

FORTY-FOURTH LEGISLATURE  
FIRST SPECIAL SESSION

May 10, 1999

SENATE FLOOR AMENDMENT number \_\_\_\_\_ to HOUSE BILL 5, as amended

Amendment sponsored by Senator Manny M. Aragon

1. Strike House Taxation and Revenue Committee Amendment 4.
2. On page 1, line 14, before the semicolon insert "AND THE HIGHEST PRIORITY INFRASTRUCTURE RENOVATION AND EXPANSION NEEDS OF POST-SECONDARY EDUCATIONAL INSTITUTIONS".

3. On page 5, between lines 14 and 15, insert the following new subsection:

"C. Proceeds from supplemental severance tax bonds shall be used only for public school critical capital outlay projects pursuant to the Public School Capital Outlay Act or for infrastructure renovation and expansion at the state's public post-secondary educational institutions and other institutions confirmed as state educational institutions in Article 12, Section 11 of the constitution of New Mexico pursuant to a plan developed and approved by the commission on higher education to fund the highest priority significant needs identified by the commission.".

4. Reletter the succeeding subsection accordingly.

5. On page 5, line 18, after "council" insert "or the commission on higher education".

6. On page 5, line 19, strike "all".

7. On page 5, line 21, before the period insert "or by resolution of the commission on higher education pursuant to certification by the governing bodies of the appropriate educational institutions".

8. On page 12, between lines 7 and 8, insert the following new section:

**"Section 18. COMMISSION ON HIGHER EDUCATION--PLAN FOR FUNDING SIGNIFICANT POST-SECONDARY EDUCATIONAL INFRASTRUCTURE NEEDS.--**

A. The commission on higher education, in conjunction with the governing bodies of the post-secondary educational institutions and other state educational institutions confirmed in Article 12, Section 11 of the constitution of New Mexico, shall develop and approve a five-year plan for funding with supplemental severance tax bonds the infrastructure renovation and expansion projects designated by the commission as the highest priority of significant needs. The commission shall determine the projects and amounts to be funded, with a timetable for the projects and amounts to be funded each year over the five-year period, subject to review and comment by the educational institutions and subject to the amount of supplemental severance tax bonds issued each year.

B. The commission on higher education shall administer the proceeds from supplemental severance tax bonds appropriated to the commission and distribute the proceeds to the respective governing bodies of the educational institutions with projects that are funded with the proceeds pursuant to the plan approved and adopted by the commission in Subsection A of this section."

9. Renumber the succeeding sections accordingly.

10. On page 12, strike lines 10 through 16 and insert in lieu thereof:

"A. The state board of finance may issue and sell supplemental severance tax bonds in compliance with the Severance Tax Bonding Act in the following amounts for the following purposes upon the

following certification:

(1) an amount not exceeding one hundred million dollars (\$100,000,000) when the public school capital outlay council certifies by resolution the need for the issuance of the bonds for public school critical capital outlay projects pursuant to the Public School Capital Outlay Act; and

(2) an amount not exceeding twenty-five million dollars (\$25,000,000) when the commission on higher education certifies by resolution the need for the issuance of the bonds for infrastructure renovation and expansion at the state's public post-secondary educational institutions or other educational institutions confirmed in Article 12, Section 11 of the constitution of New Mexico pursuant to a plan developed and approved by the commission on higher education to fund the highest priority significant needs identified by the commission.

B. Of the amount of supplemental severance tax bonds issued annually, an amount equal to twenty percent of the proceeds shall be appropriated for the purposes in Paragraph (2) of Subsection A of this section."

11. On page 12, line 17, before "The" insert the subsection designation "C."

12. On page 12, line 24, after the period insert the subsection designation "D."

13. On page 12, line 25, after "bonds" insert "pursuant to Paragraph (1) of Subsection A of this section".

14. On page 13, line 6, after "remaining" insert "from the proceeds of bonds issued pursuant to Paragraph (1) of Subsection A of this section".

15. On page 13, between lines 7 and 8, insert the following new subsection:

"E. The proceeds from the sale of the bonds in Paragraph (2) of Subsection A of this section are appropriated to the commission on higher education for distribution to the governing bodies of the educational institutions who have certified projects for funding with the bond proceeds. If the commission on higher education has not certified the need for the issuance of the bonds by the end of fiscal year 2004, authorization provided in this section shall expire. Any unexpended or unencumbered balance remaining from the proceeds of bonds issued pursuant to Paragraph (2) of Subsection A of this section at the end of fiscal year 2006 shall revert to the severance tax bonding fund."

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Manny M. Aragon

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_