5 improvements to the San Augustin community ditch in San Miguel  
6 county, as identified in Subsection 15 of Section 27 of that  
7 chapter;

8 (h) thirty thousand dollars (\$30,000) to  
9 plan, design, construct and equip improvements to the acequia  
10 de La Cienega at camino Capilla Vieja in Santa Fe county, as  
11 identified in Subsection 24 of Section 27 of that chapter; and

12 (i) one hundred thousand dollars  
13 (\$100,000) to plan, design, renovate, construct, purchase and  
14 equip improvements to El Guicu ditch in the La Cienega area in  
15 Santa Fe county, as identified in Subsection 22 of Section 27  
16 of that chapter; and

17 (6) to the local government division of the  
18 department of finance and administration:

19 (a) one hundred twenty-three thousand  
20 dollars (\$123,000) to plan, design, construct, equip and  
21 furnish improvements and information technology, including  
22 related equipment, furniture and infrastructure, at a community  
23 development agency in Bernalillo county, as identified in  
24 Subsection 6 of Section 28 of that chapter;

25 (b) fifty thousand dollars (\$50,000) to

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1 furnish and equip and to purchase and install information  
2 technology, including related equipment, furniture and  
3 infrastructure, for a center serving homeless, formerly  
4 incarcerated women in Albuquerque in Bernalillo county, as  
5 identified in Subsection 73 of Section 28 of that chapter;

6 (c) eleven thousand dollars (\$11,000) to  
7 plan and design the New Mexico civil justice center in  
8 Albuquerque in Bernalillo county, as identified in Subsection  
9 75 of Section 28 of that chapter;

10 (d) fifty-five thousand dollars  
11 (\$55,000) to plan, design, purchase and install safety and  
12 security equipment for the Roosevelt general hospital in the  
13 Roosevelt county special hospital district in Roosevelt county,  
14 as identified in Subsection 184 of Section 28 of that chapter;  
15 and

16 (e) twenty-five thousand dollars  
17 (\$25,000) to plan, design, construct and equip a records  
18 storage vault for voter registration documents for the county  
19 clerk's office in Roosevelt county, as identified in Subsection  
20 182 of Section 28 of that chapter.

21 B. Notwithstanding the requirements for reversion  
22 in Laws 2016, Chapter 81, the authorization for each of the  
23 following described projects under the control of the following  
24 agencies in Laws 2016, Chapter 81 is void to the extent that  
25 severance tax bonds have not been issued for the project:

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1 (1) to the public education department:

2 (a) thirty-five thousand two hundred  
3 seventy-eight dollars (\$35,278) to plan, design, construct,  
4 furnish and equip improvements, including the purchase and  
5 installation of information technology and related equipment,  
6 furniture and infrastructure, for the head start program in the  
7 West Las Vegas public school district in San Miguel county, as  
8 identified in Subsection 178 of Section 14 of that chapter;

9 (b) fifty-five thousand dollars  
10 (\$55,000) to purchase and equip a bus for the special Olympics  
11 program in the West Las Vegas public school district in San  
12 Miguel county, as identified in Subsection 180 of Section 14 of  
13 that chapter;

14 (c) forty-five thousand dollars  
15 (\$45,000) to plan, design and construct improvements to the  
16 Nambe head start facility in the Pojoaque Valley public school  
17 district in Santa Fe county, as identified in Subsection 186 of  
18 Section 14 of that chapter;

19 (d) one hundred thousand dollars  
20 (\$100,000) to plan, design, construct, purchase and install  
21 bleachers for the gymnasium in Los Lunas middle school in the  
22 Los Lunas public school district in Valencia county, as  
23 identified in Subsection 204 of Section 14 of that chapter; and

24 (e) one hundred thousand dollars  
25 (\$100,000) to plan, design, construct, purchase and install

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1 bleachers at Valencia high school in the Los Lunas public  
2 school district in Valencia county, as identified in Subsection  
3 205 of Section 14 of that chapter;

4 (2) to the department of environment:

5 (a) three million dollars (\$3,000,000)  
6 to plan, design and construct a wastewater system for the Flora  
7 Vista mutual domestic water association in San Juan county, as  
8 identified in Subsection 55 of Section 18 of that chapter;

9 (b) one hundred twenty-five thousand  
10 dollars (\$125,000) to plan, design and construct phase 2 water  
11 system improvements and remediation in Placitas in Sandoval  
12 county, as identified in Subsection 68 of Section 18 of that  
13 chapter;

14 (c) one hundred thousand dollars  
15 (\$100,000) to plan, design and construct a water well, water  
16 storage tanks, water lines and a building, including purchase  
17 and installation of related equipment, in Placitas in Sandoval  
18 county, as identified in Subsection 69 of Section 18 of that  
19 chapter; and

20 (d) twenty thousand dollars (\$20,000) to  
21 plan, design, construct and renovate the Llano Quemado mutual  
22 domestic water consumers association water system, including  
23 water lines, a water tank and a well, in Llano Quemado in Taos  
24 county, as identified in Subsection 80 of Section 18 of that  
25 chapter;

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(3) to the Indian affairs department:

(a) seventy-five thousand dollars (\$75,000) to plan, design and construct a skateboard and recreational park, including purchase and installation of furnishings and equipment, in the To'hajiilee chapter of the Navajo Nation in Bernalillo county, as identified in Subsection 2 of Section 20 of that chapter;

(b) eighty-five thousand dollars (\$85,000) to construct and renovate the rehabilitation center in the Coyote Canyon chapter of the Navajo Nation in McKinley county, as identified in Subsection 9 of Section 20 of that chapter;

(c) two hundred thousand dollars (\$200,000) to plan, design and construct a water well and system improvements to Red Willow farm in the Tohatchi chapter of the Navajo Nation in McKinley county, as identified in Subsection 17 of Section 20 of that chapter; and

(d) ninety thousand dollars (\$90,000) to plan, design and construct a dam on the San Francisco arroyo in the Pueblo of San Felipe in Sandoval county, as identified in Subsection 43 of Section 20 of that chapter;

(4) to the local government division of the department of finance and administration:

(a) thirty thousand dollars (\$30,000) to plan, design and construct a low-income community health

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1 facility in Albuquerque in Bernalillo county, as identified in  
2 Subsection 29 of Section 22 of that chapter;

3 (b) one hundred thousand dollars  
4 (\$100,000) to plan, design, construct, renovate and equip  
5 family services facilities, including the purchase and  
6 installation of sensory integration habitat and information  
7 technology and related equipment, furniture and infrastructure,  
8 in Bernalillo county, as identified in Subsection 48 of Section  
9 22 of that chapter;

10 (c) seventy-five thousand dollars  
11 (\$75,000) to plan, design and construct building improvements  
12 to the Wheels museum in Albuquerque in Bernalillo county, as  
13 identified in Subsection 56 of Section 22 of that chapter;

14 (d) one hundred twenty thousand dollars  
15 (\$120,000) to plan, design, construct, furnish and equip a  
16 building for the fire department for the Chilili land grant in  
17 Bernalillo county, as identified in Subsection 58 of Section 22  
18 of that chapter;

19 (e) four hundred eighty-eight thousand  
20 eight hundred twenty-two dollars (\$488,822) to plan, design and  
21 construct roof and structural repairs to buildings at the  
22 Roswell international air center in Roswell in Chaves county,  
23 as identified in Subsection 64 of Section 22 of that chapter;

24 (f) seventy thousand dollars (\$70,000)  
25 to repair the foundation of the walk-in freezer and cooler at a

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1 regional food bank in Clovis in Curry county, as identified in  
2 Subsection 75 of Section 22 of that chapter;

3 (g) two hundred eighty thousand seven  
4 hundred thirty-five dollars (\$280,735) to purchase and install  
5 electronic records information technology, including related  
6 furniture, equipment and infrastructure, for a behavioral  
7 health services program in Las Cruces in Dona Ana county, as  
8 identified in Subsection 92 of Section 22 of that chapter;

9 (h) seventy-five thousand dollars  
10 (\$75,000) to purchase and equip a dump truck for the Carlsbad  
11 irrigation district in Carlsbad in Eddy county, as identified  
12 in Subsection 103 of Section 22 of that chapter;

13 (i) twenty-five thousand dollars  
14 (\$25,000) to plan, design, construct, purchase and install  
15 improvements to the Capitan depot museum, including the  
16 perimeter and entry, in Capitan in Lincoln county, as  
17 identified in Subsection 123 of Section 22 of that chapter;

18 (j) fifty thousand dollars (\$50,000) to  
19 purchase and equip an ambulance in Mora county, as identified  
20 in Subsection 141 of Section 22 of that chapter;

21 (k) twenty-five thousand six hundred  
22 dollars (\$25,600) to plan, design and construct a fence,  
23 including gates, around the Sacramento Mountains museum in  
24 Cloudcroft in Otero county, as identified in Subsection 149 of  
25 Section 22 of that chapter;

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1                                   (1) thirty-five thousand dollars  
2 (\$35,000) to plan, design and construct an addition to the tack  
3 barn at the Sacramento Mountains museum in Cloudcroft in Otero  
4 county, as identified in Subsection 150 of Section 22 of that  
5 chapter;

6                                   (m) sixteen thousand dollars (\$16,000)  
7 to purchase and equip a vehicle for the disabled American  
8 veterans chapter 22 in Espanola in Rio Arriba county, as  
9 identified in Subsection 159 of Section 22 of that chapter;

10                                  (n) one hundred fourteen thousand seven  
11 hundred fifty-nine dollars (\$114,759) to purchase and equip a  
12 dump truck and trailer for the San Juan river Dineh water users  
13 on the Navajo Nation in Shiprock in San Juan county, as  
14 identified in Subsection 166 of Section 22 of that chapter;

15                                  (o) fifteen thousand dollars (\$15,000)  
16 to plan, design, construct and renovate the exhibit hall roof  
17 and insulation, including the purchase and installation of  
18 related equipment, at the San Miguel county fairgrounds in San  
19 Miguel county, as identified in Subsection 167 of Section 22 of  
20 that chapter;

21                                  (p) eighty-four thousand dollars  
22 (\$84,000) to plan, design and construct a retaining wall at La  
23 Comunidad de los Ninos head start center in Santa Fe in Santa  
24 Fe county, as identified in Subsection 197 of Section 22 of  
25 that chapter;

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1 (q) seventy-eight thousand dollars  
2 (\$78,000) to purchase and install equipment for the dance barns  
3 facility in Santa Fe in Santa Fe county, as identified in  
4 Subsection 198 of Section 22 of that chapter; and

5 (r) two hundred thirty thousand dollars  
6 (\$230,000) to plan, design, renovate, construct, improve and  
7 equip a facility for a meals program serving homebound and  
8 special needs individuals in Santa Fe in Santa Fe county, as  
9 identified in Subsection 199 of Section 22 of that chapter; and

10 (5) to the department of transportation, three  
11 hundred thousand dollars (\$300,000) to plan, design and  
12 construct improvements to the roads and sidewalks in Roswell in  
13 Chaves county, as identified in Subsection 16 of Section 24 of  
14 that chapter.

15 **SECTION 3. REVERSION OF BALANCES TO STATE FUNDS.--**

16 Notwithstanding the requirements for reversion in Laws 2015  
17 (1st S.S.), Chapter 3, the total unexpended and unencumbered  
18 balances of appropriations made in Laws 2015 (1st S.S.),  
19 Chapter 3, Sections 59 and 60 shall not be expended for those  
20 appropriations' original purposes but shall revert on the  
21 effective date of this act to the originating funds.

22 **SECTION 4. Section 7-27-10.1 NMSA 1978 (being Laws 2003,**  
23 **Chapter 134, Section 1, as amended) is amended to read:**

24 "7-27-10.1. BONDING CAPACITY--AUTHORIZATION FOR SEVERANCE  
25 TAX BONDS--PRIORITY FOR WATER PROJECTS AND TRIBAL

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1 INFRASTRUCTURE PROJECTS.--

2 A. By January 15 of each year, the division shall  
3 estimate the amount of bonding capacity available for severance  
4 tax bonds to be authorized by the legislature.

5 B. For each year except 2017, the division shall  
6 allocate nine percent of the estimated bonding capacity [~~each~~]  
7 for that year for water projects, and the legislature  
8 authorizes the state board of finance to issue severance tax  
9 bonds in the annually allocated amount for use by the water  
10 trust board to fund water projects statewide. The water trust  
11 board shall certify to the state board of finance the need for  
12 issuance of bonds for water projects. The state board of  
13 finance may issue and sell the bonds in the same manner as  
14 other severance tax bonds in an amount not to exceed the  
15 authorized amount provided for in this subsection. If  
16 necessary, the state board of finance shall take the  
17 appropriate steps to comply with the federal Internal Revenue  
18 Code of 1986, as amended. Proceeds from the sale of the bonds  
19 are appropriated to the water project fund in the New Mexico  
20 finance authority for the purposes certified by the water trust  
21 board to the state board of finance.

22 C. The division shall allocate the following  
23 [~~percentages~~] percentage of the estimated bonding capacity for  
24 tribal infrastructure projects:

25 (1) in 2016, six and one-half percent; and

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1                   (2) in [~~2017~~] 2018 and each subsequent year,  
2 four and one-half percent.

3                   D. The legislature authorizes the state board of  
4 finance to issue severance tax bonds in the amount [~~allocated~~  
5 ~~pursuant to~~] provided for in this section for use by the tribal  
6 infrastructure board to fund tribal infrastructure projects.  
7 The tribal infrastructure board shall certify to the state  
8 board of finance the need for issuance of bonds for tribal  
9 infrastructure projects. The state board of finance may issue  
10 and sell the bonds in the same manner as other severance tax  
11 bonds in an amount not to exceed the authorized amount provided  
12 for in this [~~subsection~~] section. If necessary, the state  
13 board of finance shall take the appropriate steps to comply  
14 with the federal Internal Revenue Code of 1986, as amended.  
15 Proceeds from the sale of the bonds are appropriated to the  
16 tribal infrastructure project fund for the purposes certified  
17 by the tribal infrastructure board to the state board of  
18 finance.

19                   E. Money from the severance tax bonds provided for  
20 in this section shall not be used to pay indirect project  
21 costs. Any unexpended balance from proceeds of severance tax  
22 bonds issued for a water project or a tribal infrastructure  
23 project shall revert to the severance tax bonding fund within  
24 six months [~~of~~] after completion of the project. The New  
25 Mexico finance authority shall monitor and ensure proper

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1 reversions of the bond proceeds appropriated for water  
2 projects, and the department of finance and administration  
3 shall monitor and ensure proper reversions of the bond proceeds  
4 appropriated for tribal infrastructure projects.

5 F. As used in this section:

6 (1) "division" means the board of finance  
7 division of the department of finance and administration;

8 (2) "tribal infrastructure project" means a  
9 qualified project under the Tribal Infrastructure Act; and

10 (3) "water project" means a capital outlay  
11 project for:

12 (a) the storage, conveyance or delivery  
13 of water to end users;

14 (b) the implementation of federal  
15 Endangered Species Act of 1973 collaborative programs;

16 (c) the restoration and management of  
17 watersheds;

18 (d) flood prevention; or

19 (e) conservation, recycling, treatment  
20 or reuse of water."

21 SECTION 5. Section 7-27-12.5 NMSA 1978 (being Laws 2010,  
22 Chapter 10, Section 9, as amended) is amended to read:

23 "7-27-12.5. AUTHORIZATION FOR SEVERANCE TAX BONDS--  
24 PRIORITY FOR INFRASTRUCTURE PROJECTS FOR COLONIAS.--

25 A. After the [~~annual estimate~~] board of finance

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1 division of the department of finance and administration  
2 estimates the amount of severance tax bonding capacity  
3 [~~pursuant to~~] in accordance with Subsection A of Section  
4 7-27-10.1 NMSA 1978, the [~~board of finance~~] division [~~of the~~  
5 ~~department of finance and administration~~] shall allocate the  
6 following [~~percentages~~] percentage of the estimated bonding  
7 capacity for colonias infrastructure projects:

8 (1) in 2016, six and one-half percent; and

9 (2) in [~~2017~~] 2018 and each subsequent year,  
10 four and one-half percent.

11 B. The legislature authorizes the state board of  
12 finance to issue severance tax bonds in the amount [~~allocated~~  
13 ~~pursuant to~~] provided for in this section for use by the  
14 colonias infrastructure board to fund [~~the~~] colonias  
15 infrastructure projects. The colonias infrastructure board  
16 shall certify to the state board of finance the need for  
17 issuance of bonds for colonias infrastructure projects. The  
18 state board of finance may issue and sell the bonds in the same  
19 manner as other severance tax bonds in an amount not to exceed  
20 the authorized amount provided for in this subsection. If  
21 necessary, the state board of finance shall take the  
22 appropriate steps to comply with the federal Internal Revenue  
23 Code of 1986, as amended. Proceeds from the sale of the bonds  
24 are appropriated to the colonias infrastructure project fund  
25 for the purposes certified by the colonias infrastructure board

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1 to the state board of finance.

2 C. Money from the severance tax bonds provided for  
3 in this section shall not be used to pay indirect project  
4 costs. Any unexpended balance from proceeds of severance tax  
5 bonds issued for a colonias infrastructure project shall revert  
6 to the severance tax bonding fund within six months ~~[of]~~ after  
7 completion of the project. The colonias infrastructure board  
8 shall monitor and ensure proper reversions of the bond proceeds  
9 appropriated for the projects.

10 D. As used in this section, "colonias  
11 infrastructure project" means a qualified project under the  
12 Colonias Infrastructure Act."

13 SECTION 6. SEVERANCE TAX BOND PROCEEDS--2017 ALLOCATION  
14 FOR WATER RIGHTS ADJUDICATION--APPROPRIATION.--

15 A. The board of finance division of the department  
16 of finance and administration shall, for 2017, allocate that  
17 percentage of estimated severance tax bonding capacity for 2017  
18 equal to the amount defined in Subsection B of this section to  
19 the agencies and for the purposes listed in Subsection C of  
20 this section. The state board of finance shall issue and sell  
21 severance tax bonds in that amount as expeditiously and  
22 economically as possible and take the appropriate steps  
23 necessary to comply with the federal Internal Revenue Code of  
24 1986, as amended.

25 B. The percentage of estimated bonding capacity for  
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1 2017 allocated and the amount of severance tax bonds issued in  
2 accordance with Subsection A of this section is equal to the  
3 difference between:

4 (1) the amount the state engineer and the  
5 administrative office of the courts would receive in fiscal  
6 year 2018 in accordance with Section 72-4A-9 NMSA 1978 if nine  
7 percent of severance tax bonding capacity were allocated for  
8 water projects in 2017; and

9 (2) the amount dedicated in fiscal year 2018  
10 in accordance with Section 72-4A-9 NMSA 1978 to the state  
11 engineer and to the administrative office of the courts.

12 C. Proceeds from the sale of the bonds issued in  
13 accordance with Subsection A of this section are appropriated  
14 for expenditure in fiscal year 2018 and subsequent fiscal years  
15 as follows:

16 (1) eighty percent to the state engineer for  
17 water rights adjudications; and

18 (2) twenty percent to the administrative  
19 office of the courts for the courts' costs associated with  
20 those adjudications.

21 SECTION 7. ISSUANCE OF SEVERANCE TAX BONDS--APPROPRIATION  
22 TO THE GENERAL FUND.--

23 A. In fiscal year 2017, in addition to the bonds  
24 issued in accordance with Section 7-27-14 NMSA 1978 and  
25 notwithstanding the limitations of that section, the state

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1 board of finance shall, in accordance with the Severance Tax  
2 Bonding Act, issue and sell severance tax bonds when the  
3 secretary of finance and administration certifies the need for  
4 and the amount of the bonds. The secretary shall certify the  
5 need for those bonds in an amount equal to the amount that  
6 would be issued if the suspensions effected by Sections 4 and 5  
7 of this 2017 act were not in effect, minus the amount of  
8 severance tax bonds issued in accordance with Section 6 of this  
9 2017 act.

10 B. The state board of finance shall issue and sell  
11 bonds as required by Subsection A of this section as  
12 expeditiously and economically as possible and take the  
13 appropriate steps necessary to comply with the federal Internal  
14 Revenue Code of 1986, as amended.

15 C. Proceeds from the sale of bonds issued in  
16 accordance with Subsection A of this section are appropriated  
17 to the general fund. The board of finance division of the  
18 department of finance and administration shall transfer the  
19 proceeds from that sale to the general fund for use by the  
20 department in fiscal year 2017 to restore the allotments from  
21 the general fund for capital project appropriations whose  
22 expenditure periods end on or before June 30, 2016.

23 SECTION 8. Section 15-3B-17 NMSA 1978 (being Laws 1972,  
24 Chapter 74, Section 4, as amended) is amended to read:

25 "15-3B-17. CAPITOL BUILDINGS REPAIR FUND--CREATION--  
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1 EXPENDITURES.--

2 A. The "capitol buildings repair fund" is created  
3 in the state treasury. To this fund shall be transferred,  
4 after payments required by Laws 1997, Chapter 178, Section 1 to  
5 the New Mexico finance authority, all income, including  
6 distributions from the land grant permanent fund derived from  
7 lands granted to the state by the United States congress for  
8 legislative, executive and judicial public buildings. Two  
9 percent of this fund shall be transferred annually to a "state  
10 capitol maintenance fund", hereby created, as a special  
11 perpetual fund for the upkeep and maintenance of the capitol  
12 renovation and capitol grounds.

13 B. The capitol buildings repair fund may be used to  
14 repair, remodel and equip capitol buildings and adjacent lands,  
15 to repair or replace building machinery and building equipment  
16 located in capitol buildings and to contract for options, no  
17 one of which costs more than ten thousand dollars (\$10,000), to  
18 purchase real estate [~~such real estate, if purchased~~] to be put  
19 to state use [~~provided that no more than ten thousand dollars~~  
20 ~~(\$10,000) shall be expended for any single option~~]. Any money  
21 used for consideration in acquiring an option to purchase real  
22 estate shall be applied against the purchase price of the real  
23 estate if the option is exercised. Except as provided in  
24 Section 9 of this 2017 act, no money shall be expended from the  
25 capitol buildings repair fund without authorization of the

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1 state board of finance.

2 C. In the event a capital outlay project exceeds  
3 authorized project cost by five percent or less, the state  
4 board of finance may authorize the division to supplement the  
5 authorized cost by an allocation not to exceed five percent of  
6 the authorized cost from the capitol buildings repair fund to  
7 the extent of the unencumbered and unexpended balance of the  
8 fund."

9 SECTION 9. TRANSFER TO THE GENERAL FUND--FISCAL YEAR  
10 2017.--Notwithstanding the prerequisite for authorization by  
11 the state board of finance set forth in Subsection B of Section  
12 15-3B-17 NMSA 1978, six million dollars (\$6,000,000) is  
13 transferred from the capitol buildings repair fund to the  
14 general fund for use by the department of finance and  
15 administration in fiscal year 2017 to restore the allotments  
16 from the general fund for appropriations whose expenditure  
17 periods end on or before June 30, 2016 and whose purposes the  
18 law allows for use of money in the capitol buildings repair  
19 fund.

20 SECTION 10. TEMPORARY PROVISION.--Promptly after the  
21 effective date of this act, the board of finance division of  
22 the department of finance and administration shall revise its  
23 2017 estimate of the amount of bonding capacity available for  
24 severance tax bonds authorized by the legislature.

25 SECTION 11. SEVERABILITY.--If, in this 2017 act, a  
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1 specific reversion, a voided authorization, a change in the use  
2 of severance tax bond proceeds or an authorization to expend  
3 severance tax bond proceeds is held invalid or otherwise cannot  
4 be effectuated, the remainder of the act and any other  
5 reversion, voided authorization, change in the use of severance  
6 tax bond proceeds or authorization to expend severance tax bond  
7 proceeds shall not be affected.

8 SECTION 12. EMERGENCY.--It is necessary for the public  
9 peace, health and safety that this act take effect immediately.