

SENATE FINANCE COMMITTEE SUBSTITUTE FOR
SENATE BILL 218

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

AN ACT

RELATING TO CAPITAL EXPENDITURES; AUTHORIZING THE ISSUANCE OF SEVERANCE TAX BONDS; AUTHORIZING EXPENDITURES FROM CERTAIN FUNDS AND BALANCES; CLARIFYING CONDITIONS FOR THE ISSUANCE OF BONDS; ESTABLISHING CONDITIONS FOR THE EXPENDITURE OF SEVERANCE TAX BOND PROCEEDS; ESTABLISHING CONDITIONS FOR THE REVERSION OF UNEXPENDED BALANCES; MAKING APPROPRIATIONS; DECLARING AN EMERGENCY.

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

SECTION 1. SEVERANCE TAX BONDS--AUTHORIZATIONS--
APPROPRIATION OF PROCEEDS.--

A. The state board of finance may issue and sell severance tax bonds in compliance with the Severance Tax Bonding Act in an amount not to exceed the total of the amounts authorized for purposes specified in this act. The state board

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1 of finance shall schedule the issuance and sale of the bonds in
2 the most expeditious and economical manner possible upon a
3 finding by the board that the project has been developed
4 sufficiently to justify the issuance and that the project can
5 proceed to contract within a reasonable time. The state board
6 of finance shall further take the appropriate steps necessary
7 to comply with the Internal Revenue Code of 1986, as amended.
8 Proceeds from the sale of the bonds are appropriated for the
9 purposes specified in this act.

10 B. The agencies named in this act shall certify to
11 the state board of finance when the money from the proceeds of
12 the severance tax bonds appropriated in this section is needed
13 for the purposes specified in the applicable section of this
14 act. If an agency has not certified the need for severance tax
15 bond proceeds for a particular project, including projects that
16 have been reauthorized, by the end of fiscal year 2013, the
17 authorization for that project is void.

18 C. Before an agency may certify for the need of
19 severance tax bond proceeds, the project must be developed
20 sufficiently so that the agency reasonably expects to:

- 21 (1) incur within six months after the
22 applicable bond proceeds are available for the project a
23 substantial binding obligation to a third party to expend at
24 least five percent of the bond proceeds for the project; and
25 (2) spend at least eighty-five percent of the

1 bond proceeds within three years after the applicable bond
2 proceeds are available for the project.

3 D. Except as otherwise specifically provided by
4 law:

5 (1) the unexpended balance from the proceeds
6 of severance tax bonds appropriated in this act for a project
7 shall revert to the severance tax bonding fund no later than
8 the following dates:

9 (a) for a project for which severance
10 tax bond proceeds were appropriated to match federal grants,
11 six months after completion of the project;

12 (b) for a project for which severance
13 tax bond proceeds were appropriated to purchase vehicles,
14 including emergency vehicles and other vehicles that require
15 special equipment; heavy equipment; books; educational
16 technology; or other equipment or furniture that is not related
17 to a more inclusive construction or renovation project, at the
18 end of the fiscal year two years following the fiscal year in
19 which the severance tax bond proceeds were made available for
20 the purchase; and

21 (c) for any other project for which
22 severance tax bonds were appropriated, within six months of
23 completion of the project, but no later than the end of fiscal
24 year 2015; and

25 (2) all remaining balances from the proceeds

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1 of severance tax bonds appropriated for a project in this act
2 shall revert to the severance tax bonding fund three months
3 after the latest reversion date specified for that type of
4 project in Paragraph (1) of this subsection.

5 E. Except for appropriations to the capital program
6 fund, money from severance tax bond proceeds provided pursuant
7 to this act shall not be used to pay indirect project costs.

8 F. For the purpose of this section, "unexpended
9 balance" means the remainder of an appropriation after
10 reserving for unpaid costs and expenses covered by binding
11 written obligations to third parties.

12 SECTION 2. OTHER FUND APPROPRIATIONS--LIMITATIONS--
13 REVERSIONS.--

14 A. Except as otherwise specifically provided by
15 law:

16 (1) the unexpended balance of an appropriation
17 made in this act from other state funds shall revert no later
18 than the following dates:

19 (a) for a project for which an
20 appropriation was made to match federal grants, six months
21 after completion of the project;

22 (b) for a project for which an
23 appropriation was made to purchase vehicles, including
24 emergency vehicles and other vehicles that require special
25 equipment; heavy equipment; books; educational technology; or

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1 other equipment or furniture that is not related to a more
 2 inclusive construction or renovation project, at the end of the
 3 fiscal year two years following the fiscal year in which the
 4 appropriation was made for the purchase; and

5 (c) for any other project for which an
 6 appropriation was made, within six months of completion of the
 7 project, but no later than the end of fiscal year 2015; and

8 (2) all remaining balances from an
 9 appropriation made in this act for a project shall revert three
 10 months after the latest reversion date specified for that type
 11 of project in Paragraph (1) of this subsection.

12 B. Except for appropriations to the capital program
 13 fund, money from appropriations made in this act shall not be
 14 used to pay indirect project costs.

15 C. Except as provided in Subsection E of this
 16 section, the balance of an appropriation made from the general
 17 fund shall revert in the time frame set forth in Subsection A
 18 of this section to the capital projects fund.

19 D. Except as provided in Subsection E of this
 20 section, the balance of an appropriation made from other state
 21 funds shall revert in the time frame set forth in Subsection A
 22 of this section to the originating fund.

23 E. The balance of an appropriation made from the
 24 general fund or other state fund to the Indian affairs
 25 department or the aging and long-term services department for a

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1 project located on lands of an Indian nation, tribe or pueblo
2 shall revert in the time frame set forth in Subsection A of
3 this section to the tribal infrastructure project fund.

4 F. For the purpose of this section, "unexpended
5 balance" means the remainder of an appropriation after
6 reserving for unpaid costs and expenses covered by binding
7 written obligations to third parties.

8 SECTION 3. ADMINISTRATIVE OFFICE OF THE COURTS PROJECT--
9 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
10 of this act, upon certification by the administrative office of
11 the courts that the need exists for the issuance of the bonds,
12 one million nine hundred thousand dollars (\$1,900,000) is
13 appropriated to the administrative office of the courts to
14 purchase and install security equipment, including related
15 infrastructure, at judicial district and magistrate courts
16 statewide and to furnish and equip the eighth judicial district
17 courthouse in Taos in Taos county.

18 SECTION 4. AGING AND LONG-TERM SERVICES DEPARTMENT
19 PROJECTS--SEVERANCE TAX BONDS.--Pursuant to the provisions of
20 Section 1 of this act, upon certification by the aging and
21 long-term services department that the need exists for the
22 issuance of the bonds, the following amounts are appropriated
23 to the aging and long-term services department for the
24 following purposes:

- 25 1. four hundred seventy-five thousand dollars

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1 (\$475,000) to purchase and equip vehicles for senior centers
2 countywide in Bernalillo county;

3 2. fifteen thousand dollars (\$15,000) to make
4 improvements for building code compliance, including purchase
5 and installation of equipment, at the Pajarito senior meal site
6 in Bernalillo county;

7 3. one hundred thousand dollars (\$100,000) to make
8 improvements for building code compliance, including purchase
9 and installation of equipment, to the Rio Bravo senior meal
10 site in Bernalillo county;

11 4. forty-eight thousand dollars (\$48,000) to
12 purchase and equip vehicles for the Pueblo of Isleta senior
13 center in Bernalillo county;

14 5. thirty-eight thousand dollars (\$38,000) to
15 purchase and equip vehicles for senior centers countywide in
16 Chaves county;

17 6. forty-two thousand dollars (\$42,000) to purchase
18 and equip vehicles for the Roswell Joy senior center in Chaves
19 county;

20 7. sixty thousand dollars (\$60,000) to make
21 improvements for building code compliance, including purchase
22 and installation of equipment, to the Ramah chapter senior
23 center on the Navajo Nation in Cibola county;

24 8. ninety-three thousand dollars (\$93,000) to
25 purchase and equip vehicles for senior centers countywide in

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1 Colfax county;

2 9. one hundred forty thousand dollars (\$140,000) to
3 make improvements for building code compliance, including
4 purchase and installation of equipment, to the Raton senior
5 center in Colfax county;

6 10. five thousand dollars (\$5,000) to make
7 improvements for building code compliance, including purchase
8 and installation of equipment, to the Springer senior center in
9 Colfax county;

10 11. sixty thousand dollars (\$60,000) to make
11 improvements for building code compliance, including purchase
12 and installation of equipment, to the Alice Converse senior
13 center in Curry county;

14 12. two hundred fifty thousand dollars (\$250,000)
15 to make improvements for building code compliance, including
16 purchase and installation of equipment, to the Robert Munson
17 senior center in Las Cruces in Dona Ana county;

18 13. eight thousand five hundred dollars (\$8,500) to
19 make improvements for building code compliance, including
20 purchase and installation of equipment, to the Artesia senior
21 center in Eddy county;

22 14. forty-eight thousand dollars (\$48,000) to
23 purchase and equip vehicles for the Artesia senior center in
24 Eddy county;

25 15. sixty-two thousand dollars (\$62,000) to make

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1 improvements for building code compliance, including purchase
2 and installation of equipment, to senior centers countywide in
3 Grant county;

4 16. seventy-eight thousand dollars (\$78,000) to
5 purchase and equip vehicles for the Mimbres and Silver City
6 senior centers in Grant county;

7 17. twenty-five thousand dollars (\$25,000) to
8 purchase and equip vehicles for the Santa Rosa senior center in
9 Guadalupe county;

10 18. six thousand dollars (\$6,000) to make
11 improvements for building code compliance, including purchase
12 and installation of equipment, to the Eunice senior center in
13 Lea county;

14 19. twenty-five thousand dollars (\$25,000) to
15 purchase and equip vehicles for the Tatum senior center in Lea
16 county;

17 20. eighteen thousand five hundred dollars
18 (\$18,500) to make improvements for building code compliance,
19 including purchase and installation of equipment, to the Baca
20 chapter senior center on the Navajo Nation in McKinley county;

21 21. one hundred thousand dollars (\$100,000) to make
22 improvements for building code compliance, including purchase
23 and installation of equipment, to the Thoreau chapter senior
24 center on the Navajo Nation in McKinley county;

25 22. three hundred thousand dollars (\$300,000) to

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1 make improvements for building code compliance, including
2 purchase and installation of equipment, to the Pueblo of Zuni
3 senior center in McKinley county;

4 23. eighteen thousand dollars (\$18,000) to make
5 improvements for building code compliance, including purchase
6 and installation of equipment, to the Pueblo of Isleta senior
7 center in Bernalillo county;

8 24. ninety thousand dollars (\$90,000) to purchase
9 and equip vehicles for the Sacramento Mountain senior center in
10 Otero county;

11 25. ten thousand dollars (\$10,000) to make
12 improvements for building code compliance, including purchase
13 and installation of equipment, to the Beatrice Martinez senior
14 center in Espanola in Rio Arriba county;

15 26. fifty-five thousand dollars (\$55,000) to make
16 improvements for building code compliance, including purchase
17 and installation of equipment, to the Espanola senior center in
18 Rio Arriba county;

19 27. one hundred seven thousand dollars (\$107,000)
20 to purchase and equip vehicles for senior centers countywide in
21 San Juan county;

22 28. twenty-five thousand dollars (\$25,000) to
23 purchase and equip vehicles for the Bloomfield senior center in
24 San Juan county;

25 29. sixty thousand dollars (\$60,000) to make

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1 improvements, including purchase and installation of equipment,
2 to the Nageezi chapter senior center on the Navajo Nation in
3 San Juan county;

4 30. two hundred fifty thousand dollars (\$250,000)
5 to make improvements for building code compliance, including
6 purchase and installation of equipment, to the Sanostee chapter
7 senior center on the Navajo Nation in San Juan county;

8 31. thirty-one thousand dollars (\$31,000) to make
9 improvements for building code compliance, including purchase
10 and installation of equipment, to the Tse'Daa'Kaan chapter
11 senior center on the Navajo Nation in San Juan county;

12 32. fifty thousand dollars (\$50,000) to purchase
13 and equip vehicles for senior centers in Las Vegas and Pecos in
14 San Miguel county;

15 33. one hundred twenty-nine thousand dollars
16 (\$129,000) to purchase and equip vehicles for senior centers at
17 the Pueblo of Sandia, Pueblo of Santa Ana and Pueblo of Zia in
18 Sandoval county;

19 34. eight thousand five hundred dollars (\$8,500) to
20 make improvements for building code compliance, including
21 purchase and installation of equipment, to the Corrales senior
22 center in Sandoval county;

23 35. forty thousand dollars (\$40,000) to purchase
24 and equip vehicles for the Cuba senior center in Sandoval
25 county;

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1 36. eleven thousand dollars (\$11,000) to make
2 improvements for building code compliance, including purchase
3 and installation of equipment, to the Pueblo of Jemez senior
4 center in Sandoval county;

5 37. one hundred seventy-seven thousand dollars
6 (\$177,000) to make improvements for building code compliance,
7 including purchase and installation of equipment, to the Pueblo
8 of Sandia senior center in Bernalillo county;

9 38. two hundred seventy-four thousand dollars
10 (\$274,000) to purchase and equip vehicles for senior centers
11 countywide in Santa Fe county;

12 39. seven thousand one hundred fifty dollars
13 (\$7,150) to make improvements for building code compliance,
14 including purchase and installation of equipment, to the
15 Edgewood senior center in Santa Fe county;

16 40. one hundred seventy-eight thousand dollars
17 (\$178,000) to purchase and equip vehicles for senior centers
18 citywide in Santa Fe in Santa Fe county;

19 41. one hundred twenty-eight thousand four hundred
20 sixty-seven dollars (\$128,467) to make improvements for
21 building code compliance, including purchase and installation
22 of equipment, to the Mary Esther Gonzales senior center in
23 Santa Fe in Santa Fe county;

24 42. fifty-two thousand twenty-two dollars (\$52,022)
25 to make improvements for building code compliance, including

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1 purchase and installation of equipment, to the Truth or
2 Consequences senior center in Sierra county;

3 43. thirteen thousand dollars (\$13,000) to make
4 improvements for building code compliance, including purchase
5 and installation of equipment, to the Socorro senior center in
6 Socorro county;

7 44. three thousand eight hundred sixty-six dollars
8 (\$3,866) to make improvements for building code compliance,
9 including purchase and installation of equipment, to the
10 Chamisal senior center in Taos county;

11 45. thirty-five thousand dollars (\$35,000) to
12 purchase and equip vehicles for the Chamisal senior center in
13 Taos county;

14 46. three thousand eight hundred sixty-six dollars
15 (\$3,866) to make improvements for building code compliance,
16 including purchase and installation of equipment, to the Questa
17 senior center in Taos county;

18 47. sixteen thousand one hundred twenty-nine
19 dollars (\$16,129) to make improvements for building code
20 compliance, including purchase and installation of equipment,
21 to the Des Moines senior center in Union county; and

22 48. one hundred sixty-one thousand dollars
23 (\$161,000) to purchase and equip vehicles for senior centers
24 countywide in Valencia county.

25 SECTION 5. CAPITAL PROGRAM FUND PROJECTS--SEVERANCE TAX

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1 BONDS.--Pursuant to the provisions of Section 1 of this act,
2 upon certification by the property control division of the
3 general services department that the need exists for the
4 issuance of the bonds, the following amounts are appropriated
5 to the capital program fund for the following purposes:

6 1. five hundred thousand dollars (\$500,000) to
7 purchase and install shelving for storage of public records at
8 the commission of public records facility in Albuquerque in
9 Bernalillo county;

10 2. three hundred thousand dollars (\$300,000) for
11 improvements and upgrades at the human services department
12 commodities warehouse in Albuquerque in Bernalillo county;

13 3. two hundred thousand dollars (\$200,000) for
14 heating, ventilation and air conditioning upgrades at the
15 workforce solutions department administration building in
16 Albuquerque in Bernalillo county;

17 4. one million two hundred thousand dollars
18 (\$1,200,000) to construct a water and wastewater system to meet
19 environmental standards and regulations at the Roswell
20 correctional facility in Chaves county;

21 5. five hundred thousand dollars (\$500,000) to plan
22 and design water, wastewater and erosion control improvements
23 at the western New Mexico correctional facility in Cibola
24 county;

25 6. fifty thousand dollars (\$50,000) to plan and

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1 design the renovation and expansion of the workforce connection
2 center in Deming in Luna county;

3 7. two million nine hundred thousand dollars
4 (\$2,900,000) to renovate and equip the kitchens at the southern
5 New Mexico correctional facility in Dona Ana county and the
6 central New Mexico correctional facility in Valencia county;

7 8. ten million dollars (\$10,000,000) to upgrade the
8 heating, ventilation and air conditioning systems and
9 infrastructure at the southern New Mexico correctional facility
10 in Dona Ana county, the central New Mexico correctional
11 facility in Valencia county and the western New Mexico
12 correctional facility in Cibola county;

13 9. one million nine hundred thousand dollars
14 (\$1,900,000) to acquire land for and plan and design a juvenile
15 detention facility to implement Cambiar New Mexico in the
16 southeastern part of the state;

17 10. two million dollars (\$2,000,000) for
18 infrastructure upgrades and renovations at the youth diagnostic
19 and development center campus in Albuquerque in Bernalillo
20 county and the John Paul Taylor center in Las Cruces in Dona
21 Ana county;

22 11. seven hundred thousand dollars (\$700,000) to
23 plan, design, renovate and expand the New Mexico state police
24 district office in Espanola in Rio Arriba county;

25 12. five hundred thousand dollars (\$500,000) to

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1 stabilize the foundations of buildings at the New Mexico
2 behavioral health institute in Las Vegas in San Miguel county;

3 13. one million five hundred thousand dollars
4 (\$1,500,000) for boiler upgrades at the New Mexico behavioral
5 health institute in Las Vegas in San Miguel county;

6 14. three hundred thousand dollars (\$300,000) for
7 chiller purchase and installation at the New Mexico behavioral
8 health institute in Las Vegas in San Miguel county;

9 15. two million five hundred thousand dollars
10 (\$2,500,000) for infrastructure improvements at the New Mexico
11 behavioral health institute in Las Vegas in San Miguel county;

12 16. five million two hundred thousand dollars
13 (\$5,200,000) for construction of the New Meadows buildings at
14 the New Mexico behavioral health institute in Las Vegas in San
15 Miguel county;

16 17. one million three hundred thousand dollars
17 (\$1,300,000) for roof replacement at the New Mexico behavioral
18 health institute in Las Vegas in San Miguel county;

19 18. one million five hundred thousand dollars
20 (\$1,500,000) for security upgrades at the New Mexico behavioral
21 health institute in Las Vegas in San Miguel county;

22 19. fifty thousand dollars (\$50,000) to plan and
23 design the renovation and expansion of the workforce connection
24 center in Las Vegas in San Miguel county;

25 20. one million dollars (\$1,000,000) to renovate

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1 the dormitories, including fire suppression and heating,
2 ventilation and air conditioning systems, at the New Mexico law
3 enforcement academy in Santa Fe county;

4 21. two million dollars (\$2,000,000) for
5 renovations and infrastructure improvements to the Runnels
6 building, including heating, ventilation and air conditioning
7 and electrical systems, and to plan, design and develop the
8 site at the south capitol campus in Santa Fe county;

9 22. ten million dollars (\$10,000,000) for
10 infrastructure improvements and renovations at the Lujan
11 building in Santa Fe in Santa Fe county;

12 23. six million five hundred thousand dollars
13 (\$6,500,000) for construction of the Alzheimer's skilled
14 nursing unit at the New Mexico state veterans' home in Truth or
15 Consequences in Sierra county;

16 24. two million six hundred thousand dollars
17 (\$2,600,000) for electrical system upgrades at the New Mexico
18 state veterans' home in Truth or Consequences in Sierra county;

19 25. seven hundred thousand dollars (\$700,000) for
20 heating, ventilation and air conditioning system improvements
21 and system isolation at the New Mexico state veterans' home in
22 Truth or Consequences in Sierra county;

23 26. one million dollars (\$1,000,000) for
24 renovations and infrastructure upgrades at the rehabilitation
25 diagnostic and nursing building in Los Lunas in Valencia

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1 county;

2 27. five million dollars (\$5,000,000) to construct
3 phase 2 of the human services department drug and substance
4 abuse treatment facility in Los Lunas in Valencia county;

5 28. three million dollars (\$3,000,000) to upgrade,
6 repair and equip correctional facilities statewide;

7 29. two million dollars (\$2,000,000) for
8 demolition, decommissioning and asbestos abatement of state
9 buildings, including structures on the campuses of Fort Bayard
10 medical center in Grant county, the old Roswell rehabilitation
11 center in Chaves county, the oil conservancy building in Hobbs
12 in Lea county and the youth diagnostic and development center
13 in Albuquerque in Bernalillo county; and

14 30. five million dollars (\$5,000,000) for repairs,
15 renovations, deferred maintenance, restoration infrastructure
16 improvements and construction at state buildings statewide.

17 **SECTION 6. CULTURAL AFFAIRS DEPARTMENT PROJECTS--**
18 **SEVERANCE TAX BONDS.--**Pursuant to the provisions of Section 1
19 of this act, upon certification by the cultural affairs
20 department that the need exists for the issuance of the bonds,
21 the following amounts are appropriated to the cultural affairs
22 department for the following purposes:

23 1. seven hundred fifty thousand dollars (\$750,000)
24 to construct the education center at the New Mexico museum of
25 natural history and science in Albuquerque in Bernalillo

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1 county;

2 2. two hundred twenty-five thousand dollars
3 (\$225,000) for landscaping, signage and purchasing and
4 installing furniture, fixtures and equipment at the national
5 Hispanic cultural center in Albuquerque in Bernalillo county;

6 3. five hundred thousand dollars (\$500,000) to
7 design, construct and install exhibits at Bosque Redondo
8 memorial at Fort Sumner state monument in De Baca county;

9 4. one million dollars (\$1,000,000) to construct
10 and install outdoor exhibits and security fencing at the New
11 Mexico farm and ranch heritage museum in Las Cruces in Dona Ana
12 county;

13 5. one hundred thousand dollars (\$100,000) for
14 property acquisition at Fort Selden state monument in Radium
15 Springs in Dona Ana county;

16 6. five hundred thousand dollars (\$500,000) to
17 construct, purchase and install water infrastructure,
18 furniture, fixtures and equipment at the center for New Mexico
19 archaeology in Santa Fe county; and

20 7. four million dollars (\$4,000,000) for repairs,
21 upgrades and renovations at state museums and monuments
22 statewide.

23 SECTION 7. CUMBRES AND TOLTEC SCENIC RAILROAD COMMISSION
24 PROJECTS--SEVERANCE TAX BONDS.--Pursuant to the provisions of
25 Section 1 of this act, upon certification by the Cumbres and

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1 Toltec scenic railroad commission that the need exists for the
2 issuance of the bonds, the following amounts are appropriated
3 to the Cumbres and Toltec scenic railroad commission for the
4 following purposes:

5 1. one million dollars (\$1,000,000) for track
6 rehabilitation and improvements to the Cumbres and Toltec
7 scenic railroad in Rio Arriba county; and

8 2. five hundred thousand dollars (\$500,000) to
9 rehabilitate the boiler system and make other improvements to
10 comply with federal standards.

11 SECTION 8. ECONOMIC DEVELOPMENT DEPARTMENT PROJECTS--
12 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
13 of this act, upon certification by the economic development
14 department that the need exists for the issuance of the bonds,
15 the following amounts are appropriated to the economic
16 development department for the following purposes:

17 1. one million dollars (\$1,000,000) for mainstreet
18 infrastructure and renovation projects statewide; and

19 2. eight million dollars (\$8,000,000) for economic
20 development projects statewide pursuant to the Local Economic
21 Development Act.

22 SECTION 9. PUBLIC EDUCATION DEPARTMENT PROJECT--SEVERANCE
23 TAX BONDS.--Pursuant to the provisions of Section 1 of this
24 act, upon certification by the public education department that
25 the need exists for the issuance of the bonds, four million

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1 three hundred thousand dollars (\$4,300,000) is appropriated to
 2 the public education department to purchase school buses
 3 statewide.

4 **SECTION 10. ENERGY, MINERALS AND NATURAL RESOURCES**
 5 DEPARTMENT PROJECT--SEVERANCE TAX BONDS.--Pursuant to the
 6 provisions of Section 1 of this act, upon certification by the
 7 energy, minerals and natural resources department that the need
 8 exists for the issuance of the bonds, two million dollars
 9 (\$2,000,000) is appropriated to the energy, minerals and
 10 natural resources department to purchase and equip fire engines
 11 and conduct wildfire mitigation and forest restoration projects
 12 statewide.

13 **SECTION 11. OFFICE OF THE STATE ENGINEER PROJECTS--**
 14 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
 15 of this act, upon certification by the office of the state
 16 engineer that the need exists for the issuance of the bonds,
 17 the following amounts are appropriated to the office of the
 18 state engineer for the following purposes:

- 19 1. two million seven hundred thousand dollars
 20 (\$2,700,000) to construct the dam spillway in Springer in
 21 Colfax county; and
- 22 2. five hundred thousand dollars (\$500,000) to
 23 purchase and install surface and ground water meters to assess
 24 water use, water supply, impairment, public welfare,
 25 conservation and water accountability statewide.

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1 SECTION 12. INDIAN WATER RIGHTS SETTLEMENT--SEVERANCE TAX
2 BONDS.--Pursuant to the provisions of Section 1 of this act,
3 upon certification by the office of the state engineer that the
4 need exists for the issuance of the bonds, fifteen million
5 dollars (\$15,000,000) is appropriated to the Indian water
6 rights settlement fund. Notwithstanding the requirement for a
7 joint resolution of the legislature in Subsection A of Section
8 72-1-11 NMSA 1978, if corresponding commitments have been made
9 for the federal portion of the settlement in the *Navajo Nation*,
10 *Taos* and *Aamodt* cases, the money may be expended by the
11 interstate stream commission in fiscal year 2012 and subsequent
12 fiscal years to implement the state's portion of the
13 settlement, and any unexpended or unencumbered balances shall
14 not revert at the end of a fiscal year.

15 SECTION 13. DEPARTMENT OF ENVIRONMENT PROJECTS--SEVERANCE
16 TAX BONDS.--Pursuant to the provisions of Section 1 of this
17 act, upon certification by the department of environment that
18 the need exists for the issuance of the bonds, the following
19 amounts are appropriated to the department of environment for
20 the following purposes:

- 21 1. one million five hundred thousand dollars
22 (\$1,500,000) to plan, design and construct improvements to the
23 water supply and distribution system, including replacing wells
24 and fire pumps, serving Santa Teresa and surrounding areas of
25 Dona Ana county;

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1 2. seven hundred thousand dollars (\$700,000) to
 2 plan, design, construct and equip a wastewater treatment
 3 facility serving the Santa Teresa port of entry, industrial
 4 areas and surrounding communities in Dona Ana county; and

5 3. seven million dollars (\$7,000,000) to the
 6 special appropriations program for completion of water and
 7 wastewater projects impacting the health and safety of the
 8 general public at the local government level statewide;
 9 provided that the project eligibility be prioritized by the
 10 construction programs bureau of the department of environment
 11 and reviewed by the department of finance and administration
 12 and the legislative finance committee; and provided further
 13 that the allocations shall be subject to approval by the state
 14 board of finance.

15 **SECTION 14. STATE FAIR COMMISSION PROJECT--SEVERANCE TAX**
 16 **BONDS.--**Pursuant to the provisions of Section 1 of this act,
 17 upon certification by the state fair commission that the need
 18 exists for the issuance of the bonds, two million five hundred
 19 thousand dollars (\$2,500,000) is appropriated to the state fair
 20 commission for deferred maintenance improvements, including
 21 fire suppression and electrical infrastructure, at the New
 22 Mexico state fairgrounds in Albuquerque in Bernalillo county.

23 **SECTION 15. DEPARTMENT OF FINANCE AND ADMINISTRATION**
 24 **PROJECTS--SEVERANCE TAX BONDS.--**Pursuant to the provisions of
 25 Section 1 of this act, upon certification by the department of

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1 finance and administration that the need exists for the
2 issuance of the bonds, the following amounts are appropriated
3 to the department of finance and administration for the
4 following purposes:

- 5 1. one million dollars (\$1,000,000) for colonias
6 infrastructure improvements statewide; and
- 7 2. eleven million dollars (\$11,000,000) for
8 completion of projects impacting the health and safety of the
9 general public at the local government level statewide;
10 provided that the criteria and application process for project
11 eligibility shall be developed by the department of finance and
12 administration, the legislative council service and the
13 legislative finance committee; and provided further that the
14 criteria, application process and allocations shall be subject
15 to review by the legislative finance committee and approval by
16 the state board of finance.

17 **SECTION 16. DEPARTMENT OF HEALTH PROJECTS--SEVERANCE TAX**
18 **BONDS.--**Pursuant to the provisions of Section 1 of this act,
19 upon certification by the department of health that the need
20 exists for the issuance of the bonds, the following amounts are
21 appropriated to the department of health for the following
22 purposes:

- 23 1. one million three hundred thousand dollars
24 (\$1,300,000) to purchase and install equipment at the New
25 Mexico behavioral health institute in Las Vegas in San Miguel

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1 county;

2 2. two hundred thousand dollars (\$200,000) for
3 vehicle replacement to comply with the Americans with
4 Disabilities Act of 1990 at the New Mexico behavioral health
5 institute in Las Vegas in San Miguel county; and

6 3. four hundred fifty thousand dollars (\$450,000)
7 to purchase and install analytical equipment for the scientific
8 laboratory division in Albuquerque in Bernalillo county.

9 SECTION 17. HUMAN SERVICES DEPARTMENT PROJECTS--SEVERANCE
10 TAX BONDS.--Pursuant to the provisions of Section 1 of this
11 act, upon certification by the human services department that
12 the need exists for the issuance of the bonds, the following
13 amounts are appropriated to the human services department for
14 the following purposes:

15 1. two hundred fifty thousand dollars (\$250,000) to
16 upgrade voice and data wiring and purchase and install backup
17 cooling units for the computer systems at human services
18 department offices in Farmington, Hobbs, Albuquerque and
19 Espanola; and

20 2. thirteen million dollars (\$13,000,000) to plan,
21 design, purchase and install information technology, including
22 related infrastructure. Before the human services department
23 may certify the need for issuance of severance tax bonds, the
24 department of finance and administration shall verify that the
25 human services department or the department of information

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1 technology, or both, have:

2 (a) included specific deliverables in distinct
3 phases for all contracts so that only the amount to be expended
4 in a single year can be encumbered, including deliverables of
5 any contract for integrator or project management office
6 services;

7 (b) ensured that the project sufficiently
8 redesigns current business process to eliminate obsolete or
9 outdated practices;

10 (c) received written approval from the
11 compliance and project management division of the department of
12 information technology for each phase;

13 (d) received written approval from the federal
14 funding agencies;

15 (e) provided copies of monthly written reports
16 and approvals, including any independent validation and
17 verification reports, to the governor, the department of
18 finance and administration and the legislative finance
19 committee; and

20 (f) provided quarterly reports to the
21 department of finance and administration and the legislative
22 finance committee on their oversight activities of the project.

23 **SECTION 18. DEPARTMENT OF INFORMATION TECHNOLOGY**

24 **PROJECTS--SEVERANCE TAX BONDS.--**Pursuant to the provisions of
25 Section 1 of this act, upon certification by the department of

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1 information technology that the need exists for the issuance of
2 the bonds, the following amounts are appropriated to the
3 department of information technology for the following
4 purposes:

5 1. five hundred thousand dollars (\$500,000) to
6 upgrade infrastructure for the state's enterprise email system;

7 2. two million six hundred thousand dollars
8 (\$2,600,000) for two-way radios and antenna systems and
9 upgrades to support radio communications for agencies
10 statewide; and

11 3. five hundred thousand dollars (\$500,000) for
12 telephone system upgrades statewide.

13 SECTION 19. DEPARTMENT OF MILITARY AFFAIRS

14 PROJECTS--SEVERANCE TAX BONDS.--Pursuant to the provisions of
15 Section 1 of this act, upon certification by the department of
16 military affairs that the need exists for the issuance of the
17 bonds, the following amounts are appropriated to the department
18 of military affairs for the following purposes:

19 1. one million six hundred thousand dollars
20 (\$1,600,000) to design and construct a readiness center in
21 Farmington in San Juan county; and

22 2. two million dollars (\$2,000,000) to plan, design
23 and construct dormitory facilities for an at-risk youth program
24 administered by the New Mexico national guard in Roswell in
25 Chaves county.

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1 **SECTION 20. DEPARTMENT OF PUBLIC SAFETY PROJECT--**
2 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
3 of this act, upon certification by the department of public
4 safety that the need exists for the issuance of the bonds, four
5 million dollars (\$4,000,000) is appropriated to the department
6 of public safety to purchase and equip vehicles, including
7 installing satellite communication upgrades.

8 **SECTION 21. NEW MEXICO SCHOOL FOR THE BLIND AND VISUALLY**
9 **IMPAIRED AND NEW MEXICO SCHOOL FOR THE DEAF PROJECTS--PUBLIC**
10 **SCHOOL CAPITAL OUTLAY FUND--SEVERANCE TAX BONDS.--**Pursuant to
11 the provisions of Section 1 of this act, upon certification by
12 the public school capital outlay council that the need exists
13 for the issuance of the bonds, the following amounts are
14 appropriated to the public school capital outlay fund for the
15 following purposes:

16 1. three million five hundred thousand dollars
17 (\$3,500,000) for renovating Watkins education center and for
18 other infrastructure improvements to address critical
19 deficiencies and to comply with the requirements of the
20 Americans with Disabilities Act of 1990 at the New Mexico
21 school for the blind and visually impaired in Alamogordo in
22 Otero county; and

23 2. five million dollars (\$5,000,000) for
24 improvements, including fire suppression and improvements to
25 comply with the Americans with Disabilities Act of 1990, and

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1 other renovations to Dillon hall and to address critical
 2 deficiencies at the New Mexico school for the deaf in Santa Fe
 3 in Santa Fe county.

4 **SECTION 22. SECRETARY OF STATE PROJECT--SEVERANCE TAX**
 5 **BONDS.--**Pursuant to the provisions of Section 1 of this act,
 6 upon certification by the secretary of state that the need
 7 exists for the issuance of the bonds, two hundred thousand
 8 dollars (\$200,000) is appropriated to the secretary of state
 9 for information technology upgrades, including computers and
 10 servers, at the secretary of state's office in Santa Fe in
 11 Santa Fe county.

12 **SECTION 23. SUPREME COURT BUILDING COMMISSION PROJECTS--**
 13 **SEVERANCE TAX BONDS.--**Pursuant to the provisions of Section 1
 14 of this act, upon certification by the supreme court building
 15 commission that the need exists for the issuance of the bonds,
 16 the following amounts are appropriated to the supreme court
 17 building commission for the following purposes:

18 1. three million dollars (\$3,000,000) for upgrades,
 19 electrical infrastructure and renovations, including
 20 improvements to comply with the Americans with Disabilities Act
 21 of 1990, at the supreme court law library in Santa Fe in Santa
 22 Fe county; and

23 2. seven hundred eighty thousand dollars (\$780,000)
 24 to replace or upgrade the roof at the supreme court building in
 25 Santa Fe in Santa Fe county.

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1 **SECTION 24. TAXATION AND REVENUE DEPARTMENT PROJECTS--**
2 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
3 of this act, upon certification by the taxation and revenue
4 department that the need exists for the issuance of the bonds,
5 the following amounts are appropriated to the taxation and
6 revenue department for the following purposes:

7 1. three hundred thirty thousand dollars (\$330,000)
8 to purchase and install mail extraction units in Santa Fe in
9 Santa Fe county; and

10 2. two hundred fifty thousand dollars (\$250,000) to
11 purchase and install microfilm equipment, including scanners
12 for the image processing unit, in Santa Fe in Santa Fe county.

13 **SECTION 25. DEPARTMENT OF TRANSPORTATION PROJECT--**
14 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
15 of this act, upon certification by the department of
16 transportation that the need exists for the issuance of the
17 bonds, three hundred fifty thousand dollars (\$350,000) is
18 appropriated to the department of transportation to construct a
19 commercial lane, including related infrastructure, on the
20 southbound road at the port of entry in Santa Teresa in Dona
21 Ana county.

22 **SECTION 26. STATE ROAD FUND PROJECT--SEVERANCE TAX**
23 BONDS.--Pursuant to the provisions of Section 1 of this act,
24 upon certification by the department of transportation that the
25 need exists for the issuance of the bonds, thirty-two million

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1 four hundred eighty-four thousand dollars (\$32,484,000) is
2 appropriated to the state road fund for state highway
3 improvements, including pavement preservation treatments,
4 pavement overlay, rehabilitation and highway reconstruction
5 statewide.

6 SECTION 27. HIGHER EDUCATION DEPARTMENT PROJECT--
7 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
8 of this act, upon certification by the higher education
9 department that the need exists for the issuance of the bonds,
10 twenty million dollars (\$20,000,000) is appropriated to the
11 higher education department for critical infrastructure
12 improvements to address needs impacting the health and safety
13 of students, staff and the public at state institutions of
14 higher learning statewide; provided that the criteria and
15 application process for project eligibility shall be developed
16 by the higher education department's capital projects review
17 and approval committee; and provided further that the criteria,
18 application process and allocations shall be subject to review
19 by the legislative finance committee and the department of
20 finance and administration and approval by the state board of
21 finance.

22 SECTION 28. WASTEWATER FACILITY CONSTRUCTION LOAN FUND
23 PROJECT--SEVERANCE TAX BONDS.--Pursuant to the provisions of
24 Section 1 of this act, upon certification by the department of
25 environment that the need exists for the issuance of the bonds,

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1 two million dollars (\$2,000,000) is appropriated to the
2 wastewater facility construction loan fund to implement the
3 provisions of the Wastewater Facility Construction Loan Act or
4 to provide state matching funds required by the terms of any
5 federal grant under the Clean Water Act.

6 SECTION 29. DEPARTMENT OF GAME AND FISH PROJECTS--
7 APPROPRIATIONS FROM THE GAME AND FISH BOND RETIREMENT FUND.--
8 The following amounts are appropriated from the game and fish
9 bond retirement fund to the department of game and fish for
10 expenditure in fiscal years 2011 through 2015, unless otherwise
11 provided for in Section 2 of this act, for the following
12 purposes:

13 1. two hundred fifty thousand dollars (\$250,000)
14 for wildlife management area facility improvements statewide;
15 and

16 2. three hundred thousand dollars (\$300,000) to
17 replace water pipelines at the hatchery in Red River in Taos
18 county.

19 SECTION 30. DEPARTMENT OF GAME AND FISH PROJECTS--
20 APPROPRIATIONS FROM THE GAME PROTECTION FUND.--The following
21 amounts are appropriated from the game protection fund to the
22 department of game and fish for expenditure in fiscal years
23 2011 through 2015, unless otherwise provided for in Section 2
24 of this act, for the following purposes:

25 1. one hundred twenty-five thousand dollars

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1 (\$125,000) for improvements related to safety compliance at the
 2 Clayton, Snow, Quemado and Hopewell lake fisheries and their
 3 associated dams and spillways; and

4 2. two hundred thousand dollars (\$200,000) to
 5 replace water pipelines at the hatchery in Red River in Taos
 6 county.

7 **SECTION 31. DEPARTMENT OF GAME AND FISH PROJECT--**
 8 **APPROPRIATION FROM THE HABITAT MANAGEMENT FUND.--**Two hundred
 9 fifty thousand dollars (\$250,000) is appropriated from the
 10 habitat management fund to the department of game and fish for
 11 expenditure in fiscal years 2011 through 2015, unless otherwise
 12 provided for in Section 2 of this act, for improvements related
 13 to safety compliance at the Clayton, Snow, Quemado and Hopewell
 14 lake fisheries and their associated dams and spillways.

15 **SECTION 32. DEPARTMENT OF TRANSPORTATION PROJECTS--**
 16 **APPROPRIATIONS FROM THE STATE ROAD FUND.--**The following amounts
 17 are appropriated from the state road fund to the department of
 18 transportation for expenditure in fiscal years 2011 through
 19 2015, unless otherwise provided for in Section 2 of this act,
 20 for the following purposes:

21 1. one million dollars (\$1,000,000) for capital
 22 improvements to the New Mexico rail runner express; and

23 2. three hundred fifty thousand dollars (\$350,000)
 24 for purchase, installation and construction of salt storage
 25 facilities statewide.

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