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HOUSE BILL 558

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

Rebecca Dow

AN ACT

RELATING TO PUBLIC FINANCE; INCREASING THE AUTHORIZED AMOUNT OF
REVENUE BONDS FOR THE CANCER TREATMENT CENTER AT THE GILA
REGIONAL MEDICAL CENTER; MAKING AN APPROPRIATION.

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

SECTION 1. Laws 2006, Chapter 89, Section 1, as amended,
is amended to read:

"Section 1. TEMPORARY PROVISION--NEW MEXICO FINANCE
AUTHORITY REVENUE BONDS--PURPOSE--APPROPRIATION.--

A. The New Mexico finance authority may issue and
sell revenue bonds in compliance with the New Mexico Finance
Authority Act for a term not exceeding twenty years in an
amount not exceeding three million dollars (\$3,000,000) for the
purpose of designing, constructing, equipping and furnishing
additions and improvements to a regional cancer treatment

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1 center at the Gila regional medical center in Grant county.
2 The authority may issue and sell revenue bonds authorized by
3 this subsection when the chair of the board of county
4 commissioners of Grant county certifies the need for issuance
5 of the bonds. The net proceeds from the sale of the bonds are
6 appropriated to the local government division of the department
7 of finance and administration for the purposes described in
8 this subsection.

9 B. After the bonds have been issued pursuant to
10 Subsection A of this section, the New Mexico finance authority
11 may issue and sell revenue bonds in compliance with the New
12 Mexico Finance Authority Act for a term not exceeding twenty
13 years in an amount not exceeding one million five hundred
14 thousand dollars (\$1,500,000) for the purpose of designing,
15 constructing, equipping and furnishing additions and
16 improvements to a regional cancer treatment center at the
17 Nor-Lea general hospital in Lea county. The authority may
18 issue and sell revenue bonds authorized by this subsection when
19 the chair of the board of trustees of the Nor-Lea special
20 hospital district certifies the need for issuance of the bonds.
21 Provided that, if the authority determines that excess balances
22 exist in the rural county cancer treatment fund above the
23 amount needed to service outstanding bonds, then, in lieu of
24 issuing all or a portion of the bonds, the excess balances may
25 be used for the cancer treatment center funded pursuant to this

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1 subsection, but the total of excess balances and bond proceeds
2 shall not exceed one million five hundred thousand dollars
3 (\$1,500,000). The net proceeds from the sale of the bonds and
4 any excess balances are appropriated to the local government
5 division of the department of finance and administration for
6 the purposes described in this subsection.

7 C. After the bonds have been issued pursuant to
8 Subsections A and B of this section, the New Mexico finance
9 authority may issue and sell revenue bonds in compliance with
10 the New Mexico Finance Authority Act for a term not exceeding
11 twenty years in an amount not exceeding three million dollars
12 (\$3,000,000) as follows:

13 (1) not to exceed two million two hundred
14 fifty thousand dollars (\$2,250,000) to design, construct, equip
15 and furnish additions and improvements to a regional cancer
16 treatment center at the Gila regional medical center in Grant
17 county; and

18 (2) not to exceed seven hundred fifty thousand
19 dollars (\$750,000) to design, construct, equip and furnish
20 additions and improvements to Nor-Lea general hospital in Lea
21 county.

22 D. After the bonds have been issued pursuant to
23 Subsections A, B and C of this section, the New Mexico finance
24 authority may issue and sell revenue bonds in compliance with
25 the New Mexico Finance Authority Act for a term not exceeding

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1 twenty years in an amount not exceeding one million two hundred
2 fifty thousand dollars (\$1,250,000) for the following purposes
3 at the regional cancer treatment center at the Gila regional
4 medical center in Grant county: for the purchase of computer
5 hardware, servers, cabling, software licenses and related
6 services necessary for implementation and maintenance of an
7 electronic health records system, cancer patient treatment,
8 regulatory compliance and reporting; to design, construct,
9 renovate, equip and furnish additions and improvements of the
10 chemotherapy intravenous preparation clean room; for the
11 purchase of a positron emission tomography scanner; or to
12 prepay any loan made by the authority from the public project
13 revolving fund to or for the benefit of the Gila regional
14 medical center for the purposes authorized by this subsection.

15 ~~[D-]~~ E. The authority may issue and sell revenue
16 bonds authorized by Subsection C of this section when the
17 boards of trustees of the Gila regional medical center and the
18 Nor-Lea special hospital district certify the need for the
19 issuance of the bonds. If the authority determines that there
20 are balances in the rural county cancer treatment fund in
21 excess of the amount needed to service outstanding bonds, the
22 authority may use those balances in lieu of issuing all or a
23 portion of the bonds authorized in Subsection C of this
24 section, but the total of funding from bonds and balances shall
25 not exceed three million dollars (\$3,000,000). The net

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1 proceeds from the sale of bonds and any excess balances are
2 appropriated to the local government division of the department
3 of finance and administration for the purposes described in
4 Subsection B of this section.

5 F. The authority may issue and sell revenue bonds
6 authorized by Subsection D of this section when the chair of
7 the board of trustees of the Gila regional medical center
8 certifies the need for issuance of the bonds. If the authority
9 determines there are balances in the rural county cancer
10 treatment fund in excess of the amount needed to service
11 outstanding bonds, the authority may use those balances in lieu
12 of issuing all or a portion of the bonds authorized in
13 Subsection D of this section, but the total of excess balances
14 and bond proceeds shall not exceed one million two hundred
15 fifty thousand dollars (\$1,250,000). The net proceeds from the
16 sale of the bonds and any excess balances are appropriated to
17 the authority for the purposes described in this subsection.

18 [~~E-~~] G. The cigarette tax proceeds distributed to
19 the authority pursuant to Subsection [~~H~~] E of Section 7-1-6.11
20 NMSA 1978 shall be pledged irrevocably for the payment of the
21 principal, interest, premiums and related expenses on the bonds
22 and for payment of the expenses incurred by the authority
23 related to the issuance, sale and administration of the bonds.

24 [~~F-~~] H. The cigarette tax proceeds distributed to
25 the authority pursuant to Subsection [~~H~~] E of Section 7-1-6.11

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1 NMSA 1978 shall be deposited each month in a separate fund or
2 account of the authority.

3 ~~[G.]~~ I. Upon payment of all principal, interest and
4 other expenses or obligations related to the bonds, the
5 authority shall certify to the secretary of taxation and
6 revenue that all obligations for the bonds issued pursuant to
7 this section have been fully discharged and shall direct the
8 secretary of taxation and revenue to cease distributing
9 cigarette tax proceeds to the authority pursuant to Subsection
10 ~~[H]~~ E of Section 7-1-6.11 NMSA 1978 and to distribute those
11 cigarette tax proceeds to the general fund.

12 ~~[H.]~~ J. Any law authorizing the imposition,
13 collection or distribution of the cigarette tax or that affects
14 the cigarette tax shall not be amended, repealed or otherwise
15 directly or indirectly modified so as to impair or reduce debt
16 service coverage for any outstanding revenue bonds that may be
17 secured by a pledge of those cigarette tax revenues, unless the
18 revenue bonds have been discharged in full or provisions have
19 been made for a full discharge.

20 ~~[I.]~~ K. The authority may additionally secure the
21 revenue bonds issued pursuant to this section by a pledge of
22 money in the public project revolving fund with a lien priority
23 on the money in the public project revolving fund as determined
24 by the authority.

25 ~~[J.]~~ L. The authority may purchase revenue bonds

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1 issued pursuant to this section with money in the public
2 project revolving fund pursuant to the provisions of Section
3 6-21-6 NMSA 1978."

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