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49TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2010

INTRODUCED BY

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AN ACT

RELATING TO PUBLIC SCHOOL CAPITAL OUTLAY EXPENDITURES;

EXPANDING ALLOWABLE ADMINISTRATIVE COSTS THAT QUALIFY AS

CAPITAL IMPROVEMENTS EXPENDITURES PURSUANT TO THE PUBLIC SCHOOL

BUILDINGS ACT; INCREASING THE ALLOWABLE ADMINISTRATIVE COSTS.

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

Section 1. Section 22-26-2 NMSA 1978 (being Laws 1983, Chapter 163, Section 2, as amended) is amended to read:

"22-26-2. DEFINITION.--As used in the Public School Buildings Act, "capital improvements" means expenditures, including payments made with respect to lease-purchase arrangements as defined in the Education Technology Equipment Act but excluding any other debt service expenses, for:

A. erecting, remodeling, making additions to, providing equipment for or furnishing public school buildings; .180433.1

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[B. payments made pursuant to a financing agreemen
entered into by a school district or a charter school for the
leasing of a building or other real property with an option to
purchase for a price that is reduced according to payments
made;

C. B. purchasing or improving public school grounds;

[Đ.] C. purchasing activity vehicles for transporting students to and from extracurricular school activities; provided that this authorization for expenditure does not apply to school districts with a student MEM greater than sixty thousand; or

 $[E_{\bullet}]$ D_{\bullet} administering the projects undertaken pursuant to Subsections A and [e] B of this section, including expenditures for facility maintenance software, project management software, project oversight, [and] district personnel and other activities necessary or appropriate to the management, oversight or direction of projects on behalf of the school district specifically related to administration of projects funded <u>in whole or in part</u> by the Public School Buildings Act; provided that expenditures pursuant to this subsection shall not exceed [five] ten percent of the total project costs."