



The Legislature
of the
State of New Mexico

49th Legislature, 2nd Session

LAWS 2010

CHAPTER 46

HOUSE BILL 38, as amended

with emergency clause

EMERGENCY CLAUSE

Introduced by

REPRESENTATIVE PATRICIA A. LUNDSTROM

REPRESENTATIVES DANICE PICRAUX,
RICHARD D. VIGIL, RAY BEGAYE,
HENRY "KIKI" SAAVEDRA, JOHN A. HEATON,
ANTONIO LUJAN, DONALD E. BRATTON,
RHONDA S. KING, BRIAN F. EGOLF,
LARRY A. LARRAÑAGA, JONI MARIE GUTIERREZ,
JEANNETTE O. WALLACE, DON L. TRIPP AND
THOMAS A. GARCÍA AND SENATORS
MARY KAY PAPER AND NANCY RODRIGUEZ

FOR THE NEW MEXICO FINANCE AUTHORITY
OVERSIGHT COMMITTEE



1 AN ACT
2 RELATING TO FINANCE; AUTHORIZING THE NEW MEXICO FINANCE
3 AUTHORITY TO MAKE LOANS FOR PUBLIC PROJECTS FROM THE PUBLIC
4 PROJECT REVOLVING FUND; DECLARING AN EMERGENCY.
5

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

7 Section 1. AUTHORIZATION OF PROJECTS.--Pursuant to the
8 provisions of Section 6-21-6 NMSA 1978, the legislature
9 authorizes the New Mexico finance authority to make loans from
10 the public project revolving fund for public projects as
11 defined in Section 6-21-3 NMSA 1978. Pursuant to Section
12 6-21-6 NMSA 1978, loans of less than one million dollars
13 (\$1,000,000) do not require specific authorization and need
14 not be identified in this act. Authorization is given to the
15 New Mexico finance authority to make loans to the following
16 qualified entities on terms and conditions established by the
17 authority:

18 1. the city of Rio Rancho in Sandoval county for
19 equipment, building, infrastructure, land acquisition and
20 special assessment district projects;

21 2. Hidalgo county for equipment, building and
22 infrastructure projects;

23 3. the city of Raton in Colfax county for
24 building, equipment and infrastructure projects;

25 4. the north central solid waste authority in Rio

1 Arriba county for building, equipment, infrastructure, solid
2 waste and land acquisition projects;

3 5. the department of transportation for building,
4 equipment, infrastructure and land acquisition projects;

5 6. the southwest solid waste authority in Grant
6 county for debt refinancing, building, equipment and
7 infrastructure projects;

8 7. the board of regents of New Mexico state
9 university for building, equipment and infrastructure
10 projects;

11 8. San Miguel county for debt refinancing
12 projects;

13 9. the town of Estancia in Torrance county for
14 debt refinancing projects;

15 10. the board of regents of New Mexico state
16 university for the New Mexico department of agriculture for
17 building, equipment and infrastructure projects;

18 11. the city of Deming in Luna county for
19 building, equipment, infrastructure, road, land acquisition,
20 water, wastewater and solid waste projects;

21 12. the town of Mesilla in Dona Ana county for
22 building, equipment, infrastructure, water and wastewater
23 projects;

24 13. Sierra county for building, equipment,
25 infrastructure, land acquisition and solid waste projects;

1 14. the city of Artesia in Eddy county for
2 building, equipment, infrastructure, special assessment
3 district, public improvement district, refinancing, water
4 rights and land acquisition projects;

5 15. the city of Socorro in Socorro county for
6 building, equipment, infrastructure, water, wastewater, water
7 rights and land acquisition projects;

8 16. Albuquerque public schools in Bernalillo
9 county for building, equipment, infrastructure, debt
10 refinancing, road, land acquisition, water, water rights,
11 wastewater and solid waste projects;

12 17. the Carlsbad soil and water conservation
13 district in Eddy county for building, equipment,
14 infrastructure, debt refinancing, road, land acquisition,
15 water, water rights, wastewater and solid waste projects;

16 18. Catron county for building, equipment,
17 infrastructure, debt refinancing, road, land acquisition,
18 water, water rights, wastewater and solid waste projects;

19 19. the village of Causey in Roosevelt county for
20 building, equipment, infrastructure, debt refinancing, road,
21 land acquisition, water, water rights, wastewater and solid
22 waste projects;

23 20. Cibola county for building, equipment,
24 infrastructure, debt refinancing, road, land acquisition,
25 water, water rights, wastewater and solid waste projects;

1 21. the Claunch-Pinto soil and water conservation
2 district in Torrance county for building, equipment,
3 infrastructure, debt refinancing, road, land acquisition,
4 water, water rights, wastewater and solid waste projects;

5 22. the town of Clayton in Union county for
6 building, equipment, infrastructure, debt refinancing, road,
7 land acquisition, water, water rights, wastewater and solid
8 waste projects;

9 23. the Pueblo of Cochiti in Sandoval county for
10 building, equipment, infrastructure, debt refinancing, road,
11 land acquisition, water, water rights, wastewater and solid
12 waste projects;

13 24. Cuba independent schools in Sandoval county
14 for building, equipment, infrastructure, debt refinancing,
15 road, land acquisition, water, water rights, wastewater and
16 solid waste projects;

17 25. De Baca county for building, equipment,
18 infrastructure, debt refinancing, road, land acquisition,
19 water, water rights, wastewater and solid waste projects;

20 26. the village of Des Moines in Union county for
21 building, equipment, infrastructure, debt refinancing, road,
22 land acquisition, water, water rights, wastewater and solid
23 waste projects;

24 27. Dona Ana county for building, equipment,
25 infrastructure, debt refinancing, road, land acquisition,

1 water, water rights, wastewater and solid waste projects;

2 28. the village of Dora in Roosevelt county for
3 building, equipment, infrastructure, debt refinancing, road,
4 land acquisition, water, water rights, wastewater and solid
5 waste projects;

6 29. Farmington municipal schools in San Juan
7 county for building, equipment, infrastructure, debt
8 refinancing, road, land acquisition, water, water rights,
9 wastewater and solid waste projects;

10 30. Gallup-McKinley public schools in McKinley
11 county for building, equipment, infrastructure, debt
12 refinancing, road, land acquisition, water, water rights,
13 wastewater and solid waste projects;

14 31. Lordsburg public schools in Hidalgo county for
15 building, equipment, infrastructure, debt refinancing, road,
16 land acquisition, water, water rights, wastewater and solid
17 waste projects;

18 32. the city of Lovington in Lea county for
19 building, equipment, infrastructure, debt refinancing, road,
20 land acquisition, water, water rights, wastewater and solid
21 waste projects;

22 33. the village of Melrose in Curry county for
23 building, equipment, infrastructure, debt refinancing, road,
24 land acquisition, water, water rights, wastewater and solid
25 waste projects;

1 34. the city of Moriarty in Torrance county for
2 building, equipment, infrastructure, debt refinancing, road,
3 land acquisition, water, water rights, wastewater and solid
4 waste projects;

5 35. the border authority for building, equipment,
6 infrastructure, debt refinancing, road, land acquisition,
7 water, water rights, wastewater and solid waste projects;

8 36. the board of regents of the New Mexico
9 institute of mining and technology for building, equipment,
10 infrastructure, debt refinancing, road, land acquisition,
11 water, water rights, wastewater and solid waste projects;

12 37. the north central council of governments for
13 building, equipment, infrastructure, debt refinancing, road,
14 land acquisition, water, water rights, wastewater and solid
15 waste projects;

16 38. Otero county for building, equipment,
17 infrastructure, debt refinancing, road, land acquisition,
18 water, water rights, wastewater and solid waste projects;

19 39. Quay county for building, equipment,
20 infrastructure, debt refinancing, road, land acquisition,
21 water, water rights, wastewater and solid waste projects;

22 40. the city of Ruidoso Downs in Lincoln county
23 for building, equipment, infrastructure, debt refinancing,
24 road, land acquisition, water, water rights, wastewater and
25 solid waste projects;

1 41. the village of San Jon in Quay county for
2 building, equipment, infrastructure, debt refinancing, road,
3 land acquisition, water, water rights, wastewater and solid
4 waste projects;

5 42. the community college board of Santa Fe
6 community college in Santa Fe county for building, equipment,
7 infrastructure, debt refinancing, road, land acquisition,
8 water, water rights, wastewater and solid waste projects;

9 43. Sierra county for building, equipment,
10 infrastructure, debt refinancing, road, land acquisition,
11 water, water rights, wastewater and solid waste projects;

12 44. the town of Silver City in Grant county for
13 building, equipment, infrastructure, debt refinancing, road,
14 land acquisition, water, water rights, wastewater and solid
15 waste projects;

16 45. Socorro county for building, equipment,
17 infrastructure, debt refinancing, road, land acquisition,
18 water, water rights, wastewater and solid waste projects;

19 46. Taos county for building, equipment,
20 infrastructure, debt refinancing, road, land acquisition,
21 water, water rights, wastewater and solid waste projects;

22 47. the city of Texico in Curry county for
23 building, equipment, infrastructure, debt refinancing, road,
24 land acquisition, water, water rights, wastewater and solid
25 waste projects;

1 48. Truth or Consequences public schools in Sierra
2 county for building, equipment, infrastructure, debt
3 refinancing, road, land acquisition, water, water rights,
4 wastewater and solid waste projects;

5 49. the city of Tucumcari in Quay county for
6 building, equipment, infrastructure, debt refinancing, road,
7 land acquisition, water, water rights, wastewater and solid
8 waste projects;

9 50. Union county for building, equipment,
10 infrastructure, debt refinancing, road, land acquisition,
11 water, water rights, wastewater and solid waste projects;

12 51. the board of regents of the university of New
13 Mexico for building, equipment, infrastructure, debt
14 refinancing, road, land acquisition, water, water rights,
15 wastewater and solid waste projects;

16 52. Valencia county for building, equipment,
17 infrastructure, debt refinancing, road, land acquisition,
18 water, water rights, wastewater and solid waste projects;

19 53. the town of Vaughn in Guadalupe county for
20 building, equipment, infrastructure, debt refinancing, road,
21 land acquisition, water, water rights, wastewater and solid
22 waste projects;

23 54. the city of Jal in Lea county for building,
24 infrastructure, equipment, debt refinancing, water,
25 wastewater, road and land projects;

1 55. the city of Eunice in Lea county for building,
2 infrastructure, equipment, debt refinancing, water, wastewater
3 and land projects;

4 56. the city of Gallup in McKinley county for
5 building, infrastructure, equipment, debt refinancing, water,
6 wastewater, solid waste, road and land projects;

7 57. the New Mexico renewable energy transmission
8 authority for building, equipment, debt refinancing and
9 infrastructure projects;

10 58. the city of Las Cruces in Dona Ana county for
11 building, infrastructure, equipment, debt refinancing, water,
12 wastewater, solid waste, road, land, special assessment
13 district and public improvement district projects;

14 59. Dona Ana county for special assessment
15 district and public improvement district projects;

16 60. the city of Ruidoso Downs in Lincoln county
17 for special assessment district and public improvement
18 district projects;

19 61. Lincoln county for special assessment district
20 and public improvement district projects;

21 62. Torrance county for special assessment
22 district and public improvement district projects;

23 63. Chaves county for solid waste projects;

24 64. the city of Clovis in Curry county for solid
25 waste projects;

1 65. Eddy county for building, equipment,
2 infrastructure, debt refinancing, water, wastewater, water
3 rights, solid waste, road and land projects;

4 66. Roosevelt county for building, equipment,
5 infrastructure, debt refinancing, water, wastewater, water
6 rights, solid waste, road and land projects;

7 67. the village of Ruidoso in Lincoln county for
8 building, equipment, infrastructure, debt refinancing, water,
9 wastewater, water rights, solid waste, road, land, special
10 assessment district and public improvement district projects;

11 68. the village of Angel Fire in Colfax county for
12 water, wastewater and solid waste projects;

13 69. the Aztec municipal school district in San
14 Juan county for building, equipment, infrastructure, debt
15 refinancing and land projects;

16 70. the city of Belen in Valencia county for
17 building, equipment, infrastructure, debt refinancing, water,
18 wastewater, water rights, solid waste, road and land projects;

19 71. the Belen consolidated school district in
20 Valencia county for building, equipment, infrastructure, debt
21 refinancing and land projects;

22 72. the Bloomfield school district in San Juan
23 county for building, equipment, infrastructure, debt
24 refinancing and land projects;

25 73. the Central consolidated school district in

1 San Juan county for building, equipment, infrastructure, debt
2 refinancing and land projects;

3 74. the Cobre consolidated school district in
4 Grant county for building, equipment, infrastructure, debt
5 refinancing and land projects;

6 75. the Cuba independent school district in
7 Sandoval county for building, equipment, infrastructure, debt
8 refinancing and land projects;

9 76. the Deming public school district in Luna
10 county for building, equipment, infrastructure, debt
11 refinancing and land projects;

12 77. the Fort Sumner municipal school district in
13 De Baca county for building, equipment, infrastructure, debt
14 refinancing and land projects;

15 78. Bernalillo county for building, equipment,
16 infrastructure, debt refinancing, water, wastewater, water
17 rights, solid waste, road and land projects;

18 79. the town of Carrizozo in Lincoln county for
19 building, equipment, infrastructure, debt refinancing, water,
20 wastewater, water rights, solid waste, road and land projects;

21 80. Colfax county for building, equipment,
22 infrastructure, debt refinancing, water, wastewater, water
23 rights, solid waste, road and land projects;

24 81. Curry county for building, equipment,
25 infrastructure, debt refinancing, water, wastewater, water

1 rights, solid waste, road and land projects;

2 82. the city of Deming in Luna county for debt
3 refinancing projects;

4 83. eastern New Mexico university in Roosevelt
5 county for building, equipment, infrastructure, land and debt
6 refinancing projects;

7 84. the city of Espanola in Rio Arriba county for
8 building, equipment, infrastructure, debt refinancing, water,
9 wastewater, water rights, solid waste, road and land projects;

10 85. the city of Farmington in San Juan county for
11 building, equipment, infrastructure, debt refinancing, water,
12 wastewater, water rights, solid waste, road and land projects;

13 86. Grant county for building, equipment,
14 infrastructure, debt refinancing, water, wastewater, water
15 rights, solid waste, road and land projects;

16 87. the city of Grants in Cibola county for
17 building, equipment, infrastructure, debt refinancing, water,
18 wastewater, water rights, solid waste, road and land projects;

19 88. the village of Hatch in Dona Ana county for
20 building, equipment, infrastructure, debt refinancing, water,
21 wastewater, water rights, solid waste, road and land projects;

22 89. the city of Las Vegas in San Miguel county for
23 water, wastewater and solid waste projects;

24 90. Lea county for building, equipment,
25 infrastructure, debt refinancing, water, wastewater, water

1 rights, solid waste, road and land projects;

2 91. the city of Lordsburg in Hidalgo county for
3 building, equipment, infrastructure, debt refinancing, water,
4 wastewater, water rights, solid waste, road and land projects;

5 92. the village of Los Lunas in Valencia county
6 for building, equipment, infrastructure, debt refinancing,
7 water, wastewater, water rights, solid waste, road and land
8 projects;

9 93. Luna county for building, equipment,
10 infrastructure, debt refinancing, water, wastewater, water
11 rights, solid waste, road and land projects;

12 94. northern New Mexico college in Rio Arriba
13 county for building, equipment, infrastructure, debt
14 refinancing and land projects;

15 95. Rio Arriba county for building, equipment,
16 infrastructure, debt refinancing, water, wastewater, water
17 rights, solid waste, road and land projects;

18 96. the Rio Grande natural gas association in Dona
19 Ana county for building, equipment, infrastructure and debt
20 refinancing projects;

21 97. San Juan county for building, equipment,
22 infrastructure, debt refinancing, water, wastewater, water
23 rights, solid waste, road and land projects;

24 98. the Socorro consolidated school district in
25 Socorro county for building, equipment, infrastructure, debt

1 refinancing and land projects;

2 99. the city of Socorro in Socorro county for
3 solid waste and infrastructure projects;

4 100. the city of Sunland Park in Dona Ana county
5 for building, equipment, infrastructure, debt refinancing,
6 water, wastewater, water rights, solid waste, road and land
7 projects;

8 101. the town of Taos in Taos county for building,
9 equipment, infrastructure, debt refinancing, water,
10 wastewater, water rights, solid waste, road and land projects;

11 102. Torrance county for building, equipment,
12 infrastructure, debt refinancing, water, wastewater, water
13 rights, solid waste, road and land projects;

14 103. the city of Truth or Consequences in Sierra
15 county for water and wastewater projects;

16 104. the Pueblo of Laguna in Cibola county for
17 building, equipment, infrastructure, debt refinancing, water,
18 wastewater, water rights, solid waste, road and land projects;

19 105. the Lovington municipal school district in
20 Lea county for building, equipment, infrastructure, debt
21 refinancing and land projects;

22 106. the Mescalero Apache Tribe in Otero county
23 for building, equipment, infrastructure, debt refinancing,
24 water, wastewater, water rights, solid waste, road and land
25 projects;

1 107. the Pueblo of Nambe in Santa Fe county for
2 building, equipment, infrastructure, debt refinancing, water,
3 wastewater, water rights, solid waste, road and land projects;

4 108. the Ruidoso municipal school district in
5 Lincoln county for building, equipment, infrastructure, debt
6 refinancing and land projects;

7 109. the Pueblo of Sandia in Sandoval county for
8 building, equipment, infrastructure, debt refinancing, water,
9 wastewater, water rights, solid waste, road and land projects;

10 110. the Pueblo of Santa Ana in Sandoval county
11 for building, equipment, infrastructure, debt refinancing,
12 water, wastewater, water rights, solid waste, road and land
13 projects;

14 111. the Tucumcari municipal school district in
15 Quay county for building, equipment, infrastructure, debt
16 refinancing and land projects;

17 112. the Pueblo of Zuni in McKinley county for
18 building, equipment, infrastructure, debt refinancing, water,
19 wastewater, water rights, solid waste, road and land projects;

20 113. the town of Hurley in Grant county for
21 building, equipment, infrastructure, debt refinancing, water,
22 wastewater, water rights, solid waste, road and land projects;
23 and

24 114. the New Mexico national guard in Santa Fe
25 county for building, equipment, infrastructure, debt

1 refinancing and land acquisition projects.

2 Section 2. AUTHORIZATION OF CHARTER SCHOOL PROJECTS.--

3 Pursuant to the provisions of Section 6-21-6 NMSA 1978, the
4 legislature authorizes the New Mexico finance authority to
5 make loans from the public project revolving fund to the
6 following qualified charter school entity for the following
7 public project:

- 8 1. the Alice King community school.

9 Section 3. VOIDING OF AUTHORIZATION.--If a qualified
10 entity listed in Sections 1 and 2 of this act has not
11 certified to the New Mexico finance authority by the end of
12 fiscal year 2013 its desire to continue to pursue a loan from
13 the public project revolving fund for a public project listed
14 in that section, the legislative authorization granted to the
15 New Mexico finance authority by Sections 1 and 2 of this act
16 to make a loan from the public project revolving fund to that
17 qualified entity for that public project is void.

18 Section 4. EMERGENCY.--It is necessary for the public
19 peace, health and safety that this act take effect
20 immediately. _____

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Ben Lujan

BEN LUJAN, SPEAKER
HOUSE OF REPRESENTATIVES

Stephen R. Arias

STEPHEN R. ARIAS, CHIEF CLERK
HOUSE OF REPRESENTATIVES

Diane D. Denish

DIANE D. DENISH, PRESIDENT
SENATE

Lenore M. Naranjo

LENORE M. NARANJO, CHIEF CLERK
SENATE

Approved by me this 8th day of March, 2010

Bill Richardson

BILL RICHARDSON, GOVERNOR
STATE OF NEW MEXICO

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