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SENATE BILL 212

55TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2022

INTRODUCED BY

Nancy Rodriguez

AN ACT

RELATING TO CAPITAL EXPENDITURES; AUTHORIZING THE ISSUANCE OF SEVERANCE TAX BONDS; AUTHORIZING EXPENDITURES FROM CERTAIN FUNDS AND BALANCES; CLARIFYING CONDITIONS FOR THE ISSUANCE OF BONDS; ESTABLISHING CONDITIONS FOR THE EXPENDITURE OF SEVERANCE TAX BOND PROCEEDS; ESTABLISHING CONDITIONS FOR THE REVERSION OF UNEXPENDED BALANCES; MAKING APPROPRIATIONS; DECLARING AN EMERGENCY.

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

SECTION 1. SEVERANCE TAX BONDS--AUTHORIZATIONS--
APPROPRIATION OF PROCEEDS.--

A. The state board of finance may issue and sell severance tax bonds in compliance with the Severance Tax Bonding Act in an amount not to exceed the total of the amounts authorized for purposes specified in this act. The state board

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1 of finance shall schedule the issuance and sale of the bonds in
2 the most expeditious and economical manner possible upon a
3 finding by the board that the project has been developed
4 sufficiently to justify the issuance and that the project can
5 proceed to contract within a reasonable time. The state board
6 of finance shall further take the appropriate steps necessary
7 to comply with the 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 by the end of fiscal
16 year 2024, the authorization for that project is void.

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

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

24 (2) spend at least eighty-five percent of the
25 bond proceeds within three years after the applicable bond

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1 proceeds are available for the project.

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

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

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

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

20 (c) for any other project for which
21 severance tax bonds were appropriated, within six months of
22 completion of the project, but no later than the end of fiscal
23 year 2026; and

24 (2) all remaining balances from the proceeds
25 of severance tax bonds appropriated for a project in this act

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

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

7 F. Except for a project that was originally funded
8 using a tax-exempt loan or bond issue, a project involving
9 repayment of debt previously incurred shall be funded through
10 the issuance of taxable severance tax bonds with a term that
11 does not extend beyond the fiscal year in which they are
12 issued.

13 G. Money that is appropriated from the proceeds of
14 severance tax bonds pursuant to this act shall not be subject
15 to a binding written agreement with a third party prior to the
16 authorized state agency's approval to enter into that
17 agreement.

18 H. For the purposes of this section, "unexpended
19 balance" means the remainder of an appropriation after
20 reserving for unpaid costs and expenses subject to a binding
21 written agreement with a third party.

22 SECTION 2. GENERAL FUND APPROPRIATIONS--LIMITATIONS--
23 REVERSIONS.--

24 A. Except as otherwise specifically provided by
25 law, the unexpended balance of an appropriation made in this
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1 act from the general fund shall revert:

2 (1) no later than September 30 following:

3 (a) the end of fiscal year 2023 if the
4 project for which an appropriation was made has less than five
5 percent of the project's total appropriation amount subject to
6 a binding written agreement with a third party on that date;

7 (b) the end of fiscal year 2024 for a
8 project for which an appropriation was made to purchase
9 vehicles, including emergency vehicles and other vehicles that
10 require special equipment; heavy equipment; books; educational
11 technology; or other equipment or furniture that is not related
12 to a more inclusive construction or renovation project; or

13 (c) the end of fiscal year 2026 for a
14 project for which an appropriation was made related to an
15 inclusive construction or renovation project; or

16 (2) within six months of completion of the
17 project for any other project for which an appropriation was
18 made, but no later than the end of fiscal year 2026.

19 B. Money that is appropriated from the general fund
20 pursuant to this act shall not be subject to a binding written
21 agreement with a third party prior to the authorized state
22 agency's approval to enter into that agreement.

23 C. For the purposes of this section, "unexpended
24 balance" means the remainder of an appropriation after
25 reserving for unpaid costs and expenses subject to a binding

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1 written agreement with a third party.

2 SECTION 3. FUND APPROPRIATIONS OTHER THAN GENERAL FUND--
3 LIMITATIONS--REVERSIONS.--

4 A. Except as otherwise specifically provided by
5 law:

6 (1) the unexpended balance of an appropriation
7 from a fund other than the general fund shall revert no later
8 than the following dates:

9 (a) for a project for which an
10 appropriation was made to match federal grants, six months
11 after completion of the project;

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

20 (c) for any other project for which an
21 appropriation was made, within six months of completion of the
22 project, but no later than the end of fiscal year 2026; and

23 (2) all remaining balances from an
24 appropriation made in this act for a project shall revert three
25 months after the latest reversion date specified for that type

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1 of project in Paragraph (1) of this subsection.

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

5 C. Money that is appropriated from a fund other
6 than the general fund pursuant to this act shall not be subject
7 to a binding written agreement with a third party prior to the
8 authorized state agency's approval to enter into that
9 agreement.

10 D. For the purposes of this section, "unexpended
11 balance" means the remainder of an appropriation after
12 reserving for unpaid costs and expenses subject to a binding
13 written agreement with a third party.

14 SECTION 4. ADMINISTRATIVE OFFICE OF THE COURTS PROJECTS--
15 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
16 of this act, upon certification by the administrative office of
17 the courts that the need exists for the issuance of the bonds,
18 the following amounts are appropriated to the administrative
19 office of the courts for the following purposes:

20 1. eleven million dollars (\$11,000,000) to plan,
21 design, construct, renovate, furnish and equip a magistrate
22 court in Clovis in Curry county;

23 2. one hundred thirty thousand dollars (\$130,000)
24 to plan, design, construct, renovate, furnish and equip a
25 magistrate court in Santa Rosa in Guadalupe county; and

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1 3. eighteen million dollars (\$18,000,000) to plan,
2 design, construct, renovate, furnish and equip a magistrate
3 court in Santa Fe in Santa Fe county.

4 **SECTION 5. AGING AND LONG-TERM SERVICES DEPARTMENT**

5 PROJECT--SEVERANCE TAX BONDS.--Pursuant to the provisions of
6 Section 1 of this act, upon certification by the aging and
7 long-term services department that the need exists for the
8 issuance of the bonds, one million dollars (\$1,000,000) is
9 appropriated to the aging and long-term services department
10 for emergency requests to plan, design, renovate, improve,
11 equip and furnish senior centers, including the delivery and
12 installation of building systems and the purchase and
13 installation of meals equipment, and to purchase and equip
14 vehicles for senior centers statewide.

15 **SECTION 6. BERNALILLO COUNTY METROPOLITAN COURT**

16 PROJECTS--SEVERANCE TAX BONDS.--Pursuant to the provisions of
17 Section 1 of this act, upon certification by the Bernalillo
18 county metropolitan court that the need exists for the issuance
19 of the bonds, the following amounts are appropriated to the
20 Bernalillo county metropolitan court for the following
21 purposes:

- 22 1. three hundred nineteen thousand dollars
23 (\$319,000) to plan, design, purchase, equip and install linear
24 rope grippers to secure elevators at the Bernalillo county
25 metropolitan court in Albuquerque in Bernalillo county;

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1 2. ninety-two thousand dollars (\$92,000) to plan,
2 purchase, equip and install magnetic locks at courtroom
3 entrances at the Bernalillo county metropolitan court in
4 Albuquerque in Bernalillo county; and

5 3. one hundred twenty-nine thousand dollars
6 (\$129,000) to plan, purchase, equip, install and configure
7 network switches at the Bernalillo county metropolitan court in
8 Albuquerque in Bernalillo county.

9 **SECTION 7. BORDER AUTHORITY PROJECTS--SEVERANCE TAX**
10 **BONDS.--**Pursuant to the provisions of Section 1 of this act,
11 upon certification by the border authority that the need exists
12 for the issuance of the bonds, the following amounts are
13 appropriated to the border authority for the following
14 purposes:

15 1. one million two hundred thousand dollars
16 (\$1,200,000) to plan, design and construct parking lot upgrades
17 and improvements to the New Mexico border authority facilities
18 in Santa Teresa in Dona Ana county; and

19 2. two million two hundred twenty-five thousand
20 dollars (\$2,225,000) to plan, design and construct a one-
21 million-gallon elevated water storage tank in Santa Teresa in
22 Dona Ana county.

23 **SECTION 8. CAPITAL PROGRAM FUND PROJECTS--SEVERANCE TAX**
24 **BONDS.--**Pursuant to the provisions of Section 1 of this act,
25 upon certification by the facilities management division of the
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1 general services department that the need exists for the
2 issuance of the bonds, the following amounts are appropriated
3 to the capital program fund for the following purposes:

4 1. ten million dollars (\$10,000,000) to plan,
5 design, construct, renovate, replace and equip security, fire
6 and safety upgrades at correctional facilities statewide;

7 2. twenty million dollars (\$20,000,000) to acquire
8 land for and to plan, design, construct, furnish and equip a
9 new administrative complex for the department of public safety
10 in Albuquerque in Bernalillo county;

11 3. nine hundred sixty-nine thousand dollars
12 (\$969,000) to plan, design, construct, furnish and equip
13 parking lot, infrastructure and accessibility improvements at
14 the Albert Amador building in Espanola in Rio Arriba county and
15 at the Louise Brown building in Bernalillo in Sandoval county;

16 4. one hundred seventy-seven thousand dollars
17 (\$177,000) to purchase, install and improve video surveillance
18 systems and access control systems and for infrastructure
19 improvements at commission for the blind facilities in
20 Alamogordo in Otero county;

21 5. five million dollars (\$5,000,000) to plan,
22 design, construct, equip and furnish a forensics building at
23 New Mexico behavioral health institute in Las Vegas in San
24 Miguel county;

25 6. eight million five hundred thousand dollars

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1 (\$8,500,000) to purchase a building for the children, youth and
2 families department field services in Santa Fe in Santa Fe
3 county;

4 7. one million five hundred thousand dollars
5 (\$1,500,000) to plan, design, renovate, construct, furnish and
6 equip, including demolition, improvements to laboratory
7 facilities in the Harold Runnels building for the water
8 protection division of the department of environment in Santa
9 Fe in Santa Fe county;

10 8. nine million one hundred eighty thousand dollars
11 (\$9,180,000) to plan, design, construct, renovate, improve,
12 equip and furnish the John F. Simms Jr. building for the
13 department of information technology in Santa Fe in Santa Fe
14 county;

15 9. three million dollars (\$3,000,000) to plan,
16 design, construct, renovate, furnish and equip the department
17 of public safety headquarters building in Santa Fe in Santa Fe
18 county;

19 10. fifteen million dollars (\$15,000,000) to plan,
20 design, construct, furnish and equip, including demolition of
21 existing structures, an executive office building on the main
22 capitol complex in Santa Fe in Santa Fe county;

23 11. twenty million dollars (\$20,000,000) to plan,
24 design, construct, furnish and equip a new veterans' home on
25 the New Mexico veterans' home campus in Truth or Consequences

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1 in Sierra county;

2 12. eight million four hundred thousand dollars
3 (\$8,400,000) to plan, design, construct, renovate, remediate,
4 furnish, equip, purchase and install equipment, including the
5 purchase and installation of information technology equipment,
6 medical equipment and infrastructure systems, for department of
7 health facilities statewide;

8 13. five million dollars (\$5,000,000) to plan,
9 design, construct, renovate, furnish and equip infrastructure
10 improvements at state police facilities statewide;

11 14. ten million four hundred thousand dollars
12 (\$10,400,000) to plan, design, construct, renovate, remediate,
13 furnish and equip facilities at state-owned facilities
14 statewide;

15 15. six hundred thousand dollars (\$600,000) to
16 plan, design, construct, improve, repair, furnish and equip
17 veterans' cemeteries and memorials, including safety and
18 security infrastructure, statewide;

19 16. one million two hundred twenty-two thousand
20 dollars (\$1,222,000) to plan, design, repair and replace
21 infrastructure at workforce solutions department offices
22 statewide; and

23 17. three million five hundred fifty-five thousand
24 dollars (\$3,555,000) to plan, design, construct, improve,
25 renovate, furnish and equip facilities for the children, youth

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1 and families department statewide.

2 SECTION 9. CULTURAL AFFAIRS DEPARTMENT PROJECTS--
3 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
4 of this act, upon certification by the cultural affairs
5 department that the need exists for the issuance of the bonds,
6 the following amounts are appropriated to the cultural affairs
7 department for the following purposes:

8 1. one million four hundred sixty-five thousand
9 dollars (\$1,465,000) to plan, design, construct, repair,
10 renovate and equip facilities and sites for stabilization,
11 including infrastructure and site improvements, climate control
12 and mechanical systems, at museums, monuments and historic
13 sites statewide; and

14 2. two million seven hundred ninety thousand
15 dollars (\$2,790,000) to plan, design, construct, improve,
16 renovate, furnish and equip facilities and infrastructure,
17 including fire suppression and mitigation, climate control,
18 security systems and exhibits, at museums, monuments and
19 historic sites statewide.

20 SECTION 10. CUMBRES AND TOLTEC SCENIC RAILROAD COMMISSION
21 PROJECT--SEVERANCE TAX BONDS.--Pursuant to the provisions of
22 Section 1 of this act, upon certification by the Cumbres and
23 Toltec scenic railroad commission that the need exists for the
24 issuance of the bonds, one million one hundred thousand dollars
25 (\$1,100,000) is appropriated to the Cumbres and Toltec scenic

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1 railroad commission for track rehabilitation and related
2 infrastructure improvements, including locomotive and boiler
3 upgrades to comply with federal railroad administration
4 standards, and for improvements to passenger cars for the
5 Cumbres and Toltec scenic railroad operating between New Mexico
6 and Colorado.

7 SECTION 11. SECOND JUDICIAL DISTRICT COURT PROJECTS--
8 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
9 of this act, upon certification by the second judicial district
10 court that the need exists for the issuance of the bonds, the
11 following amounts are appropriated to the second judicial
12 district court for the following purposes:

13 1. two hundred thirty thousand two hundred eleven
14 dollars (\$230,211) to plan, design, construct, purchase, equip
15 and install information technology and equipment, including
16 hardware and software for servers, at the second judicial
17 district court in Bernalillo county; and

18 2. one hundred eighty-nine thousand seventy-six
19 dollars (\$189,076) to plan, design, construct, purchase, equip
20 and install information technology and equipment, including
21 storage array network server hardware and software, at the
22 second judicial district court in Bernalillo county.

23 SECTION 12. FOURTH JUDICIAL DISTRICT COURT PROJECT--
24 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
25 of this act, upon certification by the fourth judicial district
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1 court that the need exists for the issuance of the bonds, three
2 hundred sixty-one thousand four hundred eighty-six dollars
3 (\$361,486) is appropriated to the fourth judicial district
4 court to purchase, install, replace, furnish and equip
5 infrastructure, including safety and security improvements and
6 furniture for lobbies, jury rooms, courtrooms, chambers and
7 conference rooms, at the fourth judicial district court in Las
8 Vegas in San Miguel county.

9 SECTION 13. EIGHTH JUDICIAL DISTRICT COURT PROJECT--
10 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
11 of this act, upon certification by the eighth judicial district
12 court that the need exists for the issuance of the bonds, two
13 hundred forty-three thousand dollars (\$243,000) is appropriated
14 to the eighth judicial district court to plan, design,
15 construct, purchase, install and equip a backup power generator
16 for the eighth judicial district court buildings in Raton in
17 Colfax county and in Clayton in Union county.

18 SECTION 14. ELEVENTH JUDICIAL DISTRICT COURT PROJECTS--
19 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
20 of this act, upon certification by the eleventh judicial
21 district court that the need exists for the issuance of the
22 bonds, the following amounts are appropriated to the eleventh
23 judicial district court for the following purposes:

- 24 1. two hundred sixty-seven thousand seven hundred
25 eight dollars (\$267,708) to plan, design, purchase, equip and
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1 install courtroom technology at the eleventh judicial district
2 court buildings in McKinley and San Juan counties; and

3 2. four hundred ninety-four thousand six hundred
4 eighty-six dollars (\$494,686) to plan, design, construct,
5 renovate and equip improvements, including safety and security
6 upgrades, at the eleventh judicial district court in Farmington
7 in San Juan county.

8 SECTION 15. THIRTEENTH JUDICIAL DISTRICT COURT PROJECT--
9 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
10 of this act, upon certification by the thirteenth judicial
11 district court that the need exists for the issuance of the
12 bonds, two hundred nineteen thousand six hundred fifty-four
13 dollars (\$219,654) is appropriated to the thirteenth judicial
14 district court to plan, design, replace, purchase and install
15 safety and security improvements at the thirteenth judicial
16 district court buildings in Cibola, Sandoval and Valencia
17 counties.

18 SECTION 16. ECONOMIC DEVELOPMENT DEPARTMENT PROJECT--
19 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
20 of this act, upon certification by the economic development
21 department that the need exists for the issuance of the bonds,
22 ten million dollars (\$10,000,000) is appropriated to the
23 economic development department to plan, design, construct and
24 improve infrastructure in downtown main street districts and in
25 local arts and cultural districts statewide.

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1 SECTION 17. PUBLIC EDUCATION DEPARTMENT PROJECT--
2 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
3 of this act, upon certification by the public education
4 department that the need exists for the issuance of the bonds,
5 three million seven hundred fifty thousand dollars (\$3,750,000)
6 is appropriated to the public education department to plan,
7 design, construct, furnish and equip dormitories at the New
8 Mexico school for the arts in Santa Fe in Santa Fe county.

9 SECTION 18. ENERGY, MINERALS AND NATURAL RESOURCES
10 DEPARTMENT PROJECT--SEVERANCE TAX BONDS.--Pursuant to the
11 provisions of Section 1 of this act, upon certification by the
12 energy, minerals and natural resources department that the need
13 exists for the issuance of the bonds, ten million dollars
14 (\$10,000,000) is appropriated to the energy, minerals and
15 natural resources department to plan, design and construct
16 watershed restoration and community wildfire protection
17 improvements, including forest thinning, statewide.

18 SECTION 19. STATE PARKS DIVISION OF THE ENERGY, MINERALS
19 AND NATURAL RESOURCES DEPARTMENT PROJECT--SEVERANCE TAX
20 BONDS.--Pursuant to the provisions of Section 1 of this act,
21 upon certification by the state parks division of the energy,
22 minerals and natural resources department that the need exists
23 for the issuance of the bonds, one million three hundred fifty
24 thousand dollars (\$1,350,000) is appropriated to the state
25 parks division of the energy, minerals and natural resources

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1 department to plan, design and construct upgrades and
2 improvements to water and wastewater systems and infrastructure
3 at New Mexico state parks statewide.

4 SECTION 20. OFFICE OF THE STATE ENGINEER PROJECTS--
5 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
6 of this act, upon certification by the office of the state
7 engineer that the need exists for the issuance of the bonds,
8 the following amounts are appropriated to the office of the
9 state engineer for the following purposes:

10 1. two million dollars (\$2,000,000) to plan,
11 design, construct, rehabilitate and make improvements to the
12 Elephant Butte channel in Sierra county;

13 2. one million five hundred thousand dollars
14 (\$1,500,000) to plan, design and construct habitat restoration
15 projects in the Rio Grande, San Juan and Pecos river basins
16 statewide; and

17 3. two million one hundred thousand dollars
18 (\$2,100,000) to purchase, construct, install, map and calibrate
19 surface and ground water measurement structures, equipment and
20 related software statewide.

21 SECTION 21. DEPARTMENT OF ENVIRONMENT PROJECT--SEVERANCE
22 TAX BONDS.--Pursuant to the provisions of Section 1 of this
23 act, upon certification by the department of environment that
24 the need exists for the issuance of the bonds, one million five
25 hundred thousand dollars (\$1,500,000) is appropriated to the

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1 department of environment to plan, design and construct
2 projects that improve surface water quality and river habitat
3 statewide.

4 SECTION 22. STATE FAIR COMMISSION PROJECT--SEVERANCE TAX
5 BONDS.--Pursuant to the provisions of Section 1 of this act,
6 upon certification by the state fair commission that the need
7 exists for the issuance of the bonds, four million five hundred
8 thousand dollars (\$4,500,000) is appropriated to the state fair
9 commission to plan, design, construct, furnish and equip
10 improvements to facilities and grounds at the New Mexico state
11 fairgrounds in Albuquerque in Bernalillo county.

12 SECTION 23. DEPARTMENT OF FINANCE AND ADMINISTRATION
13 PROJECT--SEVERANCE TAX BONDS.--Pursuant to the provisions of
14 Section 1 of this act, upon certification by the department of
15 finance and administration that the need exists for the
16 issuance of the bonds, nine million dollars (\$9,000,000) is
17 appropriated to the department of finance and administration
18 for the New Mexico mortgage finance authority to acquire, build
19 and rehabilitate, including weatherization, affordable housing
20 statewide, pursuant to the provisions of the New Mexico housing
21 trust fund and the Affordable Housing Act.

22 SECTION 24. HOMELAND SECURITY AND EMERGENCY MANAGEMENT
23 DEPARTMENT PROJECT--SEVERANCE TAX BONDS.--Pursuant to the
24 provisions of Section 1 of this act, upon certification by the
25 homeland security and emergency management department that the

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1 need exists for the issuance of the bonds, two million two
2 hundred thousand dollars (\$2,200,000) is appropriated to the
3 homeland security and emergency management department to plan,
4 design, construct, purchase and equip a warehouse storage
5 building at the homeland security and emergency management
6 department in Santa Fe in Santa Fe county.

7 SECTION 25. INDIAN AFFAIRS DEPARTMENT PROJECT--SEVERANCE
8 TAX BONDS.--Pursuant to the provisions of Section 1 of this
9 act, upon certification by the Indian affairs department that
10 the need exists for the issuance of the bonds, one million five
11 hundred thousand dollars (\$1,500,000) is appropriated to the
12 Indian affairs department to plan, design, construct, renovate,
13 remediate, furnish and equip improvements to the performing
14 arts center, including demolition and abatement, at the Santa
15 Fe Indian school in Santa Fe in Santa Fe county.

16 SECTION 26. DEPARTMENT OF INFORMATION TECHNOLOGY
17 PROJECT--SEVERANCE TAX BONDS.--Pursuant to the provisions of
18 Section 1 of this act, upon certification by the department of
19 information technology that the need exists for the issuance of
20 the bonds, twenty-six million dollars (\$26,000,000) is
21 appropriated to the department of information technology to
22 plan, design, purchase, install and implement infrastructure to
23 stabilize and modernize public safety radio communications
24 systems statewide.

25 SECTION 27. INDIAN WATER RIGHTS SETTLEMENT FUND--

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1 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
2 of this act, upon certification by the office of the state
3 engineer that the need exists for the issuance of the bonds,
4 ten million six hundred thousand dollars (\$10,600,000) is
5 appropriated to the Indian water rights settlement fund.
6 Notwithstanding the requirement for a joint resolution of the
7 legislature in Subsection A of Section 72-1-11 NMSA 1978, if a
8 corresponding commitment has been made for the federal portion
9 of the settlements in the *Aamodt* case, the money may be
10 expended by the interstate stream commission in fiscal year
11 2023 and subsequent fiscal years to implement the state's
12 portion of the settlement, and any unexpended or unencumbered
13 balance remaining at the end of a fiscal year shall not revert.

14 SECTION 28. DEPARTMENT OF MILITARY AFFAIRS PROJECT--
15 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
16 of this act, upon certification by the department of military
17 affairs that the need exists for the issuance of the bonds,
18 five million one hundred fifty thousand dollars (\$5,150,000) is
19 appropriated to the department of military affairs to plan,
20 design, construct, repair and equip improvements, including
21 energy-efficient systems, and to correct infrastructure
22 deficiencies at readiness centers statewide.

23 SECTION 29. SPACEPORT AUTHORITY PROJECTS--SEVERANCE TAX
24 BONDS.--Pursuant to the provisions of Section 1 of this act,
25 upon certification by the spaceport authority that the need

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1 exists for the issuance of the bonds, the following amounts are
2 appropriated to the spaceport authority for the following
3 purposes:

4 1. one million five hundred thousand dollars
5 (\$1,500,000) to plan, design, construct, install, furnish and
6 equip infrastructure improvements to grounds and facilities at
7 spaceport America in Sierra county; and

8 2. four million five hundred thousand dollars
9 (\$4,500,000) to plan, design and construct a spaceway taxiway,
10 including improvements and upgrades associated with ancillary
11 infrastructure, at spaceport America in Sierra county.

12 SECTION 30. SUPREME COURT PROJECT--SEVERANCE TAX BONDS.--

13 Pursuant to the provisions of Section 1 of this act, upon
14 certification by the supreme court that the need exists for the
15 issuance of the bonds, one million three hundred forty-three
16 thousand dollars (\$1,343,000) is appropriated to the supreme
17 court to plan, design, replace, construct and install new
18 equipment and lines associated with security, technology and
19 sewer projects at the supreme court building in Santa Fe in
20 Santa Fe county.

21 SECTION 31. HIGHER EDUCATION DEPARTMENT PROJECT--

22 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
23 of this act, upon certification by the higher education
24 department that the need exists for the issuance of the bonds,
25 two million one hundred thousand dollars (\$2,100,000) is

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1 appropriated to the higher education department to plan,
2 design, construct, renovate, improve and replace water lines
3 and roofs campuswide at the southwestern Indian polytechnic
4 institute in Albuquerque in Bernalillo county.

5 SECTION 32. EASTERN NEW MEXICO UNIVERSITY PROJECT--
6 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
7 of this act, upon certification by the board of regents of
8 eastern New Mexico university that the need exists for the
9 issuance of the bonds, one hundred fifty thousand dollars
10 (\$150,000) is appropriated to the board of regents of eastern
11 New Mexico university to plan, design, purchase and install
12 furnishings and equipment at the Ruidoso branch campus of
13 eastern New Mexico university in Lincoln county.

14 SECTION 33. NEW MEXICO STATE UNIVERSITY PROJECTS--
15 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
16 of this act, upon certification by the board of regents of New
17 Mexico state university that the need exists for the issuance
18 of the bonds, the following amounts are appropriated to the
19 board of regents of New Mexico state university for the
20 following purposes:

21 1. ten million five hundred thousand dollars
22 (\$10,500,000) to plan, design, construct, renovate, furnish and
23 equip, including abatement and demolition, the New Mexico
24 department of agriculture building at New Mexico state
25 university in Las Cruces in Dona Ana county; and

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1 2. one million dollars (\$1,000,000) to plan,
2 design, construct and renovate the exterior of the Rohovec fine
3 arts center, including stucco, windows, roofing and doors, at
4 the Alamogordo branch campus of New Mexico state university in
5 Otero county.

6 **SECTION 34. UNIVERSITY OF NEW MEXICO PROJECTS--SEVERANCE**
7 **TAX BONDS.**--Pursuant to the provisions of Section 1 of this
8 act, upon certification by the board of regents of the
9 university of New Mexico that the need exists for the issuance
10 of the bonds, the following amounts are appropriated to the
11 board of regents of the university of New Mexico for the
12 following purposes:

13 1. four million dollars (\$4,000,000) to plan,
14 design, construct, renovate, furnish and equip a children's
15 psychiatric center for the health sciences center at the
16 university of New Mexico in Albuquerque in Bernalillo county;
17 and

18 2. four million dollars (\$4,000,000) to plan,
19 design, construct, renovate, furnish and equip an
20 interprofessional health care simulation center for the health
21 sciences center at the university of New Mexico in Albuquerque
22 in Bernalillo county.

23 **SECTION 35. WESTERN NEW MEXICO UNIVERSITY PROJECT--**
24 **SEVERANCE TAX BONDS.**--Pursuant to the provisions of Section 1
25 of this act, upon certification by the board of regents of
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1 western New Mexico university that the need exists for the
2 issuance of the bonds, two million dollars (\$2,000,000) is
3 appropriated to the board of regents of western New Mexico
4 university to plan, design, construct, renovate, furnish and
5 equip infrastructure improvements to Graham gymnasium,
6 including roadway improvements to Kentucky street, at western
7 New Mexico university in Silver City in Grant county.

8 SECTION 36. VETERANS' SERVICES DEPARTMENT PROJECT--
9 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
10 of this act, upon certification by the veterans' services
11 department that the need exists for the issuance of the bonds,
12 one hundred thousand dollars (\$100,000) is appropriated to the
13 veterans' services department to purchase, equip, furnish and
14 install furniture, fixtures and equipment for the veterans'
15 services department office space in Bernalillo county.

16 SECTION 37. NEW MEXICO SCHOOL FOR THE BLIND AND VISUALLY
17 IMPAIRED PROJECT--SEVERANCE TAX BONDS.--Pursuant to the
18 provisions of Section 1 of this act, upon certification by the
19 board of regents of the New Mexico school for the blind and
20 visually impaired that the need exists for the issuance of the
21 bonds, nine hundred fifty thousand dollars (\$950,000) is
22 appropriated to the board of regents of the New Mexico school
23 for the blind and visually impaired to plan, design, construct,
24 purchase, install and equip a playground at the New Mexico
25 school for the blind and visually impaired in Alamogordo in

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1 Otero county.

2 **SECTION 38. PUBLIC EDUCATION DEPARTMENT PROJECTS--**
3 **APPROPRIATIONS FROM THE PUBLIC SCHOOL CAPITAL OUTLAY FUND.--**The
4 following amounts are appropriated from the public school
5 capital outlay fund to the public education department for
6 expenditure in fiscal years 2022 through 2026, unless otherwise
7 provided in Section 3 of this act, for the following purposes:

8 1. one hundred thirty-two thousand five hundred
9 dollars (\$132,500) to purchase, install and equip district-
10 owned school buses with cameras statewide; and

11 2. five million one hundred ninety-four thousand
12 dollars (\$5,194,000) to purchase, replace and equip school
13 buses for school districts statewide.

14 **SECTION 39. PUBLIC SCHOOL FACILITIES AUTHORITY--**
15 **DISTRIBUTIONS FOR PUBLIC SCHOOL PROJECTS--**APPROPRIATION FROM
16 **THE PUBLIC SCHOOL CAPITAL OUTLAY FUND.--**Seventy-five million
17 dollars (\$75,000,000) is appropriated from the public school
18 capital outlay fund to the public school facilities authority
19 to make a distribution to each school district in fiscal year
20 2023 for the maintenance and repair of public school buildings
21 in fiscal year 2023 and subsequent fiscal years. The public
22 school facilities authority shall make the distribution to each
23 school district in a manner such that each school district
24 receives the greater of one hundred thousand dollars (\$100,000)
25 or a percentage of the total appropriation equal to the

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1 percentage attributable to that school district from the total
2 distributions made to school districts for fiscal year 2023
3 pursuant to the Public School Capital Improvements Act. A
4 distribution provided to a school district pursuant to the
5 appropriation made in this section is not subject to any local
6 match or offset otherwise required pursuant to the Public
7 School Capital Outlay Act.

8 SECTION 40. MINERS' COLFAX MEDICAL CENTER PROJECTS--
9 APPROPRIATIONS FROM THE MINERS' TRUST FUND.--The following
10 amounts are appropriated from the miners' trust fund to the
11 miners' Colfax medical center for expenditure in fiscal years
12 2022 through 2026, unless otherwise provided in Section 3 of
13 this act, for the following purposes:

14 1. one million dollars (\$1,000,000) to acquire
15 medical and other equipment for the miners' Colfax medical
16 center hospital and long-term care facility in Raton in Colfax
17 county; and

18 2. three hundred thousand dollars (\$300,000) to
19 plan, design, construct, renovate, expand and improve the
20 parking lot at the miners' Colfax medical center hospital in
21 Raton in Colfax county.

22 SECTION 41. DEPARTMENT OF GAME AND FISH PROJECT--
23 APPROPRIATION FROM THE HABITAT MANAGEMENT FUND.--One million
24 dollars (\$1,000,000) is appropriated from the habitat
25 management fund to the department of game and fish for wildlife

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1 and riparian habitat restoration, including conservation
2 actions, and for improvements at properties owned by the state
3 game commission statewide.

4 SECTION 42. DEPARTMENT OF GAME AND FISH PROJECTS--
5 APPROPRIATIONS FROM THE GAME PROTECTION FUND.--The following
6 amounts are appropriated from the game protection fund to the
7 department of game and fish for expenditure in fiscal years
8 2022 through 2026, unless otherwise provided in Section 3 of
9 this act, for the following purposes:

10 1. seven million dollars (\$7,000,000) to plan,
11 design, construct, rehabilitate and make improvements to Bear
12 Canyon dam in Grant county;

13 2. five million five hundred thousand dollars
14 (\$5,500,000) to plan, design, construct, renovate and equip
15 infrastructure improvements at hatcheries owned by the state
16 game commission statewide;

17 3. five million dollars (\$5,000,000) to acquire
18 property for the state game commission statewide;

19 4. one million dollars (\$1,000,000) to plan, design
20 and install fish barriers for restoration of Rio Grande
21 cutthroat trout and Gila trout statewide; and

22 5. one million dollars (\$1,000,000) for wildlife
23 and riparian habitat restoration, including conservation
24 actions, and for improvements at properties owned by the state
25 game commission statewide.

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1 **SECTION 43. DEPARTMENT OF GAME AND FISH PROJECT--**
2 APPROPRIATION FROM THE SIKES ACT ACCOUNT OF THE GAME PROTECTION
3 FUND.--One million dollars (\$1,000,000) is appropriated from
4 the Sikes Act account of the game protection fund to the
5 department of game and fish for expenditure in fiscal years
6 2023 through 2026, unless otherwise provided in Section 3 of
7 this act, for wildlife and riparian habitat restoration,
8 including conservation actions, and for improvements at
9 properties owned by the state game commission statewide.

10 **SECTION 44. HOMELAND SECURITY AND EMERGENCY MANAGEMENT**
11 DEPARTMENT PROJECT--APPROPRIATION FROM THE FIRE PROTECTION
12 FUND.--Notwithstanding the provisions of the Fire Protection
13 Fund Law to the contrary, three hundred thousand dollars
14 (\$300,000) is appropriated from the fire protection fund to the
15 homeland security and emergency management department for
16 expenditure in fiscal years 2022 and 2023, unless otherwise
17 provided in Section 3 of this act, to plan, design, construct
18 and equip thermal lines at the burn building at the homeland
19 security and emergency management department in Socorro in
20 Socorro county.

21 **SECTION 45. EDUCATIONAL RETIREMENT BOARD PROJECT--**
22 APPROPRIATION FROM THE EDUCATIONAL RETIREMENT FUND.--Five
23 million dollars (\$5,000,000) is appropriated from the
24 educational retirement fund to the educational retirement board
25 for expenditure in fiscal years 2022 through 2026, unless

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1 otherwise provided in Section 3 of this act, to plan, design,
2 construct, furnish, equip and make site improvements for a new
3 educational retirement board facility in Santa Fe in Santa Fe
4 county.

5 SECTION 46. DEPARTMENT OF GAME AND FISH PROJECT--
6 APPROPRIATION FROM THE BIG GAME ENHANCEMENT ACCOUNT OF THE GAME
7 PROTECTION FUND.--Three million dollars (\$3,000,000) is
8 appropriated from the big game enhancement account of the game
9 protection fund to the department of game and fish for
10 expenditure in fiscal years 2022 through 2026, unless otherwise
11 provided in Section 3 of this act, for wildlife and riparian
12 habitat restoration, including conservation actions, and for
13 improvements at properties owned by the state game commission
14 statewide.

15 SECTION 47. PROJECT SCOPE--EXPENDITURES.--If an
16 appropriation for a project authorized in this act is not
17 sufficient to complete all the purposes specified, the
18 appropriation may be expended for any portion of the purposes
19 specified in the appropriation. Expenditures shall not be made
20 for purposes other than those specified in the appropriation.

21 SECTION 48. ART IN PUBLIC PLACES.--Pursuant to Section
22 13-4A-4 NMSA 1978 and where applicable, the appropriations
23 authorized in this act include one percent for the art in
24 public places fund.

25 SECTION 49. 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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