

HOUSE BILL 226

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

INTRODUCED BY

Jim R. Trujillo

AN ACT

AUTHORIZING THE ISSUANCE AND SALE OF CAPITAL PROJECTS GENERAL OBLIGATION BONDS TO MAKE CAPITAL EXPENDITURES FOR SENIOR CITIZEN FACILITY IMPROVEMENTS AND ACQUISITIONS, FOR LIBRARY ACQUISITIONS AND CONSTRUCTION, FOR PUBLIC SCHOOL CAPITAL IMPROVEMENTS AND FOR CAPITAL IMPROVEMENTS AND ACQUISITIONS AT INSTITUTIONS OF HIGHER EDUCATION, STATE SPECIAL SCHOOLS AND NATIVE AMERICAN INSTITUTIONS; PROVIDING FOR A TAX LEVY FOR PAYMENT OF PRINCIPAL OF, INTEREST ON AND CERTAIN COSTS RELATED TO THE BONDS; REQUIRING APPROVAL OF THE REGISTERED VOTERS AT THE 2010 GENERAL ELECTION OF THE STATE; DECLARING AN EMERGENCY.

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

Section 1. SHORT TITLE.--This act may be cited as the "2010 Capital Projects General Obligation Bond Act".

Section 2. PURPOSE.--For the purpose of providing funds .181190.1

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1 for capital expenditures as authorized in the 2010 Capital
2 Projects General Obligation Bond Act, general obligation
3 indebtedness of the state is authorized for the purposes and in
4 the amounts set forth in Section 10 of that act.

5 Section 3. BOND TERMS.--

6 A. The state board of finance, except as limited by
7 the 2010 Capital Projects General Obligation Bond Act, shall
8 determine the terms, covenants and conditions of bonds issued
9 pursuant to that act, including but not limited to:

10 (1) date or dates of issue, denominations and
11 maturities;

12 (2) principal amounts;

13 (3) rate or rates of interest; and

14 (4) provisions for redemption, including
15 premiums, registration and refundability, whether the bonds are
16 issued in one or more series and other covenants relating to
17 the bonds and the issuance thereof.

18 B. The bonds shall be in such form as the state
19 board of finance determines with an appropriate series
20 designation and shall bear interest payable as set forth in the
21 resolution of the state board of finance.

22 C. Payment of the principal of the bonds shall
23 begin not more than two years after the date of their issuance,
24 and the bonds shall mature not later than ten years after the
25 date of their issuance. Both principal and interest shall be

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1 payable in lawful money of the United States at the office of
2 the paying agent within or without the state as the state board
3 of finance may direct.

4 D. The bonds shall be executed with the manual or
5 facsimile signature of the governor or the state treasurer, and
6 the seal or a facsimile of the seal of the state shall be
7 placed on each bond, except for any series of bonds issued in
8 book entry or similar form without the delivery of physical
9 securities.

10 E. The bonds shall be issued in accordance with the
11 provisions of the 2010 Capital Projects General Obligation Bond
12 Act, the Supplemental Public Securities Act and the Uniform
13 Facsimile Signature of Public Officials Act and may be issued
14 in accordance with the Public Securities Short-Term Interest
15 Rate Act.

16 F. The full faith and credit of the state is
17 pledged for the prompt payment when due of the principal of and
18 interest on all bonds issued and sold pursuant to the 2010
19 Capital Projects General Obligation Bond Act.

20 Section 4. EXPENDITURES.--The proceeds from the sale of
21 the bonds shall be expended solely for providing money to be
22 distributed for the purposes and in amounts not to exceed the
23 amounts set forth in Section 10 of the 2010 Capital Projects
24 General Obligation Bond Act and to pay expenses incurred under
25 Section 6 of that act. Any proceeds from the sale of the bonds

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1 that are not required for the purposes set forth in Sections 6
2 and 10 of that act shall be used for the purpose of paying the
3 principal of and interest on the bonds.

4 Section 5. SALE.--The bonds authorized under the 2010
5 Capital Projects General Obligation Bond Act shall be sold by
6 the state board of finance at such time and in such manner and
7 amounts as the board may elect. The bonds may be sold at
8 private sale or at public sale, in either case at not less than
9 par plus accrued interest to the date of delivery. If sold at
10 public sale, the state board of finance shall publish a notice
11 of the time and place of sale in a newspaper of general
12 circulation in the state and may also publish the notice in a
13 recognized financial journal outside the state. The required
14 publications shall be made once each week for two consecutive
15 weeks prior to the date fixed for the sale, the last
16 publication thereof to be at least five days prior to the date
17 of the sale. The notice shall specify the amount,
18 denomination, maturity and description of the bonds to be
19 offered for sale and the place, date and hour at which the
20 sealed bids shall be received. At the time and place specified
21 in the notice, the state board of finance shall open the bids
22 in public and shall award the bonds to the bidder or bidders
23 offering the best price for the bonds. The state board of
24 finance may reject any or all bids and readvertise and may
25 waive any irregularity in a bid. All bids, except that of the

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1 state, shall be accompanied by a deposit of two percent of the
2 principal amount of the bonds in a form acceptable to the state
3 board of finance. The deposit of an unsuccessful bidder shall
4 be returned upon rejection of the bid. The state board of
5 finance may also sell the bonds or any part of the bonds to the
6 state treasurer or state investment officer. The state
7 treasurer or state investment officer is authorized to purchase
8 any of the bonds for investment. The bonds are legal
9 investments for any person or board charged with the investment
10 of any public funds and may be accepted as security for any
11 deposit of public money.

12 Section 6. EXPENSES.--The expenses incurred by the state
13 board of finance in or relating to the preparation and sale of
14 the bonds shall be paid out of the proceeds from the sale of
15 the bonds, and all rebate, penalty, interest and other
16 obligations of the state relating to the bonds and bond
17 proceeds under the Internal Revenue Code of 1986, as amended,
18 shall be paid from earnings on bond proceeds or other money of
19 the state, legally available for such payments.

20 Section 7. TAX LEVY.--To provide for the payment of the
21 principal of and interest on the bonds issued and sold pursuant
22 to the provisions of the 2010 Capital Projects General
23 Obligation Bond Act, there shall be and there is hereby imposed
24 and levied during each year in which any of the bonds are
25 outstanding an ad valorem tax on all property in the state

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1 subject to property taxation for state purposes sufficient to
2 pay the interest as it becomes due on the bonds, together with
3 an amount sufficient to provide a sinking fund to pay the
4 principal of the bonds as it becomes due and, if permitted by
5 law, ad valorem taxes may be collected to pay administrative
6 costs incident to the collection of such taxes. The taxes
7 shall be imposed, levied, assessed and collected at the times
8 and in the manner that other property taxes for state purposes
9 are imposed, levied, assessed and collected. It is the duty of
10 all tax officials and authorities to cause these taxes to be
11 imposed, levied, assessed and collected.

12 Section 8. TREASURER--DUTIES.--The state treasurer shall
13 keep separate accounts of all money collected pursuant to the
14 taxes imposed and levied pursuant to the provisions of the 2010
15 Capital Projects General Obligation Bond Act and shall use this
16 money only for the purposes of paying the principal of and
17 interest on the bonds as they become due and any expenses
18 relating thereto.

19 Section 9. IRREPEALABLE CONTRACT--AUTHORITY FOR
20 ISSUANCE.--An owner of bonds issued pursuant to the provisions
21 of the 2010 Capital Projects General Obligation Bond Act may,
22 either at law or in equity, by suit, action or mandamus,
23 enforce and compel the performance of the duties required by
24 that act of any officer or entity mentioned in that act. The
25 provisions of that act constitute an irrepealable contract with

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1 the owners of any of the bonds issued pursuant to that act for
2 the faithful performance of which the full faith and credit of
3 the state is pledged. Without reference to any other act of
4 the legislature, the 2010 Capital Projects General Obligation
5 Bond Act is full authority for the issuance and sale of the
6 bonds authorized in that act, and such bonds shall have all the
7 qualities of investment securities under the Uniform Commercial
8 Code, shall not be invalid for any irregularity or defect in
9 the proceedings for the issuance and sale of the bonds and
10 shall be incontestable in the hands of bona fide purchasers or
11 holders thereof for value. All bonds issued under the
12 provisions of that act, and the interest thereon, are exempt
13 from taxation by the state and any subdivision or public body
14 thereof.

15 Section 10. PROJECTS.--The proceeds from the sale of
16 bonds issued under the provisions of the 2010 Capital Projects
17 General Obligation Bond Act shall be distributed as follows for
18 the purposes and in the amounts specified:

19 A. for senior citizen facility improvements,
20 construction and equipment acquisition projects, to the aging
21 and long-term services department:

22 (1) three hundred seventy thousand dollars
23 (\$370,000) to plan, design, renovate and equip the Bear Canyon
24 senior center in Albuquerque in Bernalillo county;

25 (2) five hundred thousand dollars (\$500,000)

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1 to plan, design, construct, equip and furnish the Highland
2 senior center in Albuquerque in Bernalillo county;

3 (3) five hundred thirty-four thousand dollars
4 (\$534,000) to plan, design, construct, equip and furnish the
5 North Valley senior center in Albuquerque in Bernalillo county;

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

10 (5) fourteen thousand dollars (\$14,000) to
11 make improvements for building code compliance, including
12 purchase and installation of equipment, to the Pueblo of Isleta
13 senior center in Bernalillo county;

14 (6) one million dollars (\$1,000,000) to plan,
15 design, construct, equip and furnish the Tijeras senior center
16 in Bernalillo county;

17 (7) fourteen thousand five hundred dollars
18 (\$14,500) to purchase and install meals equipment at Catron
19 countywide senior centers in Catron county;

20 (8) twenty-five thousand dollars (\$25,000) to
21 purchase and equip vehicles for the Quemado senior center in
22 Catron county;

23 (9) one hundred fifty thousand dollars
24 (\$150,000) to plan, design, construct, equip and furnish the
25 Hagerman senior center in Chaves county;

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1 (10) one hundred two thousand six hundred
2 dollars (\$102,600) to purchase and equip vehicles for the
3 Roswell-Hagerman senior centers in Chaves county;

4 (11) thirty-five thousand one hundred dollars
5 (\$35,100) to make improvements for building code compliance,
6 including purchase and installation of equipment, to the Grants
7 senior center in Cibola county;

8 (12) one thousand dollars (\$1,000) to purchase
9 and install meals equipment at the Grants senior center in
10 Cibola county;

11 (13) seven thousand five hundred dollars
12 (\$7,500) to plan, design, renovate and equip the Eagle Nest
13 senior center in Colfax county;

14 (14) twenty-five thousand dollars (\$25,000) to
15 make improvements for building code compliance, including
16 purchase and installation of equipment, to the Raton senior
17 center in Colfax county;

18 (15) five thousand two hundred dollars
19 (\$5,200) to purchase and install meals equipment at the Grady
20 senior center in Curry county;

21 (16) nine thousand two hundred dollars
22 (\$9,200) to purchase and install meals equipment at the Fort
23 Sumner senior center in De Baca county;

24 (17) two hundred fifty-five thousand dollars
25 (\$255,000) to make improvements for building code compliance,

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1 including purchase and installation of equipment, to the Munson
2 senior center in Las Cruces in Dona Ana county;

3 (18) seventy-five thousand dollars (\$75,000)
4 to make improvements for building code compliance, including
5 purchase and installation of equipment, to the Mesilla Park
6 senior center in Las Cruces in Dona Ana county;

7 (19) fifty thousand dollars (\$50,000) to
8 purchase and equip vehicles for the Artesia senior center in
9 Eddy county;

10 (20) seventy-eight thousand three hundred
11 dollars (\$78,300) to purchase and equip vehicles for the Eddy
12 countywide senior centers in Eddy county;

13 (21) twelve thousand four hundred dollars
14 (\$12,400) to purchase and install meals equipment at Grant
15 countywide senior centers in Grant county;

16 (22) one hundred twenty thousand dollars
17 (\$120,000) to purchase and equip vehicles for the Grant
18 countywide senior centers in Grant county;

19 (23) ten thousand dollars (\$10,000) to make
20 improvements for building code compliance, including purchase
21 and installation of equipment, to the Santa Clara senior center
22 in Grant county;

23 (24) fifty-one thousand dollars (\$51,000) to
24 plan, design, renovate and equip La Loma senior center in
25 Guadalupe county;

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1 (25) one thousand one hundred dollars (\$1,100)
2 to purchase and install meals equipment at the Eunice senior
3 center in Lea county;

4 (26) one thousand dollars (\$1,000) to purchase
5 and install meals equipment at the Hobbs senior center in Lea
6 county;

7 (27) ten thousand dollars (\$10,000) to
8 purchase and install meals equipment at the Jal senior center
9 in Lea county;

10 (28) fifty thousand dollars (\$50,000) to plan,
11 design, construct, equip and furnish the Carrizozo senior
12 center in Lincoln county;

13 (29) four thousand five hundred dollars
14 (\$4,500) to make improvements for building code compliance,
15 including purchase and installation of equipment, to the Hondo
16 Valley senior center in Lincoln county;

17 (30) eighteen thousand five hundred dollars
18 (\$18,500) to purchase and install meals equipment at Lincoln
19 countywide senior centers in Lincoln county;

20 (31) thirteen thousand five hundred dollars
21 (\$13,500) to plan, design, renovate and equip the Ruidoso
22 senior center in Lincoln county;

23 (32) eighty-nine thousand dollars (\$89,000) to
24 purchase and equip vehicles for the Los Alamos senior center in
25 Los Alamos county;

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1 (33) six thousand five hundred dollars
2 (\$6,500) to make improvements for building code compliance,
3 including purchase and installation of equipment, to the Baca
4 chapter senior center on the Navajo Nation in McKinley county;

5 (34) eighteen thousand five hundred dollars
6 (\$18,500) to purchase and install equipment at the Gallup
7 citywide senior centers in McKinley county;

8 (35) twenty-six thousand dollars (\$26,000) to
9 purchase and install meals equipment at Gallup citywide senior
10 centers in McKinley county;

11 (36) sixty-three thousand dollars (\$63,000) to
12 purchase and equip vehicles for the Gallup citywide senior
13 centers in McKinley county;

14 (37) sixty-five thousand dollars (\$65,000) to
15 make improvements for building code compliance, including
16 purchase and installation of equipment, to the Ford Canyon
17 senior center in Gallup in McKinley county;

18 (38) thirty-six thousand dollars (\$36,000) to
19 purchase and install meals equipment at the Nahodishgish
20 chapter senior center on the Navajo Nation in McKinley county;

21 (39) forty thousand dollars (\$40,000) to make
22 improvements for building code compliance, including purchase
23 and installation of equipment, to the Pinedale chapter senior
24 center on the Navajo Nation in McKinley county;

25 (40) eighty thousand dollars (\$80,000) to make

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1 improvements for building code compliance, including purchase
2 and installation of equipment, to the Tohatchi chapter senior
3 center on the Navajo Nation in McKinley county;

4 (41) three hundred thousand dollars (\$300,000)
5 to plan, design, construct, equip and furnish the Whitehorse
6 Lake chapter senior center on the Navajo Nation in McKinley
7 county;

8 (42) one hundred eighty-five thousand seven
9 hundred dollars (\$185,700) to make improvements for building
10 code compliance, including purchase and installation of
11 equipment, to the Pueblo of Zuni senior center in McKinley
12 county;

13 (43) seventeen thousand five hundred dollars
14 (\$17,500) to purchase and install meals equipment at the Mora
15 and Wagon Mound senior centers in Mora county;

16 (44) forty-two thousand dollars (\$42,000) to
17 purchase and equip vehicles for the Mescalero Apache senior
18 center in Otero county;

19 (45) seven thousand five hundred dollars
20 (\$7,500) to purchase and install equipment at the Tucumcari
21 senior center in Quay county;

22 (46) twenty-two thousand five hundred dollars
23 (\$22,500) to plan, design, renovate and equip the Tucumcari
24 senior center in Quay county;

25 (47) five thousand three hundred dollars

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1 (\$5,300) to purchase and install meals equipment at the
2 Tucumcari and House senior centers in Quay county;

3 (48) fifty-four thousand six hundred dollars
4 (\$54,600) to make improvements for building code compliance,
5 including purchase and installation of equipment, to the Chama
6 senior center in Rio Arriba county;

7 (49) ten thousand two hundred dollars
8 (\$10,200) to purchase and install meals equipment at the Chama
9 senior center in Rio Arriba county;

10 (50) nine thousand dollars (\$9,000) to make
11 improvements for building code compliance, including purchase
12 and installation of equipment, to the Espanola senior center in
13 Rio Arriba county;

14 (51) twelve thousand dollars (\$12,000) to
15 purchase and install meals equipment at the Espanola senior
16 center in Rio Arriba county;

17 (52) twenty-eight thousand dollars (\$28,000)
18 to purchase and equip vehicles for the Jicarilla Apache Nation
19 senior center in Rio Arriba county;

20 (53) twenty-five thousand dollars (\$25,000) to
21 make improvements for building code compliance, including
22 purchase and installation of equipment, to the Jicarilla Apache
23 Nation senior center in Rio Arriba county;

24 (54) one hundred twenty-eight thousand dollars
25 (\$128,000) to plan, design, construct, equip and furnish the

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1 Ohkay Owingeh senior center in Rio Arriba county;

2 (55) one hundred thirty-four thousand dollars
3 (\$134,000) to purchase and equip vehicles for the Rio Arriba
4 countywide senior centers in Rio Arriba county;

5 (56) sixty-seven thousand five hundred dollars
6 (\$67,500) to make improvements for building code compliance,
7 including purchase and installation of equipment, to the Aztec
8 senior center in San Juan county;

9 (57) fifteen thousand dollars (\$15,000) to
10 plan, design, renovate and equip the Crystal chapter senior
11 center on the Navajo Nation in San Juan county;

12 (58) ten thousand dollars (\$10,000) to make
13 improvements for building code compliance, including purchase
14 and installation of equipment, to the Huerfano chapter senior
15 center on the Navajo Nation in San Juan county;

16 (59) one thousand six hundred dollars (\$1,600)
17 to make improvements for building code compliance, including
18 purchase and installation of equipment, to the Lake Valley
19 chapter senior center on the Navajo Nation in San Juan county;

20 (60) seventy-five thousand dollars (\$75,000)
21 to make improvements for building code compliance, including
22 purchase and installation of equipment, to the Shiprock chapter
23 senior center on the Navajo Nation in San Juan county;

24 (61) fifty thousand dollars (\$50,000) to make
25 improvements for building code compliance, including purchase

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1 and installation of equipment, to the Tse'Daa'Kaan chapter
2 senior center on the Navajo Nation in San Juan county;

3 (62) ten thousand five hundred dollars
4 (\$10,500) to plan, design, renovate and equip the Corrales
5 senior center in Sandoval county;

6 (63) twenty-seven thousand five hundred
7 dollars (\$27,500) to make improvements for building code
8 compliance, including purchase and installation of equipment,
9 to the Cuba senior center in Sandoval county;

10 (64) ten thousand five hundred dollars
11 (\$10,500) to plan, design, renovate and equip the Placitas
12 senior center in Sandoval county;

13 (65) three hundred thousand dollars (\$300,000)
14 to plan, design, construct, equip and furnish the Rio Rancho
15 senior center in Sandoval county;

16 (66) eleven thousand dollars (\$11,000) to
17 purchase and install meals equipment at the Pueblo of San
18 Felipe senior center in Sandoval county;

19 (67) one hundred seventy-seven thousand
20 dollars (\$177,000) to make improvements for building code
21 compliance, including purchase and installation of equipment,
22 to the Pueblo of Sandia senior center in Sandoval county;

23 (68) three thousand dollars (\$3,000) to
24 purchase and install meals equipment at the Pueblo of Sandia
25 senior center in Sandoval county;

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1 (69) forty-two thousand dollars (\$42,000) to
2 purchase and equip vehicles for the Sandoval countywide senior
3 centers in Sandoval county;

4 (70) five thousand dollars (\$5,000) to make
5 improvements for building code compliance, including purchase
6 and installation of equipment, to the Pueblo of Santo Domingo
7 senior center in Sandoval county;

8 (71) seven thousand three hundred dollars
9 (\$7,300) to purchase and install equipment at the Pueblo of Zia
10 senior center in Sandoval county;

11 (72) two hundred seventy thousand dollars
12 (\$270,000) to make improvements for building code compliance,
13 including purchase and installation of equipment, to the Pueblo
14 of Zia senior center in Sandoval county;

15 (73) three thousand dollars (\$3,000) to
16 purchase and install meals equipment at the Pueblo of Zia
17 senior center in Sandoval county;

18 (74) sixty-five thousand dollars (\$65,000) to
19 make improvements for building code compliance, including
20 purchase and installation of equipment, to the Pueblo of Nambe
21 senior center in Santa Fe county;

22 (75) five thousand dollars (\$5,000) to
23 purchase and install meals equipment at the Pueblo of Pojoaque
24 senior center in Santa Fe county;

25 (76) five thousand dollars (\$5,000) to make

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1 improvements for building code compliance, including purchase
2 and installation of equipment, to the Pueblo of Pojoaque senior
3 center in Santa Fe county;

4 (77) forty-two thousand dollars (\$42,000) to
5 purchase and equip vehicles for the Pueblo of San Ildefonso
6 senior center in Santa Fe county;

7 (78) four thousand two hundred dollars
8 (\$4,200) to make improvements for building code compliance,
9 including purchase and installation of equipment, to the Pueblo
10 of San Ildefonso senior center in Santa Fe county;

11 (79) two thousand five hundred dollars
12 (\$2,500) to purchase and install meals equipment at the Pueblo
13 of San Ildefonso senior center in Santa Fe county;

14 (80) seventy-three thousand dollars (\$73,000)
15 to plan, design, renovate and equip the Mary Esther Gonzales
16 senior center in Santa Fe in Santa Fe county;

17 (81) one hundred twenty-six thousand dollars
18 (\$126,000) to purchase and equip vehicles for the Sierra joint
19 office of aging in Sierra county;

20 (82) ten thousand three hundred dollars
21 (\$10,300) to purchase and install meals equipment at the Truth
22 or Consequences senior center in Sierra county;

23 (83) two hundred thousand dollars (\$200,000)
24 to plan, design, construct, equip and furnish the Alamo chapter
25 senior center on the Navajo Nation in Socorro county;

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1 (84) thirty-seven thousand five hundred
2 dollars (\$37,500) to make improvements for building code
3 compliance, including purchase and installation of equipment,
4 to the Socorro senior center in Socorro county;

5 (85) twenty-six thousand dollars (\$26,000) to
6 purchase and install meals equipment at the Socorro senior
7 center in Socorro county;

8 (86) two thousand dollars (\$2,000) to purchase
9 and install equipment at the Pueblo of Picuris senior center in
10 Taos county;

11 (87) fifteen thousand dollars (\$15,000) to
12 purchase and equip vehicles for the Pueblo of Picuris senior
13 center in Taos county;

14 (88) five hundred thousand dollars (\$500,000)
15 to plan, design, construct, equip and furnish the Pueblo of
16 Taos senior center in Taos county;

17 (89) twenty-five thousand three hundred
18 dollars (\$25,300) to purchase and install meals equipment at
19 the Pueblo of Taos senior center in Taos county;

20 (90) one hundred eighty thousand dollars
21 (\$180,000) to make improvements for building code compliance,
22 including purchase and installation of equipment, to the
23 Clayton senior center in Union county;

24 (91) seven thousand dollars (\$7,000) to
25 purchase and install meals equipment at the Clayton senior

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1 center in Union county;

2 (92) sixteen thousand one hundred dollars
3 (\$16,100) to make improvements for building code compliance,
4 including purchase and installation of equipment, to the Des
5 Moines senior center in Union county; and

6 (93) three hundred thousand dollars (\$300,000)
7 to plan, design, construct, equip and furnish the Belen senior
8 center in Valencia county;

9 B. for academic and public library acquisitions at
10 public libraries, tribal libraries, public school libraries and
11 academic libraries statewide:

12 (1) to the cultural affairs department:

13 (a) three million dollars (\$3,000,000)
14 to acquire library books, equipment and library resources for
15 public libraries statewide; and

16 (b) one million dollars (\$1,000,000) for
17 supplemental library resource acquisitions, including books and
18 equipment and planning, designing and constructing capital
19 improvements, at library facilities for tribal libraries
20 statewide;

21 (2) to the higher education department, three
22 million dollars (\$3,000,000) to acquire library books,
23 equipment and library resources for academic libraries
24 statewide; and

25 (3) to the public education department, three

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1 million dollars (\$3,000,000) to acquire library books,
2 equipment and library resources for public school libraries
3 statewide;

4 C. for public school facility improvement
5 acquisitions, to the public education department, three million
6 dollars (\$3,000,000) for renovation and construction of pre-
7 kindergarten classrooms and facilities at public schools
8 statewide;

9 D. for public school bus acquisitions, to the
10 public education department, three million dollars (\$3,000,000)
11 to purchase school buses statewide;

12 E. for capital improvements at institutions of
13 higher education and constitutional special schools statewide:

14 (1) to the board of regents of eastern New
15 Mexico university:

16 (a) four million dollars (\$4,000,000) to
17 construct and improve the physical plant complex, including
18 purchasing and installing a modular building, at the Roswell
19 branch campus of eastern New Mexico university in Chaves
20 county;

21 (b) five hundred thousand dollars
22 (\$500,000) for renovations and infrastructure improvements,
23 including improvements for energy efficiency and campus safety,
24 at the Ruidoso branch campus of eastern New Mexico university
25 in Lincoln county; and

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1 (c) seven million dollars (\$7,000,000)
2 for infrastructure and electric utility upgrades, including
3 distribution; piping; water chillers; heating, ventilation and
4 air conditioning systems; and razing of closed facilities, at
5 eastern New Mexico university in Portales in Roosevelt county;

6 (2) to the higher education department:

7 (a) sixteen million dollars (\$16,000,000) to
8 renovate Jeanette Stromberg hall at central New Mexico community
9 college in Albuquerque in Bernalillo county;

10 (b) one million dollars (\$1,000,000) to
11 renovate the former allied health facilities for use as computer
12 labs and classrooms at Clovis community college in Clovis in Curry
13 county;

14 (c) three million five hundred thousand
15 dollars (\$3,500,000) for roof improvements and replacement at New
16 Mexico junior college in Hobbs in Lea county;

17 (d) two million four hundred thousand
18 dollars (\$2,400,000) to plan, design and construct a facility for
19 the renewable energy program and to purchase and install equipment
20 for the school of trades and technology at San Juan college in San
21 Juan county;

22 (e) five million dollars (\$5,000,000) to
23 renovate the vocational education complex at Luna community
24 college in Las Vegas in San Miguel county; and

25 (f) one million dollars (\$1,000,000) for

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1 infrastructure improvements at Santa Fe community college in Santa
2 Fe county;

3 (3) to the board of regents of New Mexico
4 highlands university, seven million one hundred thousand dollars
5 (\$7,100,000) to plan, design, renovate and construct the historic
6 Trolley building at New Mexico highlands university in Las Vegas
7 in San Miguel county;

8 (4) to the board of regents of the New Mexico
9 military institute, five million dollars (\$5,000,000) to renovate
10 Lusk hall to comply with the requirements of the Americans with
11 Disabilities Act of 1990, safety codes and energy and
12 environmental design at New Mexico military institute in Roswell
13 in Chaves county;

14 (5) to the board of regents of New Mexico state
15 university:

16 (a) two million dollars (\$2,000,000) for
17 infrastructure renovation and improvements, including roof
18 repairs, safety, classrooms, labs, heating and drainage, at the
19 Grants branch campus of New Mexico state university in Cibola
20 county;

21 (b) twenty million dollars (\$20,000,000) to
22 plan, design, construct, conduct necessary demolition, renovate,
23 furnish, expand and equip the Hershel Zohn theater and Branson
24 library to house the institute for public policy at New Mexico
25 state university in Las Cruces in Dona Ana county;

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1 (c) seven million dollars (\$7,000,000) to
2 construct the Gadsden center, including classrooms and
3 laboratories, at the Dona Ana community college branch of New
4 Mexico state university in Dona Ana county;

5 (d) two million dollars (\$2,000,000) for
6 infrastructure renovation, including improvements to the heating,
7 ventilation and air conditioning systems, classrooms, energy
8 management systems, hot water systems and transportation and
9 parking, at the Carlsbad branch campus of New Mexico state
10 university in Eddy county; and

11 (e) two million dollars (\$2,000,000) for
12 infrastructure renovation, including improvements to energy
13 management and lighting systems and restroom upgrades to comply
14 with the Americans with Disabilities Act of 1990, at the
15 Alamogordo branch campus of New Mexico state university in Otero
16 county;

17 (6) to the board of regents of northern New
18 Mexico state school, five million dollars (\$5,000,000) to
19 construct and equip the Serpa program building for a solar
20 engineering and research park and academy at northern New Mexico
21 state school in Espanola in Rio Arriba county;

22 (7) to the board of regents of the New Mexico
23 school for the blind and visually impaired, three million five
24 hundred fifty thousand dollars (\$3,550,000) for renovating Watkins
25 education center and to contract with the public school facilities

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1 authority for other infrastructure improvements to address
2 critical deficiencies and to comply with the Americans with
3 Disabilities Act of 1990 at the New Mexico school for the blind
4 and visually impaired in Alamogordo in Otero county;

5 (8) to the board of regents of the New Mexico
6 school for the deaf, three million dollars (\$3,000,000) to
7 contract with the public school facilities authority for
8 improvements, including fire suppression and improvements to
9 comply with the Americans with Disabilities Act of 1990, and other
10 renovations to address critical deficiencies at the New Mexico
11 school for the deaf in Santa Fe in Santa Fe county;

12 (9) to the board of regents of the university of
13 New Mexico:

14 (a) three million eight hundred thousand
15 dollars (\$3,800,000) to renovate, expand and construct the biology
16 building at the university of New Mexico in Albuquerque in
17 Bernalillo county;

18 (b) eighteen million five hundred thousand
19 dollars (\$18,500,000) to demolish the old facility and construct
20 the outpatient services building at the Carrie Tingley hospital at
21 the university of New Mexico's health sciences center in
22 Albuquerque in Bernalillo county;

23 (c) fifteen million dollars (\$15,000,000) to
24 renovate Reibsomer hall, the chemistry building, at the university
25 of New Mexico in Albuquerque in Bernalillo county;

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1 (d) seven hundred fifty thousand dollars
2 (\$750,000) to renovate and equip labs, classrooms and storage
3 space at the science labs at the Los Alamos branch campus of the
4 university of New Mexico in Los Alamos county; and

5 (e) one million four hundred thousand
6 dollars (\$1,400,000) to construct and make improvements to the
7 Zollinger library, including completing the lower level shell
8 space, at the Gallup branch campus of the university of New Mexico
9 in McKinley county; and

10 (10) to the board of regents of western New
11 Mexico university, eight million dollars (\$8,000,000) for
12 infrastructure renovations and improvements, including renovating
13 the McCray arts building, at western New Mexico university in
14 Silver City in Grant county; and

15 F. to the Indian affairs department for capital
16 improvements at Native American educational institutions:

17 (1) one million dollars (\$1,000,000) for
18 improvements and security enhancements at southwestern Indian
19 polytechnic institute in Albuquerque in Bernalillo county; and

20 (2) five hundred thousand dollars (\$500,000) to
21 replace the roof at the museum at the institute of American Indian
22 arts in Santa Fe county.

23 Section 11. ELECTION.--

24 A. Bonds issued pursuant to the 2010 Capital Projects
25 General Obligation Bond Act shall be submitted to the registered

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1 voters of the state at the general election to be held in November
2 2010, and, if they receive a majority of all the votes cast
3 thereon at such election, shall take effect upon certification of
4 the state canvassing board announcing the results of such
5 election. No bonds shall be issued or sold under that act until
6 the registered voters of this state have voted upon and approved
7 the bonds and property tax as provided in this section. Any bonds
8 issued under that act shall be issued within thirty months from
9 the date of such election.

10 B. The ballots used at the 2010 general election shall
11 contain substantially the following language:

12 (1) "The 2010 Capital Projects General Obligation
13 Bond Act authorizes the issuance and sale of senior citizen
14 facility improvement, construction and equipment acquisition
15 bonds. Shall the state be authorized to issue general obligation
16 bonds in an amount not to exceed seven million eight hundred
17 ninety-six thousand five hundred dollars (\$7,896,500) to make
18 capital expenditures for certain senior citizen facility
19 improvements, construction and equipment acquisition projects and
20 provide for a general property tax imposition and levy for the
21 payment of principal of, interest on and expenses incurred in
22 connection with the issuance of the bonds and the collection of
23 the tax as permitted by law?

24 For _____ Against _____";

25 (2) "The 2010 Capital Projects General Obligation

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1 Bond Act authorizes the issuance and sale of library acquisition
2 and construction bonds. Shall the state be authorized to issue
3 general obligation bonds in an amount not to exceed ten million
4 one hundred twenty thousand dollars (\$10,120,000) to make capital
5 expenditures for academic, public and tribal library acquisitions
6 and construction and provide for a general property tax imposition
7 and levy for the payment of principal of, interest on and expenses
8 incurred in connection with the issuance of the bonds and the
9 collection of the tax as permitted by law?

10 For _____ Against _____";

11 (3) "The 2010 Capital Projects General Obligation
12 Bond Act authorizes the issuance and sale of public school
13 facility improvement bonds. Shall the state be authorized to
14 issue general obligation bonds in an amount not to exceed three
15 million one hundred thousand dollars (\$3,100,000) to make capital
16 expenditures for pre-kindergarten classrooms and facilities at
17 public schools and provide for a general property tax imposition
18 and levy for the payment of principal of, interest on and expenses
19 incurred in connection with the issuance of the bonds and the
20 collection of the tax as permitted by law?

21 For _____ Against _____";

22 (4) "The 2010 Capital Projects General Obligation
23 Bond Act authorizes the issuance and sale of public school bus
24 bonds. Shall the state be authorized to issue general obligation
25 bonds in an amount not to exceed three million one hundred

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1 thousand dollars (\$3,100,000) to purchase school buses statewide
2 and provide for a general property tax imposition and levy for the
3 payment of principal of, interest on and expenses incurred in
4 connection with the issuance of the bonds and the collection of
5 the tax as permitted by law?

6 For _____ Against _____";

7 (5) "The 2010 Capital Projects General Obligation
8 Bond Act authorizes the issuance and sale of higher educational
9 and constitutional special schools capital improvement and
10 acquisition bonds. Shall the state be authorized to issue general
11 obligation bonds in an amount not to exceed one hundred forty-four
12 million eight hundred sixty thousand dollars (\$144,860,000) to
13 make capital expenditures for certain higher educational and
14 special schools capital improvements and acquisitions and provide
15 for a general property tax imposition and levy for the payment of
16 principal of, interest on and expenses incurred in connection with
17 the issuance of the bonds and the collection of the tax as
18 permitted by law? For _____

19 Against _____"; and

20 (6) "The 2010 Capital Projects General Obligation
21 Bond Act authorizes the issuance and sale of Native American
22 educational institution capital improvement and acquisition bonds.
23 Shall the state be authorized to issue general obligation bonds in
24 an amount not to exceed one million five hundred fifty thousand
25 dollars (\$1,550,000) to make capital expenditures at Native

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1 American educational institutions and provide for a general
2 property tax imposition and levy for the payment of principal of,
3 interest on and expenses incurred in connection with the issuance
4 of the bonds and the collection of the tax as permitted by law?

5 For _____ Against _____".

6 C. Each question set forth in this section includes a
7 specific work or object to be financed by the bonds. If any such
8 question is not approved by a majority vote of the electorate at
9 the state's 2010 general election, the issuance of bonds for the
10 work or object specified by the question shall be excluded from
11 and shall not be part of the 2010 Capital Projects General
12 Obligation Bond Act. The failure of a question to be approved by
13 the electorate at the 2010 general election shall not affect those
14 questions that are approved at the election.

15 D. The secretary of state shall include the submission
16 of the capital projects general obligation bonds to the people at
17 the 2010 general election, and it shall be included in the general
18 election proclamation of each of the county clerks. The secretary
19 of state shall cause the 2010 Capital Projects General Obligation
20 Bond Act to be published in full in at least one newspaper in each
21 county of the state if one be published therein, once each week,
22 for four successive weeks next preceding the general election as
23 required by the constitution of New Mexico.

24 Section 12. ART IN PUBLIC PLACES.--Pursuant to Section
25 13-4A-4 NMSA 1978 and where applicable, the appropriations

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1 authorized in the 2010 Capital Projects General Obligation Bond
2 Act include money for the art in public places fund.

3 Section 13. PROJECT SCOPE--EXPENDITURES--REVERSION.--

4 A. If an appropriation for a project authorized in the
5 2010 Capital Projects General Obligation Bond Act is not
6 sufficient to complete all the purposes specified, the
7 appropriation may be expended for any portion of the purposes
8 specified in the appropriation. Expenditures shall not be made
9 for purposes other than those specified in the appropriation.

10 B. The state agencies and state institutions to which
11 money has been appropriated in the 2010 Capital Projects General
12 Obligation Bond Act shall be responsible for monitoring the
13 projects funded in that act to ensure compliance with the
14 constitution and laws of New Mexico and shall cause to be reverted
15 any unexpended or unencumbered balance remaining at the earlier of
16 the third full fiscal year after issuance of the bonds or the
17 termination or completion of the specific project. Reverted funds
18 shall be deposited in the debt service fund established by the
19 state treasurer for the purpose of paying the principal of and
20 interest on the state's general obligation bonds.

21 Section 14. SEVERABILITY.--If any part or application of the
22 2010 Capital Projects General Obligation Bond Act is held invalid,
23 the remainder or its application to other situations or persons
24 shall not be affected.

25 Section 15. EMERGENCY.--It is necessary for the public

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1 peace, health and safety that this act take effect immediately.

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