

1 SENATE BILL 169

2 **56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024**

3 INTRODUCED BY

4 Mimi Stewart and Steven P. Neville

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10 AN ACT

11 RELATING TO FINANCE; AMENDING THE STATE SUPPLEMENTAL LAND AND  
12 WATER CONSERVATION FUND; REMOVING THE POLITICAL SUBDIVISION  
13 FUND MATCHING REQUIREMENT; REMOVING THE INCORPORATED  
14 MUNICIPALITY POPULATION CAP; AMENDING ELIGIBLE RECIPIENTS OF  
15 FUNDS; REQUIRING PRIORITIZATION OF FUNDING REQUESTS OF INDIAN  
16 NATIONS, TRIBES AND PUEBLOS; REMOVING A REFERENCE TO A DEFUNCT  
17 ENTITY; REVISING CITATIONS; MAKING AN APPROPRIATION.

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

20 SECTION 1. Section 16-1-3 NMSA 1978 (being Laws 1973,  
21 Chapter 388, Section 3, as amended) is amended to read:

22 "16-1-3. ADMINISTRATION--STATE-FEDERAL-LOCAL COST SHARING  
23 FORMULA--LIMITATIONS.--

24 A. The energy, minerals and natural resources  
25 department shall administer the state supplemental land and

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1 water conservation fund and shall process all applications for  
2 grants from the state supplemental land and water conservation  
3 fund. Funds from the state supplemental land and water  
4 conservation fund shall be made available only upon the  
5 condition that the proceeds are matched by federal ~~[funds and~~  
6 ~~other funds on the following basis: at least fifty percent~~  
7 ~~federal funds not more than twenty-five percent state funds and~~  
8 ~~the remainder by funds of political subdivisions]~~ land and  
9 water conservation fund state and local assistance program  
10 funding.

11 B. Incorporated municipalities, with a population  
12 of less than ~~[fifteen]~~ sixty-five thousand persons according to  
13 the latest federal decennial census or counties, ~~[sponsoring~~  
14 ~~projects of unincorporated communities, including but not~~  
15 ~~limited to]~~ Indian ~~[communities]~~ nations, tribes and pueblos,  
16 state parks and other political subdivisions shall be entitled  
17 to receive funds from the state supplemental land and water  
18 conservation fund; ~~[as prescribed and approved by the~~  
19 ~~recreation priorities committee]~~ provided that:

20 (1) funding requests from Indian nations,  
21 tribes and pueblos shall be prioritized;

22 (2) funding requests from rural communities  
23 shall be prioritized; and

24 (3) state parks shall be entitled to receive  
25 funds from the state supplemental land and water conservation

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1 fund in an amount not to exceed seven percent of New Mexico's  
2 annual apportionment of federal land and water conservation  
3 fund state and local assistance program funding to perform  
4 outreach to Indian nations, tribes and pueblos and political  
5 subdivisions of the state and provide technical assistance to  
6 prospective applicants.

7 C. Projects proposed [~~must~~] shall be in accordance  
8 with provisions of the federal Land and Water Conservation Fund  
9 Act of 1965, U.S.C. Section 460, and the regulations contained  
10 in the United States department of the interior [~~bureau of~~  
11 ~~outdoor recreation and grants-in-aid manual~~]. Funds shall be  
12 made available from the state supplemental land and water  
13 conservation fund only in the event that the United States  
14 department of the interior provides fifty percent of the  
15 project cost. State funds shall be made available for  
16 expenditure by the applicant political subdivision once the  
17 project is approved by the United States department of the  
18 interior [~~and the applicant demonstrates the availability and~~  
19 ~~source of funds required for its share in the total project~~  
20 ~~cost~~]."

21 SECTION 2. APPROPRIATION.--Ten million dollars  
22 (\$10,000,000) is appropriated from the general fund to the  
23 state supplemental land and water conservation fund for  
24 expenditure in fiscal year 2025 and subsequent fiscal years to  
25 carry out the purposes of the fund. Any unexpended or

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1 unencumbered balance remaining at the end of a fiscal year  
2 shall not revert to the general fund.

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