

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

HOUSE BILL 191

**50TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2012**

INTRODUCED BY

Jim R. Trujillo

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; REAUTHORIZING BALANCES AND CHANGING PURPOSES; 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

.188731.1

underscored material = new  
~~[bracketed material] = delete~~

underscoring material = new  
~~[bracketed material]~~ = delete

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 federal Internal Revenue Code of 1986, as  
8 amended. Proceeds from the sale of the bonds are appropriated  
9 for the purposes specified in this act.

10 B. The agencies named in this act shall certify to  
11 the state board of finance when the money from the proceeds of  
12 the severance tax bonds appropriated in this section is needed  
13 for the purposes specified in the applicable section of this  
14 act. If an agency has not certified the need for severance tax  
15 bond proceeds for a particular project, including projects that  
16 have been reauthorized, by the end of fiscal year 2014, the  
17 authorization for that project is void.

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

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

.188731.1

underscoring material = new  
~~[bracketed material] = delete~~

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

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

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

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

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

21 (c) for any other project for which  
22 severance tax bonds were appropriated, within six months of  
23 completion of the project, but no later than the end of fiscal  
24 year 2016; and

25 (2) all remaining balances from the proceeds

.188731.1

underscored material = new  
~~[bracketed material] = delete~~

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

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

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

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

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

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

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

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

.188731.1

underscoring material = new  
~~[bracketed material] = delete~~

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

5 (c) for any other project for which an  
6 appropriation was made, within six months of completion of the  
7 project, but no later than the end of fiscal year 2016; and

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

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

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

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

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

.188731.1

underscoring material = new  
~~[bracketed material] = delete~~

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

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

8 SECTION 3. ADMINISTRATIVE OFFICE OF THE COURTS PROJECTS--  
9 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1  
10 of this act, upon certification by the administrative office of  
11 the courts that the need exists for the issuance of the bonds,  
12 the following amounts are appropriated to the administrative  
13 office of the courts for the following purposes:

- 14 1. five hundred thousand dollars (\$500,000) for  
15 security upgrades at magistrate courts statewide;
- 16 2. one million one hundred thousand dollars  
17 (\$1,100,000) for security cameras, furniture, fixtures and  
18 other infrastructure for the first judicial district courthouse  
19 in Santa Fe in Santa Fe county; and
- 20 3. two hundred thirty-five thousand dollars  
21 (\$235,000) for security enhancements for the fourth, ninth and  
22 eleventh judicial district courts, including furniture for the  
23 Aztec and Farmington courthouses in the eleventh judicial  
24 district.

25 SECTION 4. STATE ARMORY BOARD PROJECT--SEVERANCE TAX

.188731.1

underscored material = new  
~~[bracketed material] = delete~~

1 BONDS.--Pursuant to the provisions of Section 1 of this act,  
2 upon certification by the state armory board that the need  
3 exists for the issuance of the bonds, five hundred thousand  
4 dollars (\$500,000) is appropriated to the state armory board  
5 for renovation and repairs at armory facilities statewide.

6 SECTION 5. BERNALILLO COUNTY METROPOLITAN COURT PROJECT--  
7 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1  
8 of this act, upon certification by the Bernalillo county  
9 metropolitan court that the need exists for the issuance of the  
10 bonds, two hundred forty thousand dollars (\$240,000) is  
11 appropriated to the Bernalillo county metropolitan court to  
12 construct public facilities on the fourth floor of the  
13 metropolitan court building in Albuquerque in Bernalillo  
14 county.

15 SECTION 6. CAPITAL PROGRAM FUND PROJECTS--SEVERANCE TAX  
16 BONDS.--Pursuant to the provisions of Section 1 of this act,  
17 upon certification by the property control division of the  
18 general services department that the need exists for the  
19 issuance of the bonds, the following amounts are appropriated  
20 to the capital program fund for the following purposes:

- 21 1. five hundred thousand dollars (\$500,000) to  
22 purchase and install shelving for storage of public records at  
23 the state commission of public records facilities in  
24 Albuquerque in Bernalillo county and Santa Fe in Santa Fe  
25 county;

.188731.1

underscoring material = new  
[bracketed material] = delete

1                   2. two hundred fifty thousand dollars (\$250,000)  
2 for improvements and upgrades at the human services department  
3 commodities warehouse in Albuquerque in Bernalillo county;

4                   3. one million five hundred thousand dollars  
5 (\$1,500,000) to improve, renovate and equip the workforce  
6 solutions department administration building, including  
7 replacing the ceiling, purchasing diffusers for the heating,  
8 ventilation and air conditioning system and lighting and  
9 structural upgrades, in Albuquerque in Bernalillo county;

10                  4. four hundred fifty thousand dollars (\$450,000)  
11 to construct, furnish and equip the Clovis field office of the  
12 motor vehicle division of the taxation and revenue department  
13 in Curry county;

14                  5. twelve million dollars (\$12,000,000) to upgrade  
15 the heating, ventilation and air conditioning systems and  
16 infrastructure in housing units and support buildings at the  
17 central New Mexico correctional facility in Valencia county and  
18 the western New Mexico correctional facility in Cibola county;

19                  6. one million nine hundred seventy-five thousand  
20 dollars (\$1,975,000) to plan and design a juvenile detention  
21 facility, which may include demolition of an existing facility,  
22 to implement Cambiar New Mexico in the southeastern part of the  
23 state;

24                  7. two million dollars (\$2,000,000) for  
25 infrastructure improvements and code compliance upgrades at the

.188731.1

underscored material = new  
~~[bracketed material] = delete~~

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

4 8. one million dollars (\$1,000,000) to plan,  
5 design, renovate and expand the New Mexico state police  
6 district office in Espanola in Rio Arriba county; provided that  
7 three hundred thousand dollars (\$300,000) of the appropriation  
8 is for purchasing and installing a modular building for the  
9 Chama state police district office in Rio Arriba county;

10 9. four million seven hundred thousand dollars  
11 (\$4,700,000) to construct, furnish and equip additional patient  
12 housing units at the New Meadows long-term care facility at the  
13 New Mexico behavioral health institute in Las Vegas in San  
14 Miguel county;

15 10. three million six hundred thousand dollars  
16 (\$3,600,000) to renovate the dormitories, including upgrading  
17 plumbing, electrical and mechanical systems and other  
18 infrastructure, at the New Mexico law enforcement academy in  
19 Santa Fe county;

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

23 12. nine hundred thousand dollars (\$900,000) for  
24 heating, ventilation and air conditioning system improvements,  
25 elevator upgrades and fire suppression upgrades at the New

.188731.1

underscored material = new  
[bracketed material] = delete

1 Mexico state veterans' home in Truth or Consequences in Sierra  
2 county;

3 13. three million dollars (\$3,000,000) to renovate,  
4 repair and equip correctional facilities statewide;

5 14. two million dollars (\$2,000,000) for  
6 demolition, decommissioning and asbestos abatement of state  
7 buildings and campuses statewide; and

8 15. one million dollars (\$1,000,000) for repairs,  
9 renovations, deferred maintenance, restoration, infrastructure  
10 improvements and construction at state buildings statewide.

11 SECTION 7. CULTURAL AFFAIRS DEPARTMENT PROJECTS--

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

17 1. two million five hundred thousand dollars  
18 (\$2,500,000) to improve and complete critical unfinished  
19 projects, including furniture, equipment and exhibits, at state  
20 museums and monuments statewide; and

21 2. three million five hundred thousand dollars  
22 (\$3,500,000) for repairs, upgrades and renovations to address  
23 health and safety deficiencies at state museums and monuments  
24 statewide.

25 SECTION 8. CUMBRES AND TOLTEC SCENIC RAILROAD COMMISSION

.188731.1

underscored material = new  
~~[bracketed material] = delete~~

1 PROJECT--SEVERANCE TAX BONDS.--Pursuant to the provisions of  
2 Section 1 of this act, upon certification by the Cumbres and  
3 Toltec scenic railroad commission that the need exists for the  
4 issuance of the bonds, eight hundred thousand dollars  
5 (\$800,000) is appropriated to the Cumbres and Toltec scenic  
6 railroad commission for track and passenger car rehabilitation  
7 at the Cumbres and Toltec scenic railroad in Rio Arriba county.

8 SECTION 9. ECONOMIC DEVELOPMENT DEPARTMENT PROJECT--  
9 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1  
10 of this act, upon certification by the economic development  
11 department that the need exists for the issuance of the bonds,  
12 one million dollars (\$1,000,000) is appropriated to the  
13 economic development department for infrastructure and  
14 renovation projects in downtown mainstreet districts statewide.

15 SECTION 10. ENERGY, MINERALS AND NATURAL RESOURCES  
16 DEPARTMENT PROJECTS--SEVERANCE TAX BONDS.--Pursuant to the  
17 provisions of Section 1 of this act, upon certification by the  
18 energy, minerals and natural resources department that the need  
19 exists for the issuance of the bonds, the following amounts are  
20 appropriated to the energy, minerals and natural resources  
21 department for the following purposes:

- 22 1. five hundred thousand dollars (\$500,000) to  
23 purchase and equip law enforcement vehicles statewide; and
- 24 2. two million dollars (\$2,000,000) to conduct  
25 wildfire mitigation and forest restoration projects statewide

.188731.1

underscoring material = new  
~~[bracketed material] = delete~~

1 and to purchase wildland fire trucks and equipment for  
2 communities at risk as listed in the New Mexico communities at  
3 risk assessment plan, including unincorporated areas and  
4 northern New Mexico pueblos.

5 SECTION 11. STATE PARKS DIVISION OF THE ENERGY, MINERALS  
6 AND NATURAL RESOURCES DEPARTMENT PROJECT--SEVERANCE TAX  
7 BONDS.--Pursuant to the provisions of Section 1 of this act,  
8 upon certification by the state parks division of the energy,  
9 minerals and natural resources department that the need exists  
10 for the issuance of the bonds, two million dollars (\$2,000,000)  
11 is appropriated to the state parks division of the energy,  
12 minerals and natural resources department for renovations at  
13 state parks statewide.

14 SECTION 12. OFFICE OF THE STATE ENGINEER PROJECTS--  
15 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1  
16 of this act, upon certification by the office of the state  
17 engineer that the need exists for the issuance of the bonds,  
18 the following amounts are appropriated to the office of the  
19 state engineer for the following purposes:

- 20 1. six million dollars (\$6,000,000) to construct  
21 and rehabilitate the dam in Springer in Colfax county; and
- 22 2. seven hundred thousand dollars (\$700,000) to  
23 purchase and install surface and ground water meters to assess  
24 water use, water supply, impairment, public welfare,  
25 conservation and water accountability statewide.

.188731.1

underscored material = new  
~~[bracketed material] = delete~~

1           **SECTION 13. STATE FAIR COMMISSION PROJECTS--SEVERANCE TAX**  
2 BONDS.--Pursuant to the provisions of Section 1 of this act,  
3 upon certification by the state fair commission that the need  
4 exists for the issuance of the bonds, the following amounts are  
5 appropriated to the state fair commission for the following  
6 purposes:

7                   1. five hundred thousand dollars (\$500,000) for  
8 infrastructure improvements, including sewer and other health  
9 and safety upgrades, at the New Mexico state fairgrounds in  
10 Albuquerque in Bernalillo county; and

11                   2. six hundred thousand dollars (\$600,000) for  
12 improvements, including replacing the heating, ventilation and  
13 air conditioning system and addressing electrical, mechanical  
14 and code compliance issues, at Tingley coliseum in Albuquerque  
15 in Bernalillo county.

16           **SECTION 14. DEPARTMENT OF FINANCE AND ADMINISTRATION**  
17 **PROJECTS--SEVERANCE TAX BONDS.**--Pursuant to the provisions of  
18 Section 1 of this act, upon certification by the department of  
19 finance and administration that the need exists for the  
20 issuance of the bonds, eleven million dollars (\$11,000,000) is  
21 appropriated to the department of finance and administration  
22 for completion of projects impacting the health and safety of  
23 the general public at the local government level statewide;  
24 provided that the projects funded meet the criteria for project  
25 eligibility developed by the department of finance and

.188731.1

underscoring material = new  
~~[bracketed material] = delete~~

1 administration, legislative council service and legislative  
2 finance committee; and provided further that the criteria,  
3 application process and allocations shall be subject to review  
4 by the legislative finance committee and approval by the state  
5 board of finance.

6 SECTION 15. DEPARTMENT OF HEALTH PROJECT--SEVERANCE TAX  
7 BONDS.--Pursuant to the provisions of Section 1 of this act,  
8 upon certification by the department of health that the need  
9 exists for the issuance of the bonds, two million one hundred  
10 thousand dollars (\$2,100,000) is appropriated to the department  
11 of health to replace windows and purchase passenger vehicles to  
12 comply with the federal Americans with Disabilities Act of 1990  
13 at the New Mexico behavioral health institute in Las Vegas in  
14 San Miguel county.

15 SECTION 16. HOMELAND SECURITY AND EMERGENCY MANAGEMENT  
16 DEPARTMENT PROJECT--SEVERANCE TAX BONDS.--Pursuant to the  
17 provisions of Section 1 of this act, upon certification by the  
18 homeland security and emergency management department that the  
19 need exists for the issuance of the bonds, one hundred thousand  
20 dollars (\$100,000) is appropriated to the homeland security and  
21 emergency management department to plan and design a statewide  
22 notification system to transmit emergency information to the  
23 public.

24 SECTION 17. HUMAN SERVICES DEPARTMENT PROJECT--SEVERANCE  
25 TAX BONDS.--Pursuant to the provisions of Section 1 of this

.188731.1

underscoring material = new  
~~[bracketed material] = delete~~

1 act, upon certification by the human services department that  
2 the need exists for the issuance of the bonds, two hundred  
3 thousand dollars (\$200,000) is appropriated to the human  
4 services department to upgrade voice and data wiring and  
5 purchase and install backup cooling units for the computer  
6 systems at human services department offices in Farmington,  
7 Hobbs, Albuquerque and Espanola.

8 SECTION 18. DEPARTMENT OF INFORMATION TECHNOLOGY

9 PROJECT--SEVERANCE TAX BONDS.--Pursuant to the provisions of  
10 Section 1 of this act, upon certification by the department of  
11 information technology that the need exists for the issuance of  
12 the bonds, three million dollars (\$3,000,000) is appropriated  
13 to the department of information technology for two-way radios  
14 and antenna systems and upgrades to support public safety  
15 communications statewide.

16 SECTION 19. DEPARTMENT OF MILITARY AFFAIRS PROJECT--

17 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1  
18 of this act, upon certification by the department of military  
19 affairs that the need exists for the issuance of the bonds,  
20 four hundred thousand dollars (\$400,000) is appropriated to the  
21 department of military affairs to plan and design renovations  
22 for a readiness center in Alamogordo in Otero county.

23 SECTION 20. SUPREME COURT BUILDING COMMISSION PROJECT--

24 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1  
25 of this act, upon certification by the supreme court building

.188731.1

underscoring material = new  
~~[bracketed material] = delete~~

1 commission that the need exists for the issuance of the bonds,  
2 one million seven hundred thousand dollars (\$1,700,000) is  
3 appropriated to the supreme court building commission for  
4 renovations and repairs to address health and safety  
5 deficiencies, code compliance and security needs at the supreme  
6 court building in Santa Fe in Santa Fe county.

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

16 SECTION 22. DEPARTMENT OF TRANSPORTATION--STATE ROAD FUND  
17 PROJECTS--SEVERANCE TAX BONDS.--Pursuant to the provisions of  
18 Section 1 of this act, upon certification by the department of  
19 transportation that the need exists for the issuance of the  
20 bonds, the following amounts are appropriated to the state road  
21 fund for the following purposes:

- 22 1. ten million dollars (\$10,000,000) for state  
23 highway improvements, including pavement preservation  
24 treatments, pavement overlay, rehabilitation and highway  
25 reconstruction statewide; and

.188731.1

1           2. fifteen million dollars (\$15,000,000) for  
2 investment projects statewide; provided that six million  
3 dollars (\$6,000,000) of this appropriation is contingent on  
4 equal matches by local political subdivisions.

5           **SECTION 23. WASTEWATER FACILITY CONSTRUCTION LOAN FUND--**  
6 **SEVERANCE TAX BONDS.**--Pursuant to the provisions of Section 1  
7 of this act, upon certification by the department of  
8 environment that the need exists for the issuance of the bonds,  
9 one million four hundred thousand dollars (\$1,400,000) is  
10 appropriated to the wastewater facility construction loan fund  
11 to implement the provisions of the Wastewater Facility  
12 Construction Loan Act or to provide state matching funds  
13 required by the terms of any federal grant under the Clean  
14 Water Act.

15           **SECTION 24. INDIAN WATER RIGHTS SETTLEMENT--SEVERANCE TAX**  
16 **BONDS.**--Pursuant to the provisions of Section 1 of this act,  
17 upon certification by the office of the state engineer that the  
18 need exists for the issuance of the bonds, fifteen million  
19 dollars (\$15,000,000) is appropriated to the Indian water  
20 rights settlement fund; notwithstanding the requirement for a  
21 joint resolution of the legislature in Subsection A of Section  
22 72-1-11 NMSA 1978, if corresponding commitments have been made  
23 for the federal portion of the settlement in the Navajo Nation,  
24 Taos and Aamodt cases, the money may be expended by the  
25 interstate stream commission in fiscal year 2012 and subsequent

.188731.1

underscored material = new  
~~[bracketed material]~~ = delete

1 fiscal years to implement the state's portion of the  
2 settlement, and any unexpended or unencumbered balances shall  
3 not revert at the end of a fiscal year.

4 SECTION 25. DEPARTMENT OF INFORMATION TECHNOLOGY  
5 PROJECT--APPROPRIATION FROM THE EQUIPMENT REPLACEMENT REVOLVING  
6 FUNDS.--One million dollars (\$1,000,000) is appropriated from  
7 the equipment replacement revolving funds to the department of  
8 information technology for expenditure in fiscal years 2012  
9 through 2016, unless otherwise provided for in Section 2 of  
10 this act, for two-way radios and antenna systems and upgrades  
11 to support public safety communications statewide.

12 SECTION 26. DEPARTMENT OF GAME AND FISH PROJECT--  
13 APPROPRIATION FROM THE GAME AND FISH BOND RETIREMENT FUND.--One  
14 hundred thousand dollars (\$100,000) is appropriated from the  
15 game and fish bond retirement fund to the department of game  
16 and fish for expenditure in fiscal years 2012 through 2016,  
17 unless otherwise provided for in Section 2 of this act, for  
18 improvements to facilities statewide, including warehouses,  
19 laboratories, the Raton area office, the Bear Canyon dam  
20 spillway, the Gordon railroad crossing, alternative energy  
21 assessments and the Bernardo house demolition and replacement  
22 project.

23 SECTION 27. DEPARTMENT OF GAME AND FISH PROJECTS--  
24 APPROPRIATION FROM THE GAME PROTECTION FUND.--Five hundred  
25 forty-seven thousand five hundred dollars (\$547,500) is

.188731.1

underscored material = new  
~~[bracketed material]~~ = delete

1 appropriated from the game protection fund to the department of  
2 game and fish for expenditure in fiscal years 2012 through  
3 2016, unless otherwise provided for in Section 2 of this act,  
4 for improvements to facilities statewide, including warehouses,  
5 laboratories, the Raton area office, the Bear Canyon dam  
6 spillway, the Gordon railroad crossing, alternative energy  
7 assessments and the Bernardo house demolition and replacement  
8 project.

9 SECTION 28. MINERS' COLFAX MEDICAL CENTER PROJECT--  
10 APPROPRIATION FROM THE MINERS' TRUST FUND.--One million dollars  
11 (\$1,000,000) is appropriated from the miners' trust fund to the  
12 miners' Colfax medical center for expenditure in fiscal years  
13 2012 through 2016, unless otherwise provided for in Section 2  
14 of this act, for the stucco project and for paving, drainage,  
15 lighting and security improvements at miners' Colfax medical  
16 center in Raton in Colfax county.

17 SECTION 29. PUBLIC EDUCATION DEPARTMENT PROJECT--  
18 APPROPRIATION FROM THE PUBLIC SCHOOL CAPITAL OUTLAY FUND.--Two  
19 million five hundred thousand dollars (\$2,500,000) is  
20 appropriated from the public school capital outlay fund to the  
21 public school capital outlay council, contingent upon approval  
22 of the public school capital outlay council, to renovate and  
23 construct public school pre-kindergarten classrooms statewide.

24 SECTION 30. DEPARTMENT OF TRANSPORTATION PROJECT--  
25 APPROPRIATION FROM THE STATE ROAD FUND.--Three hundred fifty

.188731.1

underscored material = new  
~~[bracketed material] = delete~~

1 thousand dollars (\$350,000) is appropriated from the state road  
2 fund to the department of transportation for expenditure in  
3 fiscal years 2012 through 2016, unless otherwise provided for  
4 in Section 2 of this act, for purchase, installation and  
5 construction of salt storage facilities statewide.

6 SECTION 31. HEALTH AND HUMAN SERVICES COMPLEX--CHANGE TO  
7 IMPROVEMENTS AT STATE BUILDINGS STATEWIDE--SEVERANCE TAX  
8 BONDS.--The unexpended balance of the appropriation to the  
9 capital program fund in Subsection 15 of Section 7 of Chapter  
10 125 of Laws 2009 for the health and human services complex in  
11 Santa Fe in Santa Fe county shall not be expended for the  
12 original purpose but is changed for repairs, renovations,  
13 deferred maintenance, restoration, infrastructure improvements  
14 and construction at state buildings statewide.

15 SECTION 32. HUMAN SERVICES DEPARTMENT INFORMATION  
16 TECHNOLOGY--CHANGE TO SCHOOL BUS PURCHASE STATEWIDE--CHANGE  
17 AGENCY--SEVERANCE TAX BONDS.--Five million dollars (\$5,000,000)  
18 of the unexpended balance of the appropriation to the human  
19 services department in Laws 2011 (S.S.), Chapter 5, Section 11  
20 for information technology shall not be expended for the  
21 original purpose but is appropriated to the public education  
22 department to purchase school buses statewide.

23 SECTION 33. PROJECT SCOPE--EXPENDITURES.--If an  
24 appropriation for a project authorized in this act is not  
25 sufficient to complete all the purposes specified, the

.188731.1

underscoring material = new  
~~[bracketed material] = delete~~

1 appropriation may be expended for any portion of the purposes  
2 specified in the appropriation. Expenditures shall not be made  
3 for purposes other than those specified in the appropriation.

4 SECTION 34. ART IN PUBLIC PLACES.--Pursuant to Section  
5 13-4A-4 NMSA 1978 and where applicable, the appropriations  
6 authorized in this act include one percent for the art in  
7 public places fund.

8 SECTION 35. EMERGENCY.--It is necessary for the public  
9 peace, health and safety that this act take effect immediately.