



The Legislature
of the
State of New Mexico

49th Legislature, First Session

LAWS 2009

CHAPTER 44

SENATE BILL 55

Introduced by

SENATOR MARY KAY PAPAN



FOR THE NEW MEXICO FINANCE AUTHORITY
OVERSIGHT COMMITTEE

CHAPTER 44

AN ACT

1
2 RELATING TO THE BORDER AUTHORITY; AMENDING POWERS AND DUTIES;
3 REMOVING RESTRICTIONS ON THE BORDER AUTHORITY'S POWER TO
4 OPERATE A PROJECT OR BUSINESS; INCREASING THE PURPOSE FOR
5 WHICH THE BORDER AUTHORITY MAY EXPEND FUNDS.

6
7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

8 Section 1. Section 58-27-1 NMSA 1978 (being Laws 1991,
9 Chapter 131, Section 1) is amended to read:

10 "58-27-1. SHORT TITLE.-- Chapter 58, Article 27 NMSA
11 1978 may be cited as the "Border Development Act"."

12 Section 2. Section 58-27-10 NMSA 1978 (being Laws 1991,
13 Chapter 131, Section 10, as amended) is amended to read:

14 "58-27-10. POWERS AND DUTIES OF AUTHORITY.--

15 A. The authority shall:

16 (1) advise the governor and the governor's
17 staff and the New Mexico finance authority oversight
18 committee on methods, proposals, programs and initiatives
19 involving the New Mexico-Chihuahua border area that may
20 further stimulate the border economy and provide additional
21 employment opportunities for New Mexico citizens;

22 (2) subject to the provisions of the Border
23 Development Act, initiate, develop, acquire, own, construct
24 and maintain border development projects;

25 (3) create programs to expand economic

1 opportunities beyond the New Mexico-Chihuahua border area to
2 other areas of the state;

3 (4) create avenues of communication between
4 New Mexico and Chihuahua and the Republic of Mexico
5 concerning economic development, trade and commerce,
6 transportation and industrial affairs;

7 (5) promote legislation that will further
8 the goals of the authority and development of the border
9 region;

10 (6) produce or cause to have produced
11 promotional literature related to explanation and fulfillment
12 of the authority's goals;

13 (7) actively recruit industries and
14 establish programs that will result in the location and
15 relocation of new industries in the state;

16 (8) coordinate and expedite the involvement
17 of the executive department's border area efforts; and

18 (9) perform or cause to be performed
19 environmental, transportation, communication, land use and
20 other technical studies necessary or advisable for projects
21 or programs or to secure port-of-entry approval by the United
22 States and the Mexican governments and other appropriate
23 governmental agencies.

24 B. The authority may:

25 (1) solicit and accept federal, state, local

1 and private grants of funds, property or financial or other
2 aid in any form for the purpose of carrying out the
3 provisions of the Border Development Act;

4 (2) adopt rules governing the manner in
5 which its business is transacted and the manner in which the
6 powers of the authority are exercised and its duties
7 performed;

8 (3) act as an applicant for and operator of
9 port-of-entry facilities and, as the applicant, carry out all
10 tasks and functions, including acquisition by purchase or
11 gift of any real property necessary for port-of-entry
12 facilities, acquisition by purchase, gift or construction of
13 any facilities or other real or personal property necessary
14 for a port of entry and filing all necessary documents and
15 follow-up of such filings with appropriate agencies;

16 (4) as part of a port of entry, give or
17 transfer real property, facilities and improvements owned by
18 the authority to the United States government;

19 (5) acquire by construction, purchase, gift
20 or lease projects that shall be located within the state;

21 (6) sell, lease or otherwise dispose of a
22 project upon terms and conditions acceptable to the authority
23 and in the best interests of the state;

24 (7) issue revenue bonds and borrow money for
25 the purpose of defraying the cost of acquiring a project by

1 purchase or construction and to secure the payment of the
2 bonds or repayment of a loan;

3 (8) expend funds or incur debt for the
4 improvement, maintenance, repair or addition to property
5 owned by the authority, the state or the United States
6 government; and

7 (9) refinance a project.

8 C. In exercising its authority, the authority
9 shall not incur debt as a general obligation of the state or
10 pledge the full faith and credit of the state to repay debt."=

Diane D. Denish

Diane D. Denish, President
Senate

Lenore M. Naranjo
Lenore M. Naranjo, Chief Clerk
Senate

Ben Lujan

Ben Lujan, Speaker
House of Representatives

Stephen R. Arias
Stephen R. Arias, Chief Clerk
House of Representatives

Approved by me this 31st day of March, 2009

Bill Richardson

Governor Bill Richardson
State of New Mexico

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