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SENATE BILL 386

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

Timothy Z. Jennings

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 authorized 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 the issuance
15 of the bonds for a particular project, including projects that
16 have been reauthorized, by the end of fiscal year 2011, the
17 authorization for that project is void.

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

21 (1) incur within six months after the
22 applicable bonds have been issued a substantial binding
23 obligation to a third party to expend at least five percent of
24 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 bonds
2 have been issued.

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

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

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

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

20 (c) for any other project for which
21 severance tax bonds were issued, within six months of
22 completion of the project, but no later than the end of fiscal
23 year 2013; and

24 (2) all remaining balances from the proceeds
25 of severance tax bonds issued for a project pursuant to this

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1 act shall revert to the severance tax bonding fund three months
2 after the latest reversion date specified for that type of
3 project in Paragraph (1) of this subsection, whether or not any
4 of the remaining balances are subject to a contractual
5 obligation to third parties.

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

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

13 Section 2. GENERAL FUND AND OTHER FUND APPROPRIATIONS--
14 LIMITATIONS--REVERSIONS.--

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

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

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

23 (b) for a project for which an
24 appropriation was made to purchase vehicles, including
25 emergency vehicles and other vehicles that require special

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

6 (c) for any other project for which an
7 appropriation was made, within six months of completion of the
8 project, but no later than the end of fiscal year 2013; and

9 (2) all remaining balances from an
10 appropriation made in this act for a project shall revert three
11 months after the latest reversion date specified for that type
12 of project in Paragraph (1) of this subsection, whether or not
13 any of the remaining balances are subject to a contractual
14 obligation to third parties.

15 B. Upon certification by an agency that money from
16 the general fund is needed for a purpose specified in this act,
17 the secretary of finance and administration shall disburse such
18 amount of the appropriation for that project as is necessary to
19 meet that need.

20 C. Except for appropriations to the capital program
21 fund, money from appropriations made in this act shall not be
22 used to pay indirect project costs.

23 D. Except as provided in Subsection F of this
24 section, the balance of an appropriation made from the general
25 fund shall revert in the time frame set forth in Subsection A

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1 of this section to the capital projects fund.

2 E. Except as provided in Subsection F of this
3 section, the balance of an appropriation made from other state
4 funds shall revert in the time frame set forth in Subsection A
5 of this section to the originating fund.

6 F. The balance of an appropriation made from the
7 general fund or other state fund to the Indian affairs
8 department or the aging and long-term services department for a
9 project located on lands of an Indian nation, tribe or pueblo
10 shall revert in the time frame set forth in Subsection A of
11 this section to the tribal infrastructure project fund.

12 G. For the purpose of this section, "unexpended
13 balance" means the remainder of an appropriation after
14 reserving for unpaid costs and expenses covered by binding
15 written obligations to third parties.

16 Section 3. PUBLIC EDUCATION DEPARTMENT PROJECT--SEVERANCE
17 TAX BONDS.--Pursuant to the provisions of Section 1 of this
18 act, upon certification by the public education department that
19 the need exists for the issuance of the bonds, four hundred
20 fifty thousand dollars (\$450,000) is appropriated to the public
21 education department to plan, design, construct and improve a
22 synthetic turf field at Roosevelt middle school in the
23 Albuquerque public school district in Bernalillo county.

24 Section 4. DEPARTMENT OF TRANSPORTATION PROJECT--
25 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1

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1 of this act, upon certification by the department of
2 transportation that the need exists for the issuance of the
3 bonds, two hundred fifty thousand dollars (\$250,000) is
4 appropriated to the department of transportation to plan,
5 design and construct sidewalks on Lisbon street from Southern
6 boulevard to Tarpon road to Southern boulevard in Rio Rancho in
7 Sandoval county.

8 Section 5. AGING AND LONG-TERM SERVICES DEPARTMENT

9 PROJECTS--GENERAL FUND.--The following amounts are appropriated
10 from the general fund to the aging and long-term services
11 department for expenditure in fiscal years 2009 through 2013,
12 unless otherwise provided in Section 2 of this act, for the
13 following purposes:

14 1. twenty thousand dollars (\$20,000) to purchase
15 and install equipment, including shelving, storage units and a
16 quilting machine, for the Whispering Pines senior meal site in
17 Bernalillo county; and

18 2. forty thousand dollars (\$40,000) to plan, design
19 and construct a senior center at the Counselor chapter of the
20 Navajo Nation in Sandoval county.

21 Section 6. CHILDREN, YOUTH AND FAMILIES DEPARTMENT

22 PROJECT--GENERAL FUND.--Four thousand dollars (\$4,000) is
23 appropriated from the general fund to the children, youth and
24 families department for expenditure in fiscal years 2009
25 through 2013, unless otherwise provided in Section 2 of this

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1 act, to purchase and install information technology, including
2 related equipment, furniture and infrastructure, for a program
3 to promote family education and engagement for the children,
4 youth and families department in Albuquerque in Bernalillo
5 county.

6 Section 7. CULTURAL AFFAIRS DEPARTMENT PROJECTS--GENERAL
7 FUND.--The following amounts are appropriated from the general
8 fund to the cultural affairs department for expenditure in
9 fiscal years 2009 through 2013, unless otherwise provided in
10 Section 2 of this act, for the following purposes:

11 1. fifty thousand dollars (\$50,000) to plan, design
12 and construct improvements to the plaza mayor at the national
13 Hispanic cultural center in Albuquerque in Bernalillo county;

14 2. thirty thousand dollars (\$30,000) to design and
15 construct the Elfege Baca memorial and museum in Reserve in
16 Catron county;

17 3. twenty-five thousand dollars (\$25,000) to
18 construct, renovate and equip the New Mexico farm and ranch
19 heritage museum, including the antique equipment shed, rotating
20 exhibits and a shaded area, in Dona Ana county; and

21 4. five thousand dollars (\$5,000) to restore and
22 repair state-owned art in public places statewide.

23 Section 8. DISTRICT ATTORNEY OF THE SEVENTH JUDICIAL
24 DISTRICT PROJECT--GENERAL FUND.--Seven thousand dollars
25 (\$7,000) is appropriated from the general fund to the district

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1 attorney of the seventh judicial district for expenditure in
2 fiscal years 2009 through 2013, unless otherwise provided in
3 Section 2 of this act, to purchase vehicles for the seventh
4 judicial district attorney's office in Socorro county.

5 Section 9. DISTRICT ATTORNEY OF THE NINTH JUDICIAL
6 DISTRICT PROJECT--GENERAL FUND.--Twenty thousand dollars
7 (\$20,000) is appropriated from the general fund to the district
8 attorney of the ninth judicial district for expenditure in
9 fiscal years 2009 through 2013, unless otherwise provided in
10 Section 2 of this act, to purchase equipment for the ninth
11 judicial district attorney's office in Curry and Roosevelt
12 counties.

13 Section 10. DISTRICT ATTORNEY OF THE THIRTEENTH JUDICIAL
14 DISTRICT PROJECT--GENERAL FUND.--Ten thousand dollars (\$10,000)
15 is appropriated from the general fund to the district attorney
16 of the thirteenth judicial district for expenditure in fiscal
17 years 2009 through 2013, unless otherwise provided in Section 2
18 of this act, to purchase vehicles for the thirteenth judicial
19 district attorney's office in Cibola and Valencia counties.

20 Section 11. PUBLIC EDUCATION DEPARTMENT PROJECTS--GENERAL
21 FUND.--The following amounts are appropriated from the general
22 fund to the public education department for expenditure in
23 fiscal years 2009 through 2013, unless otherwise provided in
24 Section 2 of this act, for the following purposes:

- 25 1. ten thousand dollars (\$10,000) to plan, design
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1 and construct a grass field, including drainage, and an
2 amphitheater at Alameda elementary school in the Albuquerque
3 public school district in Bernalillo county;

4 2. eight thousand five hundred dollars (\$8,500) to
5 purchase and install videoconferencing equipment at Alamosa
6 elementary school in the Albuquerque public school district in
7 Bernalillo county;

8 3. eight thousand five hundred dollars (\$8,500) to
9 purchase and install videoconferencing equipment for
10 Albuquerque high school in the Albuquerque public school
11 district in Bernalillo county;

12 4. forty thousand dollars (\$40,000) to purchase and
13 install information technology, including related equipment,
14 furniture and infrastructure, at Armijo elementary school in
15 the Albuquerque public school district in Bernalillo county;

16 5. twenty thousand dollars (\$20,000) to purchase
17 and install information technology, including related
18 equipment, furniture and infrastructure, at Atrisco elementary
19 school in the Albuquerque public school district in Bernalillo
20 county;

21 6. eight thousand five hundred dollars (\$8,500) to
22 purchase videoconferencing technology and to purchase and
23 install information technology, including related equipment,
24 furniture and infrastructure, for Bellehaven elementary school
25 in the Albuquerque public school district in Bernalillo county;

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1 7. twenty thousand dollars (\$20,000) to purchase
2 educational equipment for the career enrichment center in the
3 Albuquerque public school district in Bernalillo county;

4 8. eight thousand five hundred dollars (\$8,500) to
5 purchase and install videoconferencing equipment at Cibola high
6 school in the Albuquerque public school district in Bernalillo
7 county;

8 9. thirty-five thousand dollars (\$35,000) to plan,
9 design, construct and improve the administration entry,
10 including paving, at Collet Park elementary school in the
11 Albuquerque public school district in Bernalillo county;

12 10. eight thousand five hundred dollars (\$8,500) to
13 purchase and install a videoconferencing system at Corrales
14 elementary school in the Albuquerque public school district in
15 Sandoval county;

16 11. eight thousand five hundred dollars (\$8,500) to
17 purchase and install a videoconferencing system at Del Norte
18 high school in the Albuquerque public school district in
19 Bernalillo county;

20 12. eight thousand five hundred dollars (\$8,500) to
21 purchase videoconferencing equipment for Delores Gonzales
22 elementary school in the Albuquerque public school district in
23 Bernalillo county;

24 13. eight thousand five hundred dollars (\$8,500) to
25 purchase and install videoconferencing equipment for East San

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1 Jose elementary school in the Albuquerque public school
2 district in Bernalillo county;

3 14. eight thousand five hundred dollars (\$8,500) to
4 purchase and install videoconferencing equipment for Edmund G.
5 Ross elementary school in the Albuquerque public school
6 district in Bernalillo county;

7 15. eight thousand five hundred dollars (\$8,500) to
8 purchase and install videoconferencing equipment for Edward
9 Gonzales elementary school in the Albuquerque public school
10 district in Bernalillo county;

11 16. twenty-five thousand dollars (\$25,000) to
12 purchase equipment, including cameras and projectors, for
13 Eisenhower middle school in the Albuquerque public school
14 district in Bernalillo county;

15 17. twenty thousand dollars (\$20,000) to purchase
16 and install furniture at Eisenhower middle school in the
17 Albuquerque public school district in Bernalillo county;

18 18. twenty-five thousand dollars (\$25,000) to plan,
19 design and construct renovations to the gymnasium facility at
20 Eisenhower middle school in the Albuquerque public school
21 district in Bernalillo county;

22 19. one hundred fifty thousand dollars (\$150,000)
23 to renovate the math building and computer laboratory and
24 purchase and install an audiovisual projection system and
25 information technology, including related equipment, furniture

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1 and infrastructure, at Eldorado high school in the Albuquerque
2 public school district in Bernalillo county;

3 20. twenty-five thousand dollars (\$25,000) to
4 purchase furniture for the school and library and to purchase
5 and install information technology, including related
6 equipment, furniture and infrastructure, in the library of
7 Governor Bent elementary school in the Albuquerque public
8 school district in Bernalillo county;

9 21. ten thousand dollars (\$10,000) to purchase and
10 install information technology, including related equipment,
11 furniture and infrastructure, for Harrison middle school in the
12 Albuquerque public school district in Bernalillo county;

13 22. eight thousand five hundred dollars (\$8,500) to
14 purchase and install a videoconferencing system at James Monroe
15 middle school in the Albuquerque public school district in
16 Bernalillo county;

17 23. eight thousand five hundred dollars (\$8,500) to
18 purchase and install videoconferencing equipment for Jimmy
19 Carter middle school in the Albuquerque public school district
20 in Bernalillo county;

21 24. five thousand dollars (\$5,000) to plan and
22 design xeriscape development and landscape work at Kirtland
23 elementary school in the Albuquerque public school district in
24 Bernalillo county;

25 25. eight thousand five hundred dollars (\$8,500) to

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1 purchase and install videoconferencing technology at La Cueva
2 high school in the Albuquerque public school district in
3 Bernalillo county;

4 26. twenty-five thousand dollars (\$25,000) to
5 purchase and install information technology, including related
6 equipment, furniture and infrastructure, for La Luz del Monte
7 charter school learning center in the Albuquerque public school
8 district in Bernalillo county;

9 27. eight thousand five hundred dollars (\$8,500) to
10 purchase and install videoconferencing equipment for Lavaland
11 elementary school in the Albuquerque public school district in
12 Bernalillo county;

13 28. eight thousand five hundred dollars (\$8,500) to
14 purchase and install videoconferencing equipment for Lyndon B.
15 Johnson middle school in the Albuquerque public school district
16 in Bernalillo county;

17 29. sixty-five thousand dollars (\$65,000) to plan,
18 design, construct, purchase and install stage equipment at
19 Longfellow elementary school in the Albuquerque public school
20 district in Bernalillo county;

21 30. eight thousand five hundred dollars (\$8,500) to
22 purchase and install information technology, including related
23 equipment, furniture, infrastructure and videoconferencing
24 technology, at Madison middle school in the Albuquerque public
25 school district in Bernalillo county;

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1 31. twenty-five thousand dollars (\$25,000) for
2 capital improvements to buildings and grounds and to purchase
3 and install information technology, including related
4 equipment, furniture and infrastructure, at the middle schools
5 in the Manzano cluster in the Albuquerque public school
6 district in Bernalillo county;

7 32. eight thousand five hundred dollars (\$8,500) to
8 purchase and install videoconferencing equipment for Marie M.
9 Hughes elementary school in the Albuquerque public school
10 district in Bernalillo county;

11 33. five thousand dollars (\$5,000) to purchase and
12 install information technology, including related equipment,
13 furniture and infrastructure, at Monte Vista elementary school
14 in the Albuquerque public school district in Bernalillo county;

15 34. twenty-five thousand dollars (\$25,000) to plan
16 and construct a xeriscaped area, including a wall, backfill, a
17 fence, paving and a gate, at Monte Vista elementary school in
18 the Albuquerque public school district in Bernalillo county;

19 35. five thousand dollars (\$5,000) to plan and
20 construct a xeriscaped area at Montezuma elementary school in
21 the Albuquerque public school district in Bernalillo county;

22 36. twenty-five thousand dollars (\$25,000) to
23 purchase and install information technology, including related
24 equipment, furniture and infrastructure, at Osuna elementary
25 school in the Albuquerque public school district in Bernalillo

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1 county;

2 37. eight thousand five hundred dollars (\$8,500) to
3 purchase and install videoconferencing equipment for Painted
4 Sky elementary school in the Albuquerque public school district
5 in Bernalillo county;

6 38. fifty thousand dollars (\$50,000) to purchase
7 classroom furniture at Pajarito elementary school in the
8 Albuquerque public school district in Bernalillo county;

9 39. fifty thousand dollars (\$50,000) to purchase,
10 equip and install furniture, including library furniture and
11 shelving, for Reginald Chavez elementary school in the
12 Albuquerque public school district in Bernalillo county;

13 40. five thousand dollars (\$5,000) to plan, design
14 and construct parking, landscaping and site improvements at
15 Sandia Base elementary school in the Albuquerque public school
16 district in Bernalillo county;

17 41. eight thousand five hundred dollars (\$8,500) to
18 purchase and install a videoconferencing system at Seven-Bar
19 elementary school in the Albuquerque public school district in
20 Bernalillo county;

21 42. seventy-five thousand dollars (\$75,000) to
22 plan, design, construct, equip, furnish and renovate Sombra del
23 Monte elementary school, including the cafeteria and bathrooms
24 and in compliance with the Americans with Disabilities Act of
25 1990, in the Albuquerque public school district in Bernalillo

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1 county;

2 43. eight thousand five hundred dollars (\$8,500) to
3 purchase and install videoconferencing equipment for Susie
4 Rayos Marmon elementary school in the Albuquerque public school
5 district in Bernalillo county;

6 44. fifty thousand dollars (\$50,000) for
7 improvements to the administration building at Taft middle
8 school in the Albuquerque public school district in Bernalillo
9 county;

10 45. eight thousand five hundred dollars (\$8,500) to
11 purchase videoconferencing equipment for Taft middle school in
12 the Albuquerque public school district in Bernalillo county;

13 46. eight thousand five hundred dollars (\$8,500) to
14 purchase and install a videoconferencing system at Valley high
15 school in the Albuquerque public school district in Bernalillo
16 county;

17 47. eight thousand five hundred dollars (\$8,500) to
18 purchase and install videoconferencing equipment for West Mesa
19 high school in the Albuquerque public school district in
20 Bernalillo county;

21 48. twenty-five thousand dollars (\$25,000) to
22 purchase and install information technology, including related
23 equipment, furniture and infrastructure, at Missouri Avenue
24 elementary school in the Roswell independent school district in
25 Chaves county;

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1 49. fifty thousand dollars (\$50,000) to purchase
2 and install information technology, including related
3 equipment, furniture and infrastructure, in the Texico
4 municipal school district in Curry county;

5 50. twenty-five thousand dollars (\$25,000) to plan,
6 design and install exterior lighting for Dona Ana elementary
7 school in the Las Cruces public school district in Dona Ana
8 county;

9 51. twenty-five thousand dollars (\$25,000) to
10 purchase and install information technology, including related
11 equipment, furniture and infrastructure, at Roselawn elementary
12 school in the Artesia public school district in Eddy county;

13 52. forty thousand dollars (\$40,000) to plan,
14 design, purchase and install heating, ventilation and air
15 conditioning equipment in the gymnasium at Carlsbad high school
16 in the Carlsbad municipal school district in Eddy county;

17 53. fifty thousand dollars (\$50,000) to plan,
18 design, construct, renovate and furnish improvements to
19 entrances and restroom facilities that comply with the
20 provisions of the Americans with Disabilities Act of 1990 at
21 P.R. Leyva middle school, Alta Vista middle school and Carlsbad
22 high school in the Carlsbad municipal school district in Eddy
23 county;

24 54. ten thousand dollars (\$10,000) to plan, design,
25 construct, purchase and install a scoreboard for the Chama

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1 elementary-middle school gym in the Chama Valley independent
2 school district in Rio Arriba county;

3 55. fifty thousand dollars (\$50,000) to plan,
4 design and construct a press box at Fred Cook memorial stadium
5 in the Aztec municipal school district in San Juan county;

6 56. seventy-five thousand dollars (\$75,000) to
7 purchase, construct and install portables at Gonzales
8 elementary school in the Santa Fe public school district in
9 Santa Fe county; and

10 57. fifty thousand dollars (\$50,000) to plan,
11 design, construct and improve athletic fields for the Questa
12 independent school district in Taos county.

13 Section 12. STATE PARKS DIVISION OF THE ENERGY, MINERALS
14 AND NATURAL RESOURCES DEPARTMENT PROJECTS--GENERAL FUND.--The
15 following amounts are appropriated from the general fund to the
16 state parks division of the energy, minerals and natural
17 resources department for expenditure in fiscal years 2009
18 through 2013, unless otherwise provided in Section 2 of this
19 act, for the following purposes:

20 1. twenty thousand dollars (\$20,000) to plan,
21 design and construct Navajo Lake state park in Rio Arriba
22 county; and

23 2. five thousand dollars (\$5,000) to plan, design
24 and construct Fenton Lake state park in Sandoval county.

25 Section 13. OFFICE OF THE STATE ENGINEER PROJECTS--

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1 GENERAL FUND.--The following amounts are appropriated from the
2 general fund to the office of the state engineer for
3 expenditure in fiscal years 2009 through 2013, unless otherwise
4 provided in Section 2 of this act, for the following purposes:

5 1. twenty thousand dollars (\$20,000) for repairs,
6 construction, improvements and equipment for the Fort Sumner
7 irrigation district in DeBaca county;

8 2. seventy-five thousand dollars (\$75,000) to plan,
9 design and construct a storm water ponding area for Mesa
10 village and Hacienda acres in Las Cruces in Dona Ana county;

11 3. fifty thousand dollars (\$50,000) to plan and
12 purchase water rights for the Rio de Chama acequias association
13 in Rio Arriba county; and

14 4. thirty thousand dollars (\$30,000) for a
15 geohydrological study of ground water in San Miguel county.

16 Section 14. DEPARTMENT OF ENVIRONMENT PROJECTS--GENERAL
17 FUND.--The following amounts are appropriated from the general
18 fund to the department of environment for expenditure in fiscal
19 years 2009 through 2013, unless otherwise provided in Section 2
20 of this act, for the following purposes:

21 1. twenty-five thousand dollars (\$25,000) to plan,
22 design and construct improvements to the wastewater system in
23 Eagle Nest in Colfax county;

24 2. fifty thousand dollars (\$50,000) to plan,
25 design, purchase, construct and equip improvements to the

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1 wastewater treatment plant and the sewer system in Loving in
2 Eddy county;

3 3. fifty thousand dollars (\$50,000) to plan, design
4 and construct improvements to the wastewater treatment entrance
5 works in Tularosa in Otero county;

6 4. fifty thousand dollars (\$50,000) to plan,
7 design, construct, equip and install a pipeline for the Big
8 Mesa mutual domestic water consumers association in San Miguel
9 county;

10 5. one hundred thousand dollars (\$100,000) to plan,
11 design and construct a sewer system in Elephant Butte in Sierra
12 county; and

13 6. five thousand dollars (\$5,000) to plan, design,
14 construct, equip and upgrade the water system, including a
15 storage building, for the Tres Piedras mutual domestic water
16 consumers association in Tres Piedras in Taos county.

17 Section 15. DEPARTMENT OF FINANCE AND ADMINISTRATION
18 PROJECT--GENERAL FUND.--Forty thousand dollars (\$40,000) is
19 appropriated from the general fund to the department of finance
20 and administration for expenditure in fiscal years 2009 through
21 2013, unless otherwise provided in Section 2 of this act, to
22 plan, design, purchase and renovate transitional housing
23 pursuant to the Affordable Housing Act in Gallup in McKinley
24 county.

25 Section 16. DEPARTMENT OF GAME AND FISH PROJECTS--GENERAL

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1 FUND.--The following amounts are appropriated from the general
2 fund to the department of game and fish for expenditure in
3 fiscal years 2009 through 2013, unless otherwise provided in
4 Section 2 of this act, for the following purposes:

5 1. fifteen thousand dollars (\$15,000) to purchase
6 beaver mitigation equipment for the department of game and fish
7 for use statewide; and

8 2. twenty-five thousand dollars (\$25,000) to equip
9 the archery in the schools program at the department of game
10 and fish.

11 Section 17. INDIAN AFFAIRS DEPARTMENT PROJECTS--GENERAL
12 FUND.--The following amounts are appropriated from the general
13 fund to the Indian affairs department for expenditure in fiscal
14 years 2009 through 2013, unless otherwise provided in Section 2
15 of this act, for the following purposes:

16 1. ten thousand dollars (\$10,000) to install
17 restoration structures for land conservation and erosion
18 control for the Baahaali chapter of the Navajo Nation in
19 McKinley county;

20 2. fifteen thousand dollars (\$15,000) to plan,
21 design and construct improvements to the rodeo arena and
22 grounds at the Baahaali chapter of the Navajo Nation in
23 McKinley county;

24 3. ten thousand dollars (\$10,000) to plan and
25 design a regional transfer station and to purchase and install

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1 a trash compactor in the Baahaali chapter of the Navajo Nation
2 in McKinley county;

3 4. ten thousand dollars (\$10,000) to purchase
4 vehicles for the Baahaali chapter of the Navajo Nation in
5 McKinley county;

6 5. eighty-two thousand dollars (\$82,000) to
7 purchase laser leveling equipment for the Pueblo of San Felipe
8 in Sandoval county; and

9 6. one hundred thousand dollars (\$100,000) to plan,
10 design, construct, install and equip the Poeh center museum,
11 including information technology and related furniture,
12 equipment and infrastructure, at the Pueblo of Pojoaque in
13 Santa Fe county.

14 Section 18. INTERSTATE STREAM COMMISSION PROJECTS--
15 GENERAL FUND.--The following amounts are appropriated from the
16 general fund to the interstate stream commission for
17 expenditure in fiscal years 2009 through 2013, unless otherwise
18 provided in Section 2 of this act, for the following purposes:

19 1. ten thousand dollars (\$10,000) to plan, design
20 and install improvements, including a liner, pipelines and
21 gates, to the acequia de la Aguila in Mora county;

22 2. ten thousand dollars (\$10,000) to construct
23 headgates and make improvements to the acequia de los Lunas in
24 Chacon in Mora county;

25 3. ten thousand dollars (\$10,000) to make

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1 improvements to the acequia dam and acequia for the acequia del
2 Lado Sur de Golondrinas association in Mora county;

3 4. ten thousand dollars (\$10,000) to make
4 improvements to the north Golondrinas community ditch in Mora
5 county;

6 5. twenty-five thousand dollars (\$25,000) to
7 construct, purchase and install improvements to the acequia de
8 La Otra Vanda and acequia de los Barriales in Cordova in Rio
9 Arriba county;

10 6. forty-two thousand dollars (\$42,000) to plan,
11 design and construct improvements to the Ancon del Gato acequia
12 in San Miguel county;

13 7. ten thousand dollars (\$10,000) to construct
14 improvements to acequias in La Fraqua Puertecito y Saises water
15 irrigation association in San Miguel county;

16 8. ten thousand dollars (\$10,000) to plan, design
17 and construct improvements, including lining, to the San
18 Augustine community ditch in San Miguel county;

19 9. ten thousand dollars (\$10,000) to plan, design,
20 replace, install and construct improvements, including an
21 arroyo crossing, culverts and ditch liners, for the acequia de
22 los Chupaderos in Santa Fe county;

23 10. twenty-five thousand dollars (\$25,000) to plan,
24 design and construct improvements to the irrigation ditch for
25 Contreras and La Joya in Socorro county;

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1 11. ten thousand dollars (\$10,000) to plan, design
2 and construct improvements to the acequia de la Vienta de
3 Tiadoro in Taos county;

4 12. ten thousand dollars (\$10,000) to construct
5 acequia, reservoir and dam improvements for the acequia madre
6 and acequia del Monte del Rio Chiquito in the Talpa area in
7 Taos county; and

8 13. ten thousand dollars (\$10,000) to plan, design
9 and construct piping for the acequia Madre del Canon in Llano
10 de San Juan in Taos county.

11 Section 19. LEGISLATIVE COUNCIL SERVICE PROJECT--GENERAL
12 FUND.--Twenty thousand dollars (\$20,000) is appropriated from
13 the general fund to the legislative council service for
14 expenditure in fiscal years 2009 through 2013, unless otherwise
15 provided in Section 2 of this act, for equipment and
16 improvements to the television broadcast studio in the state
17 capitol in Santa Fe in Santa Fe county.

18 Section 20. LOCAL GOVERNMENT DIVISION OF THE DEPARTMENT
19 OF FINANCE AND ADMINISTRATION PROJECTS--GENERAL FUND.--The
20 following amounts are appropriated from the general fund to the
21 local government division of the department of finance and
22 administration for expenditure in fiscal years 2009 through
23 2013, unless otherwise provided in Section 2 of this act, for
24 the following purposes:

25 1. seventy thousand dollars (\$70,000) to design,

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1 construct, purchase and install improvements, exhibits and
2 furniture at the Tijeras pueblo ruins in Bernalillo county;

3 2. seventeen thousand five hundred dollars
4 (\$17,500) to purchase and plant trees in senate district 14 in
5 Albuquerque in Bernalillo county;

6 3. twenty thousand dollars (\$20,000) to purchase
7 equipment for a bilingual, multicultural art and theater
8 education program in Albuquerque in Bernalillo county;

9 4. twenty-five thousand dollars (\$25,000) to
10 purchase a community art center facility in Albuquerque in
11 Bernalillo county;

12 5. fifty thousand dollars (\$50,000) to plan, design
13 and construct sidewalks in the Wells Park, Sawmill, downtown
14 neighborhood association and Old Town areas in senate district
15 13 in Albuquerque in Bernalillo county;

16 6. fifteen thousand dollars (\$15,000) to plan,
17 design and construct improvements, including lights, batting
18 cages, playground equipment and fencing, for the city-owned
19 Eastdale little league in Albuquerque in Bernalillo county;

20 7. five thousand dollars (\$5,000) to renovate the
21 Ernie Pyle library in Albuquerque in Bernalillo county;

22 8. forty thousand dollars (\$40,000) to plan,
23 design, construct, install and improve the Juan Tabo library in
24 Albuquerque in Bernalillo county;

25 9. fifteen thousand dollars (\$15,000) to purchase

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1 and install martial arts equipment, camera and information
2 technology, including related equipment, furnishings and
3 infrastructure, at Los Padillas community center in Albuquerque
4 in Bernalillo county;

5 10. ten thousand dollars (\$10,000) to design and
6 construct an art piece for the New Mexico veterans' memorial on
7 Louisiana boulevard in Albuquerque in Bernalillo county;

8 11. four thousand dollars (\$4,000) to plan, design,
9 construct, install and purchase equipment and a building for
10 the open space division of Albuquerque in Bernalillo county;

11 12. ten thousand dollars (\$10,000) to plan, design,
12 construct and install a sculpture in the Trumbull international
13 sculpture garden in Albuquerque in Bernalillo county;

14 13. fifty thousand dollars (\$50,000) to plan and
15 design a library in the Westgate area of Albuquerque in
16 Bernalillo county;

17 14. seventy-five thousand dollars (\$75,000) to
18 plan, design, construct and improve the Hubbell House facility
19 in the south valley of Albuquerque in Bernalillo county;

20 15. ten thousand dollars (\$10,000) to purchase
21 equipment to generate and distribute media in Bernalillo
22 county;

23 16. four thousand dollars (\$4,000) to purchase,
24 construct, renovate and furnish a therapeutic family services
25 center in the southeast heights of Albuquerque in Bernalillo

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1 county;

2 17. ten thousand dollars (\$10,000) to plan, design,
3 purchase land for, construct, equip and furnish an addition to
4 the county-owned YMCA building in Albuquerque in Bernalillo
5 county;

6 18. forty thousand dollars (\$40,000) to acquire
7 land for and plan, design, construct, equip, furnish and make
8 improvements to the Rio Feliz volunteer fire station in Chaves
9 county;

10 19. fifty thousand dollars (\$50,000) to plan,
11 design and construct the expansion of the Spring River
12 municipal golf course in Roswell in Chaves county;

13 20. five thousand dollars (\$5,000) to plan, design
14 and construct, including site preparation, an administrative-
15 technology center for the Pine Hill schools in Cibola county;

16 21. thirty thousand dollars (\$30,000) to plan,
17 design and construct, including site preparation, a kitchen
18 addition for the Pine Hill schools in Cibola county;

19 22. ten thousand dollars (\$10,000) to purchase and
20 install a storage shed and to plan, design and construct
21 landscaping improvements for the county-owned family center in
22 Grants in Cibola county;

23 23. three hundred fifty thousand dollars (\$350,000)
24 to plan, design and construct a communications and
25 administration building, including demolition and renovation,

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1 in Clovis in Curry county;

2 24. thirty-five thousand dollars (\$35,000) to plan,
3 design and construct a building for the clerk's office in
4 DeBaca county;

5 25. thirty thousand dollars (\$30,000) to plan,
6 design, construct and repair the courthouse annex in Fort
7 Sumner in DeBaca county;

8 26. fifty thousand dollars (\$50,000) to purchase
9 maintenance equipment, including a tractor and attachments, for
10 the southern New Mexico fairgrounds in Dona Ana county;

11 27. fifty thousand dollars (\$50,000) to plan,
12 design and construct La Mesa community center, including site
13 improvements, in Dona Ana county;

14 28. twenty-five thousand dollars (\$25,000) to
15 purchase and install in-car video cameras and information
16 technology for the sheriff's department in Dona Ana county;

17 29. twenty-five thousand dollars (\$25,000) to
18 purchase, set up and install radar speed measurement devices in
19 patrol vehicles for the county sheriff's department in Dona Ana
20 county;

21 30. seventy-three thousand dollars (\$73,000) to
22 purchase and install information technology, including related
23 equipment, furniture and infrastructure, for the treasurer's
24 office in Dona Ana county;

25 31. ten thousand dollars (\$10,000) to plan, design

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1 and construct decorative lighting in the Alameda Depot
2 historical district in Las Cruces in Dona Ana county;

3 32. eighty-five thousand dollars (\$85,000) to plan,
4 design and construct a new storage facility for a daycare
5 facility for homeless children in Las Cruces in Dona Ana
6 county;

7 33. seventy-five thousand dollars (\$75,000) to
8 plan, design and construct improvements, including
9 revitalization, to Mesquite in Dona Ana county;

10 34. twenty-five thousand dollars (\$25,000) to plan,
11 design, construct, purchase and install recreational equipment
12 in Radium Springs in Dona Ana county;

13 35. fifty thousand dollars (\$50,000) to purchase
14 and install electrosurgical equipment for the Artesia special
15 hospital district in Eddy county;

16 36. ten thousand dollars (\$10,000) to design and
17 construct a roof for the community kitchen facility in Carlsbad
18 in Eddy county;

19 37. fifty thousand dollars (\$50,000) to purchase
20 improvements and equip the Carlsbad municipal golf course,
21 including a sprayer and turf roller, in Carlsbad in Eddy
22 county;

23 38. twenty-five thousand dollars (\$25,000) to
24 purchase and equip a backhoe in Mosquero in Harding county;

25 39. sixty-five thousand dollars (\$65,000) to

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1 purchase a fire tanker pumper for the Lincoln historic district
2 fire department in Lincoln county;

3 40. twenty-five thousand dollars (\$25,000) to plan,
4 design and construct a visitors' center in White Rock in Los
5 Alamos county;

6 41. five hundred thousand dollars (\$500,000) to
7 plan, design, construct, demolish and renovate the city-county
8 law enforcement complex, including constructing the parking
9 area and fencing, in Deming in Luna county;

10 42. thirty thousand dollars (\$30,000) to purchase
11 equipment for a youth empowerment and leadership initiatives
12 program in Tohatchi in McKinley county;

13 43. thirty thousand dollars (\$30,000) for a study
14 to construct a regional jail that serves Socorro, Valencia and
15 Bernalillo counties;

16 44. fifteen thousand dollars (\$15,000) to plan,
17 design, renovate, construct and equip improvements to the
18 community park in the Cebolleta land grant in Cibola and
19 Sandoval counties;

20 45. fifteen thousand dollars (\$15,000) to plan,
21 design, purchase and construct an addition to the fire
22 department building for the Sixteen Springs volunteer fire
23 department in Otero county;

24 46. one hundred fifty thousand dollars (\$150,000)
25 to design, construct and renovate the county courthouse in

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1 Alamogordo in Otero county;

2 47. six thousand dollars (\$6,000) to repair the
3 office building for the Santa Cruz irrigation district in Santa
4 Cruz in Rio Arriba county;

5 48. seventy-five thousand dollars (\$75,000) to
6 purchase, furnish and install equipment, including electronics,
7 for the city-owned Yam performing arts center in Portales in
8 Roosevelt county;

9 49. forty-three thousand dollars (\$43,000) to
10 purchase equipment and to install and construct lighting for
11 the ball field in the ball parks in Bloomfield in San Juan
12 county;

13 50. seventy-five thousand dollars (\$75,000) to
14 plan, design, construct, equip and furnish a convention center
15 in Farmington in San Juan county;

16 51. seventy-five thousand dollars (\$75,000) to
17 plan, design, construct and equip, including an addition, the
18 Agua Fria community center in Santa Fe county;

19 52. twenty thousand dollars (\$20,000) to plan,
20 design and construct improvements and paths at the Marty
21 Sanchez golf course in Santa Fe in Santa Fe county;

22 53. five thousand dollars (\$5,000) to plan, design,
23 construct and equip an animal shelter in Taos county;

24 54. forty thousand dollars (\$40,000) to purchase
25 equipment and vehicles for Estancia in Torrance county;

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1 55. fifteen thousand dollars (\$15,000) to plan,
2 design and construct improvements at the memorial cemetery in
3 Estancia in Torrance county; and

4 56. seventy-five thousand dollars (\$75,000) to
5 purchase and install informational technology dispatch
6 equipment at the Valencia county regional communications center
7 in Valencia county.

8 Section 21. DEPARTMENT OF TRANSPORTATION PROJECTS--
9 GENERAL FUND.--The following amounts are appropriated from the
10 general fund to the department of transportation for
11 expenditure in fiscal years 2009 through 2013, unless otherwise
12 provided in Section 2 of this act, for the following purposes:

13 1. fifty thousand dollars (\$50,000) to plan, design
14 and construct improvements to Atrisco drive between Central
15 avenue and Hooper road southwest in Albuquerque in Bernalillo
16 county;

17 2. forty thousand dollars (\$40,000) to plan, design
18 and construct sidewalk improvements in Hagerman in Chaves
19 county;

20 3. twenty-five thousand dollars (\$25,000) to plan,
21 design and construct improvements, including drainage, on Blue
22 Topaz road in the East Mesa area in Dona Ana county;

23 4. twenty-three thousand dollars (\$23,000) to plan,
24 design and construct improvements, including asphalt overlay,
25 to Carlton road in Dona Ana county;

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1 5. twenty-five thousand dollars (\$25,000) to plan,
2 design, construct and improve, including drainage, Dripping
3 Springs road in Talavera in Dona Ana county;

4 6. twenty-five thousand dollars (\$25,000) to plan,
5 design and construct drainage and road improvements, including
6 a traffic signal, on Picacho Hills drive in Dona Ana county;

7 7. fifty thousand dollars (\$50,000) to plan, design
8 and construct drainage and road improvements in the Rasaaf
9 Hills area of Dona Ana county;

10 8. twenty-five thousand dollars (\$25,000) to
11 purchase land for, plan, design and construct drainage and road
12 improvements to extend Shrode road in Dona Ana county;

13 9. twenty-five thousand dollars (\$25,000) for
14 engineering and design for the Sandhill arroyo drainage
15 crossing on Del Rey boulevard in northeast Las Cruces in Dona
16 Ana county;

17 10. seventy-five thousand dollars (\$75,000) to
18 plan, design and construct road, sidewalk, curb, gutter and
19 lighting improvements on Jefferson lane between Porter and Dunn
20 in Las Cruces in Dona Ana county;

21 11. seven thousand dollars (\$7,000) to plan, design
22 and construct speed humps on Capri road in Mesilla in Dona Ana
23 county;

24 12. ten thousand dollars (\$10,000) to plan, design
25 and construct road improvements to Livingston road in McKinley

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1 county;

2 13. twenty-five thousand dollars (\$25,000) to plan,
3 design and construct improvements, including drainage, to roads
4 in Pinedale in McKinley county;

5 14. fifteen thousand dollars (\$15,000) to plan,
6 design and construct improvements, including base course,
7 asphalt, drainage and easements, to county road 089 in Chimayo
8 in Rio Arriba county;

9 15. fifteen thousand dollars (\$15,000) to plan,
10 design, construct and equip improvements, including a
11 guardrail, on county road 082 in Cordova in Rio Arriba county;
12 and

13 16. fifty thousand dollars (\$50,000) to purchase
14 materials for improvements to series 2000 roads in San Juan
15 county.

16 Section 22. HIGHER EDUCATION DEPARTMENT PROJECT--GENERAL
17 FUND.--Twenty-five thousand dollars (\$25,000) is appropriated
18 from the general fund to the higher education department for
19 expenditure in fiscal years 2009 through 2013, unless otherwise
20 provided in Section 2 of this act, to purchase and install
21 information technology, including related equipment, furniture
22 and infrastructure, for New Mexico junior college in Hobbs in
23 Lea county.

24 Section 23. BOARD OF REGENTS OF NEW MEXICO STATE
25 UNIVERSITY PROJECTS--GENERAL FUND.--The following amounts are
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1 appropriated from the general fund to the board of regents of
2 New Mexico state university for expenditure in fiscal years
3 2009 through 2013, unless otherwise provided in Section 2 of
4 this act, for the following purposes:

5 1. fifty thousand dollars (\$50,000) to plan,
6 design, construct, equip and furnish improvements to the school
7 of hotel, restaurant and tourism management at New Mexico state
8 university in Las Cruces in Dona Ana county; and

9 2. twenty-five thousand dollars (\$25,000) to
10 renovate and expand the trades building at the Dona Ana branch
11 campus of New Mexico state university in Las Cruces in Dona Ana
12 county.

13 Section 24. BOARD OF REGENTS OF THE UNIVERSITY OF NEW
14 MEXICO PROJECTS--GENERAL FUND.--The following amounts are
15 appropriated from the general fund to the board of regents of
16 the university of New Mexico for expenditure in fiscal years
17 2009 through 2013, unless otherwise provided in Section 2 of
18 this act, for the following purposes:

19 1. ten thousand dollars (\$10,000) to equip the
20 athletic department with a plasma television and related
21 equipment at the university of New Mexico in Albuquerque in
22 Bernalillo county;

23 2. thirty thousand dollars (\$30,000) for equipment
24 and vehicles for field maintenance for the athletic department
25 at the university of New Mexico in Albuquerque in Bernalillo

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1 county;

2 3. ten thousand dollars (\$10,000) to equip the
3 weight room in the athletic department at the university of New
4 Mexico in Albuquerque in Bernalillo county;

5 4. one hundred thousand dollars (\$100,000) to
6 purchase and install equipment in the dental treatment rooms at
7 Carrie Tingley hospital at the university of New Mexico in
8 Bernalillo county;

9 5. twenty-five thousand dollars (\$25,000) to
10 purchase and install equipment and information technology,
11 including related equipment, furniture and infrastructure, for
12 the center for Latin American research and outreach at the
13 university of New Mexico in Albuquerque in Bernalillo county;

14 6. one hundred twenty-five thousand dollars
15 (\$125,000) for a conservation plan to include the north golf
16 course and all property adjacent to the main campus for future
17 expansion of the university of New Mexico's core functions,
18 commercial development, urban ecology and wildlife preservation
19 in Albuquerque in Bernalillo county; and

20 7. ten thousand dollars (\$10,000) for improvements
21 at the library at the Gallup branch of the university of New
22 Mexico in McKinley county.

23 Section 25. BOARD OF REGENTS OF WESTERN NEW MEXICO
24 UNIVERSITY PROJECT--GENERAL FUND.--Fifty thousand dollars
25 (\$50,000) is appropriated from the general fund to the board of
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1 regents of western New Mexico university for expenditure in
2 fiscal years 2009 through 2013, unless otherwise provided in
3 Section 2 of this act, to plan, design, construct, equip and
4 furnish renovations of the multicultural affairs and student
5 activities offices at the Tom McDonald student memorial center
6 at western New Mexico university in Silver City in Grant
7 county.

8 Section 26. PROJECT SCOPE--EXPENDITURES.--If an
9 appropriation for a project authorized in this act is not
10 sufficient to complete all the purposes specified, the
11 appropriation may be expended for any portion of the purposes
12 specified in the appropriation. Expenditures shall not be made
13 for purposes other than those specified in the appropriation.

14 Section 27. ART IN PUBLIC PLACES.--Pursuant to Section
15 13-4A-4 NMSA 1978 and where applicable, the appropriations
16 authorized in this act include one percent for the art in
17 public places fund.

18 Section 28. EMERGENCY.--It is necessary for the public
19 peace, health and safety that this act take effect
20 immediately.