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HOUSE BILL 34

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

INTRODUCED BY

Thomas C. Taylor

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

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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 five hundred thousand dollars (\$1,500,000) 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-four thousand dollars

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1 (\$474,000) 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) to
14 design and upgrade the heating, ventilation and air
15 conditioning systems at the workforce solutions department
16 administration building in Albuquerque in Bernalillo county;

17 4. one million dollars (\$1,000,000) to plan,
18 design, construct, renovate, equip and furnish improvements,
19 including lighting and upgrades for safety and code compliance,
20 at the workforce solutions department administration building
21 in Albuquerque in Bernalillo county;

22 5. one million two hundred thousand dollars
23 (\$1,200,000) to construct a water and wastewater system to meet
24 environmental standards and regulations at the Roswell
25 correctional facility in Chaves county;

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1 6. five hundred thousand dollars (\$500,000) to
2 plan, design and construct water, wastewater and erosion
3 control improvements at the western New Mexico correctional
4 facility in Cibola county;

5 7. fifty thousand dollars (\$50,000) to plan and
6 design the renovation and expansion of the workforce connection
7 center in Deming in Luna county;

8 8. two million nine hundred thousand dollars
9 (\$2,900,000) to design, renovate and equip the kitchens at the
10 southern New Mexico correctional facility in Dona Ana county
11 and the central New Mexico correctional facility in Valencia
12 county;

13 9. ten million dollars (\$10,000,000) to design and
14 upgrade the heating, ventilation and air conditioning systems
15 and infrastructure at the southern New Mexico correctional
16 facility in Dona Ana county, the central New Mexico
17 correctional facility in Valencia county and the western New
18 Mexico correctional facility in Cibola county;

19 10. one million three hundred thousand dollars
20 (\$1,300,000) to acquire land for and plan and design a juvenile
21 detention facility to implement Cambiar New Mexico in the
22 southeastern part of the state;

23 11. two million dollars (\$2,000,000) to design and
24 upgrade infrastructure and renovate, equip and furnish
25 facilities at the youth diagnostic and development center

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1 campus in Albuquerque in Bernalillo county and the John Paul
2 Taylor center in Las Cruces in Dona Ana county;

3 12. seven hundred thousand dollars (\$700,000) to
4 plan, design, renovate, equip, furnish and expand the New
5 Mexico state police district office in Espanola in Rio Arriba
6 county;

7 13. five hundred thousand dollars (\$500,000) to
8 design and stabilize the foundations of buildings at the New
9 Mexico behavioral health institute in Las Vegas in San Miguel
10 county;

11 14. one million five hundred thousand dollars
12 (\$1,500,000) to design and upgrade boilers and related
13 infrastructure at the New Mexico behavioral health institute in
14 Las Vegas in San Miguel county;

15 15. three hundred thousand dollars (\$300,000) to
16 purchase, design and install chillers at the New Mexico
17 behavioral health institute in Las Vegas in San Miguel county;

18 16. two million five hundred thousand dollars
19 (\$2,500,000) for design and infrastructure improvements at the
20 New Mexico behavioral health institute in Las Vegas in San
21 Miguel county;

22 17. four million five hundred thousand dollars
23 (\$4,500,000) to construct, furnish and equip the New Meadows
24 buildings at the New Mexico behavioral health institute in Las
25 Vegas in San Miguel county;

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1 18. one million three hundred thousand dollars
2 (\$1,300,000) for design and roof replacement at the New Mexico
3 behavioral health institute in Las Vegas in San Miguel county;

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

7 20. fifty thousand dollars (\$50,000) to plan and
8 design the renovation and expansion of the workforce connection
9 center in Las Vegas in San Miguel county;

10 21. two million six hundred twenty-five thousand
11 six hundred dollars (\$2,625,600) to design, renovate and
12 furnish the dormitories, including fire suppression and
13 heating, ventilation and air conditioning systems, at the New
14 Mexico law enforcement academy in Santa Fe county;

15 22. one million two hundred thousand dollars
16 (\$1,200,000) to design, renovate, improve, furnish and make
17 infrastructure improvements to the Runnels building, including
18 heating, ventilation and air conditioning and electrical
19 systems, and to plan, design and develop the site at the south
20 capitol campus in Santa Fe county;

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

24 24. six million five hundred thousand dollars
25 (\$6,500,000) to construct, furnish and equip the Alzheimer's

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1 skilled nursing unit at the New Mexico state veterans' home in
2 Truth or Consequences in Sierra county;

3 25. two million six hundred thousand dollars
4 (\$2,600,000) to design and improve infrastructure at the New
5 Mexico state veterans' home in Truth or Consequences in Sierra
6 county;

7 26. seven hundred thousand dollars (\$700,000) for
8 design and heating, ventilation and air conditioning system
9 improvements and system isolation at the New Mexico state
10 veterans' home in Truth or Consequences in Sierra county;

11 27. three million dollars (\$3,000,000) to upgrade,
12 repair and equip correctional facilities statewide;

13 28. two million dollars (\$2,000,000) for
14 demolition, decommissioning and hazardous materials abatement
15 of state buildings, including structures on the campuses of Los
16 Lunas training hospital in Valencia county, Fort Bayard medical
17 center in Grant county, the old Roswell rehabilitation center
18 in Chaves county, the oil conservancy building in Hobbs in Lea
19 county and the youth diagnostic and development center in
20 Albuquerque in Bernalillo county; and

21 29. five million dollars (\$5,000,000) for repairs,
22 renovations, deferred maintenance, restoration infrastructure
23 improvements and construction at state buildings statewide.

24 SECTION 6. CULTURAL AFFAIRS DEPARTMENT PROJECTS--
25 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
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1 of this act, upon certification by the cultural affairs
2 department that the need exists for the issuance of the bonds,
3 the following amounts are appropriated to the cultural affairs
4 department for the following purposes:

5 1. seven hundred fifty thousand dollars (\$750,000)
6 to construct the education center at the New Mexico museum of
7 natural history and science in Albuquerque in Bernalillo
8 county;

9 2. two hundred twenty-five thousand dollars
10 (\$225,000) for landscaping, signage and purchasing and
11 installing furniture, fixtures and equipment at the national
12 Hispanic cultural center in Albuquerque in Bernalillo county;

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

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

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

23 6. five hundred thousand dollars (\$500,000) to
24 construct, purchase and install water infrastructure,
25 furniture, fixtures and equipment at the center for New Mexico

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1 archaeology in Santa Fe county; and

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

5 SECTION 7. CUMBRES AND TOLTEC SCENIC RAILROAD COMMISSION
6 PROJECTS--SEVERANCE TAX BONDS.--Pursuant to the provisions of
7 Section 1 of this act, upon certification by the Cumbres and
8 Toltec scenic railroad commission that the need exists for the
9 issuance of the bonds, the following amounts are appropriated
10 to the Cumbres and Toltec scenic railroad commission for the
11 following purposes:

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

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

18 SECTION 8. ECONOMIC DEVELOPMENT DEPARTMENT PROJECTS--
19 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
20 of this act, upon certification by the economic development
21 department that the need exists for the issuance of the bonds,
22 the following amounts are appropriated to the economic
23 development department for the following purposes:

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

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

4 **SECTION 9. PUBLIC EDUCATION DEPARTMENT PROJECT--SEVERANCE**
5 **TAX BONDS.**--Pursuant to the provisions of Section 1 of this
6 act, upon certification by the public education department that
7 the need exists for the issuance of the bonds, four million
8 three hundred thousand dollars (\$4,300,000) is appropriated to
9 the public education department to purchase school buses
10 statewide.

11 **SECTION 10. ENERGY, MINERALS AND NATURAL RESOURCES**
12 **DEPARTMENT PROJECT--SEVERANCE TAX BONDS.**--Pursuant to the
13 provisions of Section 1 of this act, upon certification by the
14 energy, minerals and natural resources department that the need
15 exists for the issuance of the bonds, two million dollars
16 (\$2,000,000) is appropriated to the energy, minerals and
17 natural resources department to purchase and equip fire engines
18 and conduct wildfire mitigation and forest restoration projects
19 statewide.

20 **SECTION 11. OFFICE OF THE STATE ENGINEER PROJECTS--**
21 **SEVERANCE TAX BONDS.**--Pursuant to the provisions of Section 1
22 of this act, upon certification by the office of the state
23 engineer that the need exists for the issuance of the bonds,
24 the following amounts are appropriated to the office of the
25 state engineer for the following purposes:

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1 1. three million seven hundred thousand dollars
2 (\$3,700,000) to construct the dam spillway in Springer in
3 Colfax county and for emergency dam repairs statewide; and

4 2. five hundred thousand dollars (\$500,000) to
5 purchase and install surface and ground water meters to assess
6 water use, water supply, impairment, public welfare,
7 conservation and water accountability statewide.

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

22 **SECTION 13. DEPARTMENT OF ENVIRONMENT PROJECTS--SEVERANCE**
23 **TAX BONDS.**--Pursuant to the provisions of Section 1 of this
24 act, upon certification by the department of environment that
25 the need exists for the issuance of the bonds, the following

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1 amounts are appropriated to the department of environment for
2 the following purposes:

3 1. one million five hundred thousand dollars
4 (\$1,500,000) to plan, design and construct improvements to the
5 water supply and distribution system, including replacing wells
6 and fire pumps, serving Santa Teresa and surrounding areas of
7 Dona Ana county;

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

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

21 **SECTION 14. STATE FAIR COMMISSION PROJECT--SEVERANCE TAX**
22 **BONDS.--**Pursuant to the provisions of Section 1 of this act,
23 upon certification by the state fair commission that the need
24 exists for the issuance of the bonds, four million dollars
25 (\$4,000,000) is appropriated to the state fair commission for

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1 deferred maintenance improvements, including fire suppression
2 and electrical infrastructure, at the New Mexico state
3 fairgrounds in Albuquerque in Bernalillo county.

4 SECTION 15. DEPARTMENT OF FINANCE AND ADMINISTRATION
5 PROJECT--SEVERANCE TAX BONDS.--Pursuant to the provisions of
6 Section 1 of this act, upon certification by the department of
7 finance and administration that the need exists for the
8 issuance of the bonds, ten million dollars (\$10,000,000) is
9 appropriated to the department of finance and administration
10 for completion of projects impacting the health and safety of
11 the general public at the local government level statewide;
12 provided that the criteria and application process for project
13 eligibility shall be developed by the department of finance and
14 administration, the legislative council service and the
15 legislative finance committee; and provided further that the
16 criteria, application process and allocations shall be subject
17 to review by the legislative finance committee and approval by
18 the state board of finance.

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

25 1. one million three hundred thousand dollars

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1 (\$1,300,000) to purchase and install equipment at the New
2 Mexico behavioral health institute in Las Vegas in San Miguel
3 county;

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

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

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

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

22 2. thirteen million six hundred thousand dollars
23 (\$13,600,000) to plan, design, purchase and install information
24 technology, including related infrastructure. Before the human
25 services department may certify the need for issuance of

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1 severance tax bonds, the department of finance and
2 administration shall verify that the human services department
3 or the department of information technology, or both, have:

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

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

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

15 (d) received written approval from the federal
16 funding agencies;

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

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

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

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1 PROJECTS--SEVERANCE TAX BONDS.--Pursuant to the provisions of
2 Section 1 of this act, upon certification by the department of
3 information technology that the need exists for the issuance of
4 the bonds, the following amounts are appropriated to the
5 department of information technology for the following
6 purposes:

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

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

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

15 SECTION 19. DEPARTMENT OF MILITARY AFFAIRS PROJECT--
16 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
17 of this act, upon certification by the department of military
18 affairs that the need exists for the issuance of the bonds, one
19 million six hundred thousand dollars (\$1,600,000) is
20 appropriated to the department of military affairs to design
21 and construct a readiness center in Farmington in San Juan
22 county.

23 SECTION 20. DEPARTMENT OF PUBLIC SAFETY PROJECT--
24 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
25 of this act, upon certification by the department of public

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1 safety that the need exists for the issuance of the bonds, four
2 million dollars (\$4,000,000) is appropriated to the department
3 of public safety to purchase and equip vehicles, including
4 installing satellite communication upgrades.

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

13 1. eight hundred fifty thousand dollars (\$850,000)
14 for renovating Watkins education center and for other
15 infrastructure improvements to address critical deficiencies
16 and to comply with the requirements of the Americans with
17 Disabilities Act of 1990 at the New Mexico school for the blind
18 and visually impaired in Alamogordo in Otero county; and

19 2. one million eight hundred fifty thousand dollars
20 (\$1,850,000) for improvements, including fire suppression and
21 improvements to comply with the Americans with Disabilities Act
22 of 1990, and other renovations to Dillon hall and to address
23 critical deficiencies at the New Mexico school for the deaf in
24 Santa Fe in Santa Fe county.

25 SECTION 22. SECRETARY OF STATE PROJECT--SEVERANCE TAX

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1 BONDS.--Pursuant to the provisions of Section 1 of this act,
2 upon certification by the secretary of state that the need
3 exists for the issuance of the bonds, seven hundred thousand
4 dollars (\$700,000) is appropriated to the secretary of state
5 for information technology upgrades, including computers and
6 servers, at the secretary of state's office in Santa Fe in
7 Santa Fe county.

8 SECTION 23. SUPREME COURT BUILDING COMMISSION PROJECTS--

9 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
10 of this act, upon certification by the supreme court building
11 commission that the need exists for the issuance of the bonds,
12 the following amounts are appropriated to the supreme court
13 building commission for the following purposes:

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

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

22 SECTION 24. TAXATION AND REVENUE DEPARTMENT PROJECTS--

23 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
24 of this act, upon certification by the taxation and revenue
25 department that the need exists for the issuance of the bonds,

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1 the following amounts are appropriated to the taxation and
2 revenue department for the following purposes:

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

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

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

18 SECTION 26. STATE ROAD FUND PROJECT--SEVERANCE TAX
19 BONDS.--Pursuant to the provisions of Section 1 of this act,
20 upon certification by the department of transportation that the
21 need exists for the issuance of the bonds, forty-two million
22 fifteen thousand dollars (\$42,015,000) is appropriated to the
23 state road fund for state highway improvements, including
24 pavement preservation treatments, pavement overlay,
25 rehabilitation and highway reconstruction statewide.

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1 **SECTION 27. WASTEWATER FACILITY CONSTRUCTION LOAN FUND**
2 PROJECT--SEVERANCE TAX BONDS.--Pursuant to the provisions of
3 Section 1 of this act, upon certification by the department of
4 environment that the need exists for the issuance of the bonds,
5 one million four hundred forty-four thousand four hundred
6 dollars (\$1,444,400) is appropriated to the wastewater facility
7 construction loan fund to implement the provisions of the
8 Wastewater Facility Construction Loan Act or to provide state
9 matching funds required by the terms of any federal grant under
10 the Clean Water Act.

11 **SECTION 28. DEPARTMENT OF GAME AND FISH PROJECTS--**
12 APPROPRIATIONS FROM THE GAME AND FISH BOND RETIREMENT FUND.--
13 The following amounts are appropriated from the game and fish
14 bond retirement fund to the department of game and fish for
15 expenditure in fiscal years 2011 through 2015, unless otherwise
16 provided for in Section 2 of this act, for the following
17 purposes:

- 18 1. two hundred fifty thousand dollars (\$250,000)
19 for wildlife management area facility improvements statewide;
20 and
- 21 2. three hundred thousand dollars (\$300,000) to
22 replace water pipelines at the hatchery in Red River in Taos
23 county.

24 **SECTION 29. DEPARTMENT OF GAME AND FISH PROJECTS--**
25 APPROPRIATIONS FROM THE GAME PROTECTION FUND.--The following

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1 amounts are appropriated from the game protection fund to the
2 department of game and fish for expenditure in fiscal years
3 2011 through 2015, unless otherwise provided for in Section 2
4 of this act, for the following purposes:

5 1. one hundred twenty-five thousand dollars
6 (\$125,000) for improvements related to safety compliance at the
7 Clayton, Snow, Quemado and Hopewell lake fisheries and their
8 associated dams and spillways; and

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

12 **SECTION 30. DEPARTMENT OF GAME AND FISH PROJECT--**
13 **APPROPRIATION FROM THE HABITAT MANAGEMENT FUND.--**Two hundred
14 fifty thousand dollars (\$250,000) is appropriated from the
15 habitat management fund to the department of game and fish for
16 expenditure in fiscal years 2011 through 2015, unless otherwise
17 provided for in Section 2 of this act, for improvements related
18 to safety compliance at the Clayton, Snow, Quemado and Hopewell
19 lake fisheries and their associated dams and spillways.

20 **SECTION 31. DEPARTMENT OF TRANSPORTATION PROJECT--**
21 **APPROPRIATION FROM THE STATE ROAD FUND.--**Three hundred fifty
22 thousand dollars (\$350,000) is appropriated from the state road
23 fund to the department of transportation for expenditure in
24 fiscal years 2011 through 2015, unless otherwise provided for
25 in Section 2 of this act, for purchase, installation and

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1 construction of salt storage facilities statewide.

2 SECTION 32. PROJECT SCOPE--EXPENDITURES.--If an
3 appropriation for a project authorized in this act is not
4 sufficient to complete all the purposes specified, the
5 appropriation may be expended for any portion of the purposes
6 specified in the appropriation. Expenditures shall not be made
7 for purposes other than those specified in the appropriation.

8 SECTION 33. ART IN PUBLIC PLACES.--Pursuant to Section
9 13-4A-4 NMSA 1978 and where applicable, the appropriations
10 authorized in this act include one percent for the art in
11 public places fund.

12 SECTION 34. EMERGENCY.--It is necessary for the public
13 peace, health and safety that this act take effect immediately.