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AN ACT

RELATING TO PUBLIC LANDS; CREATING THE STATE TRUST LANDS
RESTORATION AND REMEDIATION FUND; MAKING AN APPROPRIATION.

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

SECTION 1. Section 19-1-11 NMSA 1978 (being Laws 1912,
Chapter 82, Section 6, as amended) is amended to read:

"19-1-11. STATE LANDS MAINTENANCE FUND--CREATED--STATE
LANDS INCOME--DISPOSITION--STATE TRUST LANDS RESTORATION AND
REMEDICATION FUND CREATED.--

A. Ninety-nine percent of the income derived from
any state lands granted or confirmed by the Enabling Act or
otherwise under the management, care, custody and control of
the commissioner of public lands shall constitute a fund to
be known as the "state lands maintenance fund"; provided that
the state lands maintenance fund shall not include any money
required to be transferred to any permanent fund created in
Chapter 19 NMSA 1978.

B. The "state trust lands restoration and
remediation fund" is created in the state treasury. One
percent of the income derived from any state trust lands
granted or confirmed by the Enabling Act or otherwise under
the management, care, custody and control of the commissioner
of public lands shall be deposited in the state trust lands
restoration and remediation fund; provided that the state

1 trust lands restoration and remediation fund shall not
2 include any money required to be transferred to any permanent
3 fund created in Chapter 19 NMSA 1978. The state trust lands
4 restoration and remediation fund also consists of income from
5 investment of the fund and money otherwise accruing to the
6 fund. Money in the state trust lands restoration and
7 remediation fund that exceeds five million dollars
8 (\$5,000,000) shall be distributed to the trust beneficiaries
9 in the same manner that surpluses in the state lands
10 maintenance fund are distributed. Money in the fund shall
11 not revert to any other fund at the end of a fiscal year.
12 The state land office shall administer the fund. Subject to
13 legislative appropriation, expenditures may be made from the
14 state trust lands restoration and remediation fund upon
15 vouchers signed by the commissioner or the commissioner's
16 authorized representative and issued by the secretary of
17 finance and administration to administer contractual surface
18 damage and watershed restoration and remediation projects on
19 state trust lands.

20 C. For any expenditure made from the state trust
21 lands restoration and remediation fund, the commissioner shall
22 attempt to recover the costs of remediation projects from any
23 person who may otherwise bear liability for that remediation
24 project under the Voluntary Remediation Act, the New Mexico
25 Mining Act, the Surface Mining Act, the Oil and Gas Act, the

1 Water Quality Act, the Solid Waste Act or the Hazardous Waste

2 Act." _____

HB 24
Page 3

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