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SENATE BILL 20

**51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014**

INTRODUCED BY

Pete Campos

AN ACT

RELATING TO PUBLIC MONEY; INCREASING FISCAL AND PROGRAMMATIC  
SCRUTINY OF CAPITAL OUTLAY EXPENDITURES; REQUIRING  
COMPREHENSIVE FIVE-YEAR PLANS WITH ANNUAL UPDATES; CREATING THE  
CAPITAL OUTLAY PLANNING AND MONITORING DIVISION IN THE  
DEPARTMENT OF FINANCE AND ADMINISTRATION; CREATING THE  
EXECUTIVE CAPITAL PLANNING COMMITTEE; CREATING A JOINT  
LEGISLATIVE CAPITAL OUTLAY REVIEW COMMITTEE; PROVIDING POWERS  
AND DUTIES; REQUIRING FUNDING RECIPIENTS TO BE CURRENT ON  
AUDITS AND REPORTS; CREATING A FUND; MAKING TRANSFERS; MAKING  
AN APPROPRIATION.

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

SECTION 1. [NEW MATERIAL] CAPITAL OUTLAY REVIEW COMMITTEE  
CREATED--MEMBERSHIP--APPOINTMENT--VACANCIES.--

A. The "capital outlay review committee" is created

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1 as a joint interim legislative committee. The capital outlay  
2 review committee shall be composed of seven members from the  
3 house of representatives and seven members from the senate  
4 appointed by the New Mexico legislative council. The members  
5 of the capital outlay review committee shall be appointed from  
6 each house so as to give the two political parties having the  
7 most members in each house the same total proportionate  
8 representation on the committee as prevails in that house;  
9 provided that in the computation, major fractions shall be  
10 counted as whole numbers, and in no event shall either of the  
11 two major parties have less than one member from each house.  
12 Except for initial members whose terms shall be for three  
13 years, the terms of members shall be two years, expiring on the  
14 first day of the regular session held in odd-numbered years. A  
15 member may be removed from the committee by the New Mexico  
16 legislative council for nonattendance according to New Mexico  
17 legislative council policy.

18 B. No action shall be taken by the committee if a  
19 majority of the total membership from either house on the  
20 committee rejects such action.

21 C. The chairship of the committee shall rotate  
22 between the house and the senate; provided that for the second  
23 session of the fifty-first legislature and the fifty-second  
24 legislature, the chair shall be a senate member and the vice  
25 chair shall be a house member.

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1           SECTION 2. [NEW MATERIAL] SUBCOMMITTEES.--The capital  
2 outlay review committee may create subcommittees. A  
3 subcommittee shall be composed of at least one member from the  
4 house of representatives and one member from the senate, and at  
5 least one member of the minority party shall be a member of the  
6 subcommittee. All expenditures of a subcommittee shall be  
7 approved by the committee in advance of the expenditure, and  
8 the approval shall be shown in the minutes of the committee.

9           SECTION 3. [NEW MATERIAL] CAPITAL OUTLAY REVIEW COMMITTEE  
10 DUTIES.--

- 11           A. The capital outlay review committee shall:
- 12                   (1) oversee functions and processes of the  
13 capital outlay planning and monitoring of the several executive  
14 agencies that propose or review capital project requests  
15 pursuant to the Capital Outlay Planning and Monitoring Act;
  - 16                   (2) adopt standards and guidelines for  
17 evaluating requests for capital project funding, including:
    - 18                           (a) consideration of how singular  
19 projects fit in with the state capital improvements plan and  
20 how they maximize federal, state and local revenue sources; and
    - 21                           (b) consideration of best practices and  
22 national standards related to capital budgeting;
  - 23                   (3) adopt a standard capital project request  
24 form;
  - 25                   (4) prioritize capital project requests

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1 received from the capital outlay planning and monitoring  
2 division of the department of finance and administration and  
3 from legislators based on the standards and guidelines and make  
4 recommendations to the legislature for funding the prioritized  
5 projects;

6 (5) require periodic reports from state  
7 agencies, institutions, instrumentalities and local governments  
8 that receive state funding for capital projects to ensure that  
9 the:

10 (a) funded capital projects are  
11 implemented in a cost-effective manner and consistent with the  
12 purpose of the appropriation;

13 (b) funded capital projects are  
14 proceeding in a timely manner; and

15 (c) money is reverted to the funding  
16 source of the capital project in a timely manner;

17 (6) conduct ongoing reviews of state and local  
18 infrastructure capital improvements plans and report to the  
19 legislature;

20 (7) directly or through its staff participate  
21 in hearings held by the capital outlay planning and monitoring  
22 division, the executive capital planning committee and other  
23 hearings held by executive agencies responsible for reviewing  
24 capital project proposals and planning; and

25 (8) perform such other duties as it deems

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1 necessary or that are assigned to it by the New Mexico  
2 legislative council.

3 B. Unless otherwise provided by law, the following  
4 proposed capital projects are exempt from committee review,  
5 though not from consideration of the projects in relation to  
6 the state capital improvements plan:

7 (1) capital projects funded pursuant to the  
8 Public School Capital Outlay Act;

9 (2) department of transportation road projects  
10 funded in whole or in part by federal highway funding; and

11 (3) capital projects that will be funded only  
12 by loans or grants from the New Mexico finance authority.

13 SECTION 4. [NEW MATERIAL] STAFF.--

14 A. The staff for the capital outlay review  
15 committee shall be provided by the legislative council service  
16 and the legislative finance committee.

17 B. The legislative council service and the  
18 legislative finance committee may, subject to legislative  
19 appropriation:

20 (1) appoint and employ such professional,  
21 technical and clerical assistance as they and the committee  
22 deem necessary to carry out the duties of the committee; and

23 (2) enter into contracts for professional,  
24 technical or clerical assistance as necessary.

25 SECTION 5. [NEW MATERIAL] INTERAGENCY COOPERATION.--

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1           A. State agencies, institutions and  
2 instrumentalities of the state and local governments shall,  
3 upon request, assist the capital outlay review committee in  
4 carrying out its duties.

5           B. An agency, institution or instrumentality of the  
6 state agencies that funds exempt capital projects or that  
7 approves major capital project funding that has not been  
8 evaluated by the committee, including community development and  
9 other projects initiated with federal funds and that will  
10 affect the state capital improvements plan, shall provide  
11 timely reports to the committee that describe those capital  
12 projects and provide funding amounts and other information  
13 requested by the committee to ensure interagency coordination  
14 in the development of capital improvements statewide and the  
15 updating of the state capital improvements plan.

16           SECTION 6. [NEW MATERIAL] AUDITS.--The capital outlay  
17 review committee may request the legislative finance committee,  
18 the state auditor or the capital outlay planning and monitoring  
19 division of the department of finance and administration to  
20 conduct financial, compliance or performance audits on any  
21 capital project.

22           SECTION 7. [NEW MATERIAL] SHORT TITLE--CAPITAL OUTLAY  
23 PLANNING AND MONITORING ACT.--Sections 7 through 14 of this act  
24 may be cited as the "Capital Outlay Planning and Monitoring  
25 Act".

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1           SECTION 8. [NEW MATERIAL] DEFINITIONS.--As used in the  
2 Capital Outlay Planning and Monitoring Act:

3           A. "capital project" means the acquisition, repair,  
4 alteration, demolition, renovation, construction or  
5 reconstruction of a public building or other public works owned  
6 by the state or a political subdivision, including planning and  
7 design and professional engineering, surveying, architectural  
8 and landscape architectural services directly related to the  
9 capital project; purchase of land for a public building or  
10 other public works; site improvements to public property;  
11 purchase and installation of equipment of a long-term nature  
12 for a public building or other public works; purchase of  
13 furniture as part of a renovation or construction of a public  
14 building; purchase of motor vehicles or heavy equipment with a  
15 life expectancy of five years or more; and hardware and  
16 software for voice, radio, video and data communications;

17           B. "division" means the capital outlay planning and  
18 monitoring division of the department of finance and  
19 administration; and

20           C. "executive agency" means a state agency of the  
21 executive branch of government or an institution of the state.

22           SECTION 9. [NEW MATERIAL] DIVISION CREATED--POWERS AND  
23 DUTIES.--

24           A. The "capital outlay planning and monitoring  
25 division" is created in the department of finance and

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1 administration. The division shall:

2 (1) direct capital project planning for the  
3 executive branch, for state institutions and for local  
4 governments that seek state funding for capital projects,  
5 either directly or through coordination with other responsible  
6 state and local agencies;

7 (2) coordinate with the New Mexico finance  
8 authority, the New Mexico mortgage finance authority and  
9 federal agencies that provide capital project funding for local  
10 governments, other eligible entities and rural areas;

11 (3) work with other executive agencies, local  
12 governments and the legislature to develop priorities to be  
13 funded through the legislature's capital outlay process;

14 (4) make recommendations to the governor on  
15 capital projects to be proposed for funding by the legislature;

16 (5) oversee, either directly or through other  
17 responsible executive agencies, all state-funded capital  
18 projects to ensure timely execution of approved capital  
19 projects, proper expenditures of state funding and timely  
20 reversion of unexpended balances;

21 (6) develop procedures to ensure current and  
22 complete accounting and reporting on capital projects;

23 (7) maintain a central database of capital  
24 projects that includes the up-to-date fiscal and programmatic  
25 status of each capital project;

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1 (8) identify stagnant capital projects that  
2 should be deauthorized or reverted or capital projects that  
3 have been completed and that have fund balances that should be  
4 reverted;

5 (9) provide training and assistance to  
6 executive agencies and local governments on planning, budgeting  
7 and administration of capital projects, including proper  
8 accounting and monitoring and completion of capital projects  
9 within statutory deadlines and the reversion of unexpended  
10 funds as required by law; and

11 (10) work with the board of finance division  
12 of the department of finance and administration to ensure that  
13 capital projects authorized by the legislature are properly  
14 certified for the issuance of bonds and to ensure that capital  
15 projects proceed in a timely manner and meet federal and state  
16 requirements.

17 B. The division may conduct financial, compliance  
18 and performance audits on capital projects on its own or in  
19 conjunction with the state auditor or legislative committees.

20 C. All executive agencies and local governments  
21 shall assist the division as required for the division to carry  
22 out its duties.

23 SECTION 10. [NEW MATERIAL] EXECUTIVE CAPITAL PLANNING  
24 COMMITTEE.--

25 A. The "executive capital planning committee" is

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1 created as an interagency and intergovernmental planning and  
2 coordination committee to assist the division in carrying out  
3 its duties. The committee shall include staff of the following  
4 executive agencies or other entities who have direct  
5 responsibility for planning or overseeing capital projects for  
6 their agencies or entities:

7 (1) the facilities management division of the  
8 general services department;

9 (2) the cultural affairs department;

10 (3) the local government division of the  
11 department of finance and administration;

12 (4) the department of environment;

13 (5) the aging and long-term services  
14 department;

15 (6) the higher education department;

16 (7) the department of transportation;

17 (8) the New Mexico finance authority; and

18 (9) the councils of governments.

19 B. The division shall invite members of the capitol  
20 buildings planning commission and representatives of federal  
21 agencies that provide loans and grants to New Mexico  
22 communities for infrastructure and other capital projects to  
23 participate in meetings of the committee and may invite other  
24 participants as it deems necessary.

25 C. The division shall not pay per diem and mileage

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1 or any other compensation, perquisite or allowance to members  
2 of the committee for service in the committee.

3 D. The committee shall assist the division in  
4 capital planning and the development of the state capital  
5 improvements plan.

6 SECTION 11. [NEW MATERIAL] STATE CAPITAL IMPROVEMENTS  
7 PLAN.--

8 A. The division, the facilities management division  
9 of the general services department and the local government  
10 division of the department of finance and administration shall,  
11 with the assistance of the executive capital planning  
12 committee, prepare and annually update a five-year "state  
13 capital improvements plan" based on best practices and national  
14 standards for capital budgeting and that details the major  
15 capital projects recommended to be undertaken by the state or  
16 to be undertaken with state aid or under state regulation. The  
17 plan shall:

18 (1) include an economic forecast and a  
19 discussion of economic activities that bear on the need for  
20 state or local infrastructure and how the state capital  
21 improvements plan has changed from the prior-year's plan;

22 (2) include a description of outstanding  
23 capital projects being funded with state money, their estimated  
24 completion date, their initial cost, their estimated completion  
25 cost and their estimated operational costs for the first five

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1 years;

2 (3) classify capital projects with respect to  
3 urgency and need for realization;

4 (4) recommend a time sequence for construction  
5 or purchase of specific capital projects;

6 (5) contain an estimated cost of each capital  
7 project, as well as the estimated operational costs of each  
8 project;

9 (6) identify any revenue that will be  
10 generated by a capital project;

11 (7) identify existing and additional sources  
12 of funds needed for construction and operation of each capital  
13 project;

14 (8) identify the governmental owner of each  
15 capital project; and

16 (9) provide other information for any capital  
17 project or for the state capital improvements plan as  
18 determined by the division.

19 B. All capital project recommendations of the  
20 executive shall be based on the state capital improvements  
21 plan.

22 C. An executive agency, local government or other  
23 potential recipient of state capital outlay funds is not  
24 eligible for a capital project unless it is current on its  
25 annual audit or has a plan approved by the state auditor for

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1 completion of its audit. A local government is not eligible  
2 for state capital outlay funds unless it is also current on its  
3 budget and quarterly report submissions to the local government  
4 division of the department of finance and administration.

5 SECTION 12. [NEW MATERIAL] CAPITAL PROJECT REQUESTS--  
6 GUIDELINES--INFRASTRUCTURE CAPITAL IMPROVEMENTS PLANS--  
7 SUBMISSION TO DIVISION.--

8 A. By January 15 of each year, the division shall  
9 publish capital project guidelines to be followed by all  
10 executive agencies and local governments that plan to seek  
11 funding for any capital project in the next year's legislative  
12 session.

13 B. The guidelines shall include provisions to guide  
14 executive agencies that review capital project requests or  
15 infrastructure capital improvements plans from executive  
16 agencies or local governments.

17 C. The guidelines shall include:

18 (1) requirements for updated local government  
19 infrastructure capital improvements plans to be submitted to  
20 appropriate executive agencies;

21 (2) requirements for analyzing immediate and  
22 future needs of the state, regions of the state and localities;  
23 and

24 (3) requirements for analyzing requests in  
25 light of:

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- 1 (a) critical needs of the state and  
2 local governments;
- 3 (b) the necessity of the capital project  
4 to meet a critical need;
- 5 (c) the necessity of the capital project  
6 to address a health and safety concern;
- 7 (d) the ability of the local government  
8 to provide matching funds so that the state is not the sole  
9 funding source for a local capital project;
- 10 (e) the availability of other funding  
11 sources for the capital project;
- 12 (f) the capital project's priority on  
13 either the state capital improvements plan or a local  
14 government infrastructure capital improvements plan;
- 15 (g) the ability to phase the capital  
16 project, if necessary, and the availability of funding to  
17 complete at least one full, functional capital project phase;
- 18 (h) the ability of the ultimate  
19 governmental recipient to provide necessary and adequate staff  
20 and funding for operations and maintenance for the capital  
21 project;
- 22 (i) the expected useful life of the  
23 capital project;
- 24 (j) the available alternatives to the  
25 capital project as requested;

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1 (k) consideration of whether a  
2 renovation project will forestall substantial capital outlay  
3 costs in the short and long terms;

4 (l) the most appropriate funding sources  
5 for types of capital projects; and

6 (m) other considerations determined by  
7 the division, after consultation with the executive capital  
8 planning committee and the capital outlay review committee.

9 D. By May 1 of each year, all infrastructure  
10 capital improvements plans are due to executive agencies, as  
11 follows:

12 (1) local government plans that are not  
13 otherwise submitted to another executive agency are due to the  
14 local government division of the department of finance and  
15 administration;

16 (2) water and wastewater plans that are  
17 developed by special districts or the water trust board or that  
18 are separate from a municipal or county infrastructure capital  
19 improvements plan are due to the department of environment;

20 (3) street, road and highway plans from any  
21 jurisdiction are due to the department of transportation;

22 (4) regional plans that involve more than one  
23 local government are due to the local government division;

24 (5) area agency on aging or local aging  
25 program plans are due to the aging and long-term services

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1 department;

2 (6) public post-secondary educational  
3 institution and special school plans are due to the higher  
4 education department;

5 (7) state museums and state monuments plans  
6 are due to the cultural affairs department;

7 (8) executive agency plans for executive  
8 agencies under the jurisdiction of the facilities management  
9 division of the general services department are due to that  
10 division; and

11 (9) New Mexico state fair, state parks  
12 division of the energy, minerals and natural resources  
13 department, state armory board, tribal infrastructure board,  
14 colonias infrastructure board, water trust board and any other  
15 capital improvement plans or capital project requests that are  
16 not specifically assigned to another executive agency are due  
17 to the division.

18 E. All executive agencies that are responsible for  
19 reviewing capital project requests shall submit their  
20 recommendations to the division by August 1 of each year. For  
21 local government projects, the recommendations shall include a  
22 comprehensive analysis of the local government's capacity and  
23 effort to fund the requested capital project and its ability to  
24 operate the capital project, if applicable.

25 F. The division shall review the recommendations

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1 and hold hearings on the recommendations by September 15 of  
2 each year. The division shall report its findings to the  
3 governor and the capital outlay review committee by October 1  
4 of each year. The division's report to the capital outlay  
5 review committee shall include proposed changes to the state  
6 capital improvements plan and a listing of all capital project  
7 requests received, findings of each reviewing agency and  
8 findings of the division.

9 G. The division shall publish the annual state  
10 capital improvements plan, an abstract of which shall be  
11 included in the executive budget recommendations for the  
12 following fiscal year.

13 SECTION 13. [NEW MATERIAL] REPORTS.--Every executive  
14 agency responsible for capital projects shall file electronic  
15 monthly status reports with the division and the capital outlay  
16 review committee on appropriations and expenditures.

17 SECTION 14. [NEW MATERIAL] CAPITAL PROJECT ADMINISTRATION  
18 FUND--CREATED--AUDITS--FEES.--

19 A. The "capital project administration fund" is  
20 created as a nonreverting fund in the state treasury. The fund  
21 consists of appropriations, income on investment of the fund  
22 and any other money credited to the fund.

23 B. The legislature shall appropriate money in the  
24 fund to the division to carry out its duties pursuant to the  
25 Capital Outlay Planning and Monitoring Act and to the state

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1 auditor's office and the legislative finance committee to  
2 conduct audits of any capital project to ensure compliance with  
3 federal laws, internal revenue service rules pertaining to the  
4 issuance and use of tax-exempt bonds, other pertinent federal  
5 regulations, state laws and any pertinent rule adopted by the  
6 state treasurer, board of finance division of the department of  
7 finance and administration, state auditor or other state  
8 agency. The division shall assist in the identification of  
9 capital projects to be audited.

10 SECTION 15. Section 6-21-31 NMSA 1978 (being Laws 1992,  
11 Chapter 61, Section 31) is amended to read:

12 "6-21-31. POWERS AND DUTIES.--The New Mexico finance  
13 authority oversight committee shall:

14 A. monitor and oversee the operation of the New  
15 Mexico finance authority;

16 B. meet on a regular basis to receive and review  
17 reports from the authority on implementation of the provisions  
18 of the New Mexico Finance Authority Act and to review and  
19 approve [~~regulations~~] rules proposed for adoption pursuant to  
20 that act;

21 C. monitor and provide assistance and advice on the  
22 public project financing program of the New Mexico finance  
23 authority;

24 [~~D. oversee and monitor state and local government~~  
25 ~~capital planning and financing and take testimony from state~~

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1 ~~and local officials on state and local capital needs;~~

2 ~~E. provide advice and assistance to the New Mexico~~  
3 ~~finance authority and cooperate with the executive branch of~~  
4 ~~state government and local governments on planning, setting~~  
5 ~~priorities for and financing of state and local capital~~  
6 ~~projects;~~

7 ~~F.]~~ D. undertake an ongoing examination of the  
8 statutes, constitutional provisions, [~~regulations~~] rules and  
9 court decisions governing state and local government capital  
10 financing in New Mexico; and

11 [~~G.]~~ E. report its findings and recommendations,  
12 including recommended legislation or necessary changes, to the  
13 governor and to each session of the legislature. The report  
14 and proposed legislation shall be made available on or before  
15 December 15 each year."

16 SECTION 16. Section 9-6-3 NMSA 1978 (being Laws 1977,  
17 Chapter 247, Section 3, as amended) is amended to read:

18 "9-6-3. DEPARTMENT OF FINANCE AND ADMINISTRATION--  
19 CREATION--TRANSFER AND MERGER OF DIVISION FUNCTIONS--MERGER AND  
20 CREATION OF DIVISIONS.--

21 A. The "department of finance and administration"  
22 is created. The department shall consist of those divisions  
23 created by law or executive order, as modified by executive  
24 order pursuant to Subsection C of this section, including but  
25 not limited to:

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- 1 (1) the board of finance division;  
2 (2) the financial control division;  
3 (3) the local government division;  
4 (4) the management and contracts review  
5 division; ~~and~~  
6 (5) the state budget division; and  
7 (6) the capital outlay planning and monitoring  
8 division.

9 B. The secretary is empowered to organize the  
10 department and the divisions thereof specified in Subsection A  
11 of this section and may transfer or merge functions between  
12 divisions in the interest of efficiency and economy.

13 C. The governor is empowered to merge divisions of  
14 the department or to create additional divisions by executive  
15 order in the interest of efficiency and economy."

16 SECTION 17. Section 9-6-5.1 NMSA 1978 (being Laws 1983,  
17 Chapter 296, Section 7) is amended to read:

18 "9-6-5.1. PLANNING POWERS AND DUTIES OF SECRETARY OF  
19 FINANCE AND ADMINISTRATION.--The secretary of [~~the department~~  
20 ~~of~~] finance and administration, in addition to the other powers  
21 and duties conferred:

22 A. shall review federal grant applications and  
23 provide management assistance;

24 B. shall coordinate, in accordance with directives  
25 from the governor's office of policy and planning, state agency

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1 plans for economic, natural resource, energy resource and human  
2 resource development;

3 C. shall provide aid to planning and development  
4 districts in developing grant proposals and cooperate with  
5 other local entities in developing grant proposals;

6 ~~[D. shall acquire, study and review all plans for~~  
7 ~~capital projects proposed by state agencies and render advice~~  
8 ~~on the plans. The secretary shall maintain long-range~~  
9 ~~estimates and plans for capital projects and develop standards~~  
10 ~~for measuring the need for and utility of proposed projects;~~

11 ~~E.]~~ D. may contract for, receive and utilize any  
12 grants or other financial assistance made available by the  
13 United States government or by any other source, public or  
14 private;

15 ~~[F.]~~ E. may provide planning and funding assistance  
16 to units of local government, council of government  
17 organizations, Indian tribal governments situated within New  
18 Mexico and ~~[to]~~ nonprofit entities having for their purpose  
19 local, regional or community betterment. The secretary,  
20 incident to any such programs, may enter into contracts and  
21 agreements with such units of local government, council of  
22 government organizations, Indian tribal governments, nonprofit  
23 entities and the federal government and may participate in or  
24 receive aid from any federal or private program in relation to  
25 such a planning program or assistance;

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1           ~~[G.]~~ F. shall confer with the state budget division  
2           ~~[of the department of finance and administration]~~ and the  
3           capital outlay planning and monitoring division in developing  
4           comprehensive plans to assure coordination of planning and  
5           budgeting functions;

6           ~~[H.]~~ G. shall coordinate the state clearinghouse  
7           review process;

8           ~~[I.]~~ H. shall develop a status of the state report;

9           ~~[J.]~~ I. shall review and coordinate comment by  
10          state agencies on draft environmental impact statements;

11          ~~[K.]~~ J. shall provide community development block  
12          grant technical assistance to local governments;

13          ~~[L.]~~ K. shall administer, in consultation with and  
14          upon advice and direction from the community development block  
15          grant policy committee, the program for the state community  
16          development block grant program;

17          ~~[M.]~~ L. shall serve as staff to the New Mexico  
18          association of regional councils;

19          ~~[N.]~~ M. shall maintain a state planning library;  
20          and

21          ~~[O.]~~ N. shall provide planning assistance to county  
22          and multi-county districts relative to application by such  
23          districts for financial assistance and for regional plan  
24          development."

25                SECTION 18. TEMPORARY PROVISION--TRANSFER OF FUNCTIONS,

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1 MONEY, APPROPRIATIONS AND PROPERTY.--On the effective date of  
2 the provisions of this act, all functions, money,  
3 appropriations, records, furniture, equipment and other  
4 property of the capital projects bureau of the state budget  
5 division of the department of finance and administration are  
6 transferred to the capital outlay planning and monitoring  
7 division of the department of finance and administration.

8 SECTION 19. APPROPRIATION.--One million one hundred  
9 thousand dollars (\$1,100,000) is appropriated from the general  
10 fund to the capital project administration fund for expenditure  
11 in fiscal year 2015 and subsequent fiscal years to establish  
12 the capital outlay planning and monitoring division and carry  
13 out the purposes of the Capital Outlay Planning and Monitoring  
14 Act. Any unexpended or unencumbered balance remaining at the  
15 end of a fiscal year shall not revert to the general fund.

16 SECTION 20. REPEAL.--Section 6-4-1 NMSA 1978 (being Laws  
17 1975, Chapter 282, Section 3, as amended) is repealed.

18 SECTION 21. EFFECTIVE DATE.--The effective date of the  
19 provisions of this act is July 1, 2014.