

**CAPITAL OUTLAY
STATEWIDE AND LOCAL OVERVIEW**

**Investments and Pensions Oversight Committee
August 9, 2013**

**Room 309
State Capitol**

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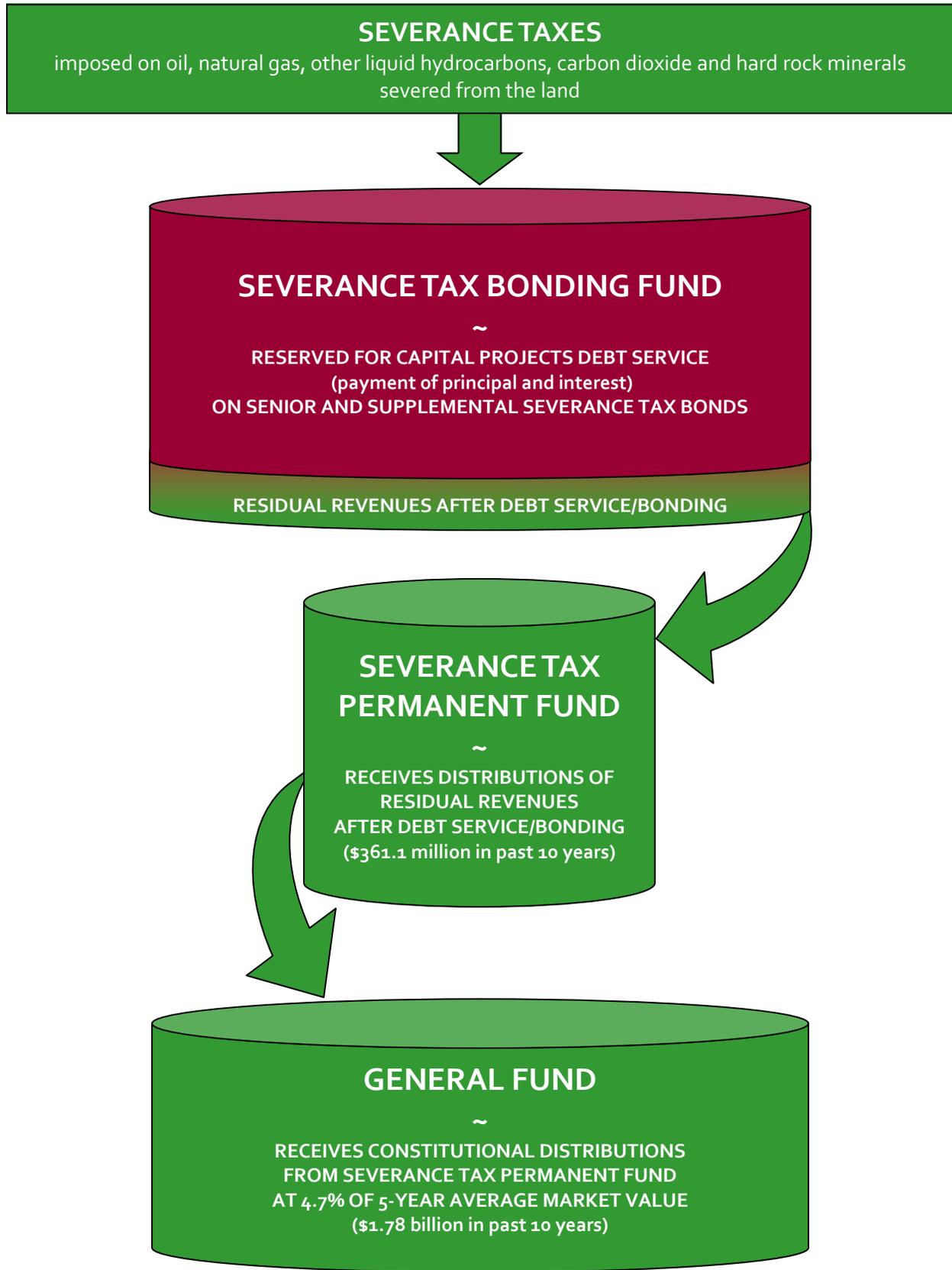
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SEVERANCE TAXES

AS SOURCE FOR CAPITAL PROJECTS FUNDING

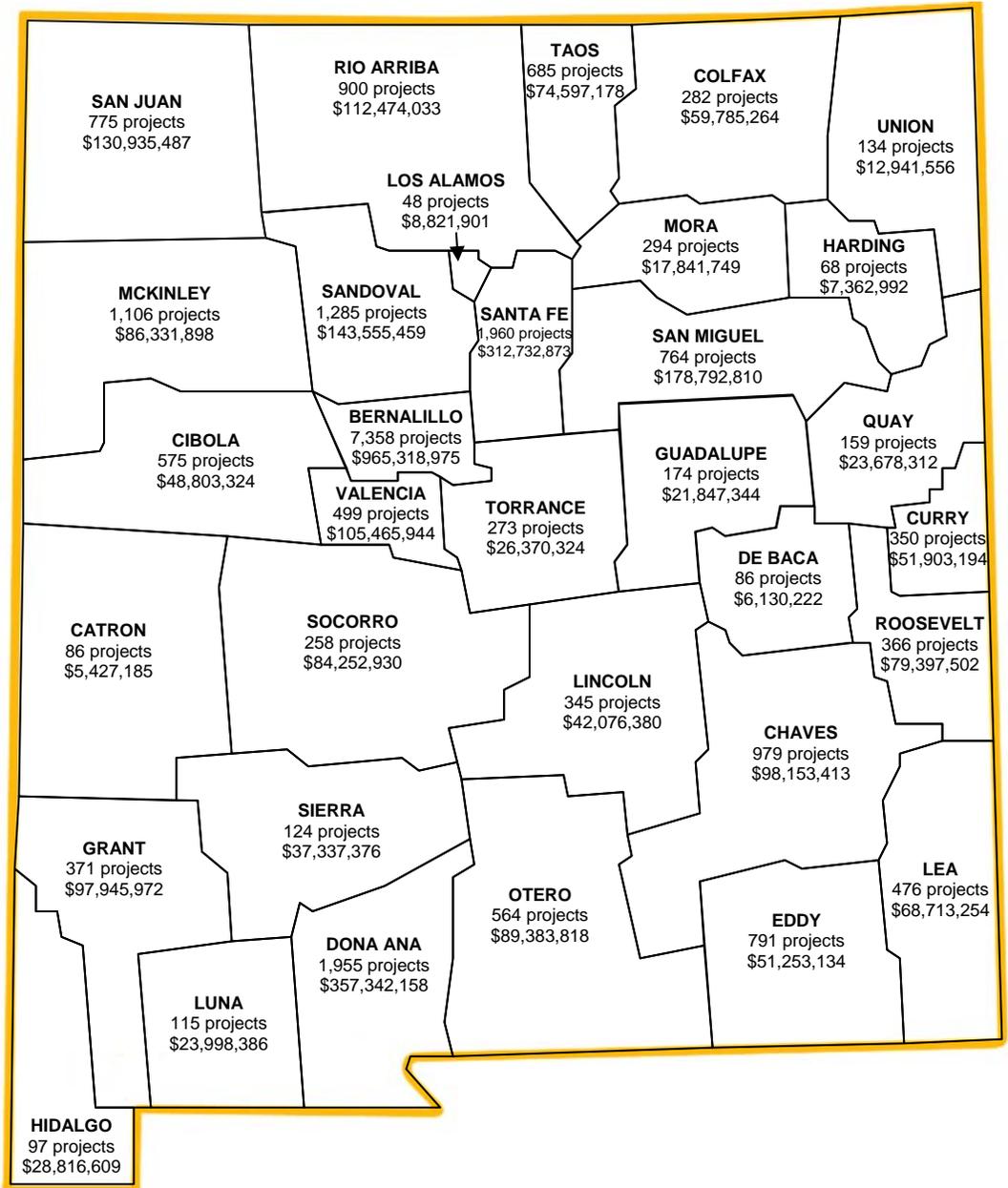


CAPITAL OUTLAY APPROPRIATIONS PER COUNTY

2004-2013

Includes general fund, severance tax bonds, general obligation bonds and other state funds

	Number of Projects	Total Appropriated*
Bernalillo	7,358	\$965,318,975
Catron	86	\$5,427,185
Chaves	979	\$98,153,413
Cibola	575	\$48,803,324
Colfax	282	\$59,785,264
Curry	350	\$51,903,194
De Baca	86	\$6,130,222
Doña Ana	1,955	\$357,342,158
Eddy	791	\$51,253,134
Grant	371	\$97,945,972
Guadalupe	174	\$21,847,344
Harding	68	\$7,362,992
Hidalgo	97	\$28,816,609
Lea	476	\$68,713,254
Lincoln	345	\$42,076,380
Los Alamos	48	\$8,821,901
Luna	115	\$23,998,386
McKinley	1,106	\$86,331,898
Mora	294	\$17,841,749
Multiple Co.**	367	\$243,188,262
Otero	564	\$89,383,818
Quay	159	\$23,678,312
Rio Arriba	900	\$112,474,033
Roosevelt	366	\$79,397,502
San Juan	775	\$130,935,487
San Miguel	764	\$178,792,810
Sandoval	1,285	\$143,555,459
Santa Fe	1,960	\$312,732,873
Sierra	124	\$37,337,376
Socorro	258	\$84,252,930
Statewide***	743	\$1,388,146,541
Taos	685	\$74,597,178
Torrance	273	\$26,370,324
Union	134	\$12,941,556
Valencia	499	\$105,465,944
TOTAL	25,420	\$5,115,313,759



* Totals reflect amounts appropriated by the legislature. Actual expenditures, including unused or reverted balances, are lower than these amounts.

** Projects classified as "Multiple County" are those that cross county lines, such as regional water systems. These are not reflected in the county totals included on the map above.

*** Projects classified as "Statewide" are those that affect all areas of the state, such as the purchase of law enforcement vehicles for the New Mexico State Police or repairs to Department of Health facilities. These are not reflected in the county totals included in the map above.



New Mexico State Senate

STATE CAPITOL

Santa Fe 87501

July 5, 2013

HAND-DELIVERED

The Honorable Gary K. King
Attorney General of the State of New Mexico
P.O. Drawer 1508
Santa Fe, NM 87504-1508

Dear Attorney General King:

This is a request for an opinion from your office regarding the governor's authority to withhold capital outlay funds from state agencies and local public bodies per Executive Order 2013-006 until those agencies and bodies have completed audits pursuant to the Audit Act, Section 12-6-1 NMSA 1978, et seq.

According to the New Mexico Supreme Court, the governor does not have the authority, temporarily or otherwise, to "impound funds which have been appropriated by the Legislature". *State ex rel. Schwartz v. Johnson*, 120 N.M. 820, 822 (1995) (quoting *County of Oneida v. Berle*, 404 N.E.2d 133, 138 (N.Y. 1980)). Neither Section 6-5-1 NMSA 1978, et seq., nor Section 6-6-1 NMSA 1978, et seq., nor Section 12-6-1 NMSA 1978, et seq., provides the governor with authority to withhold funds from agencies requesting or needing funding.

Laws cannot be unilaterally ignored unless they are struck down by a court or otherwise vetoed. *County of Oneida v. Berle*, 404 N.E.2d at 137. *Schwartz* remains good law, and the legislature holds the power of the purse. *State of Nevada Employees Assoc., Inc v. Daines*, 824 P.2d 276, 279 (Nev. 1992). Indeed, Article 3, Section 1 of the Constitution of New Mexico provides that government powers are "divided into three distinct departments...and no person...shall exercise any powers properly belonging to either of the others". Statutes are to be interpreted to avoid separation of powers issues. *Lovelace Medical Center v. Mendez*, 111 N.M. 336, 340 (1991).

"[T]he prudent maintenance of general fund reserves" was not a sufficient reason for the *Schwartz* court to give then-Governor Johnson discretion in 1995 whether these funds should be disbursed. Here, the funding withheld could potentially affect the continual operation of these agencies and goes beyond mere agency reserves.

The Honorable Gary King
July 5, 2013
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Further, none of the statutory sections cited above includes specific prohibitions on capital fund disbursements or consequences if any audit requirements are not met. The capital outlay bills from 2013 do not include audit compliance requirements.

The Audit Act grants the state auditor, and not the governor, power to audit and to establish reasonable rules to conduct these audits. This is important because the Office of the State Auditor is independent of the governor.

We share any stated goal of assuring that appropriated public funds are audited and subject to strict oversight; provided that the governor does not exceed the constitutional limitations of her authority or usurp the authority reserved for the legislature.

With this information as background, we respectfully request an attorney general's opinion on the following question:

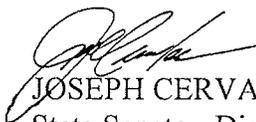
May the governor unilaterally withhold a capital outlay appropriation made to an agency by the legislature and signed by the governor?

Thank you for your attention to this matter.

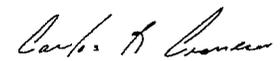
Sincerely,



JACOB R. CANDELARIA
State Senator, District 26



JOSEPH CERVANTES
State Senator, District 31

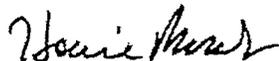


CARLOS R. CISNEROS
State Senator, District 6



LINDA M. LOPEZ
State Senator, District 11

The Honorable Gary King
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HOWIE C. MORALES
State Senator, District 28



GERALD ORTIZ Y PINO
State Senator, District 12



MICHAEL PADILLA
State Senator, District 14



MARY KAY PAPEN
Senate President Pro Tempore, District 38



CLEMENTE SANCHEZ
State Senator, District 30



JOHN M. SAPIEN
State Senator, District 9



WILLIAM P. SOULES
State Senator, District 37

JC:ar



New Mexico State Senate

State Capitol
Santa Fe

COMMITTEES:

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MEMBER:
• Conservation

SENATOR RICHARD C. MARTINEZ
D-Los Alamos, Rio Arriba & Santa Fe-5

July 8, 2013

P.O. Box 762
Española, NM 87532

Cell: (505) 929-0125
E-Mail: richard.martinez@nmlegis.gov

HAND-DELIVERED

The Honorable Gary K. King
Attorney General of the State of New Mexico
P.O. Drawer 1508
Santa Fe, NM 87504-1508

Dear Attorney General King:

Please consider me as an additional signatory to the request for an attorney general's opinion submitted to your office by my fellow senators on July 5, 2013.

Sincerely,

RICHARD C. MARTINEZ

RCM:ar

"At Risk" Designation through Fiscal Year 2012

Group	Agency #	Agency Name	Last Year of Audit Report Received by OSA	Quarterly Status Letter Compliance - Yes/No
Hospitals	2030	Eunice Special Hospital District	FY10	Y
Municipality	6158	Village of San Ysidro	FY10	N
Municipality	6090	Village of Hope	FY11	Y
Municipality	6100	Town of Lake Arthur	FY08	N
Municipality	6028	Village of Santa Clara	FY11	Y
Municipality	6032	Village of Cimarron	FY11	Y
Municipality	6182	Town of Vaughn	FY08	Y
Municipality	6162	City of Santa Rosa	FY09	Y
Municipality	6072	Village of Folsom	FY09	Y
Municipality	6183	Village of Virden	FY07	Y
Municipality	6005	Village of Angel Fire	FY10	Y
Municipality	6150	Village of Roy	FY08	Y
Municipality	6081	Village of Grenville	FY10	N
Municipality	6118	Village of Magdalena	FY09	N
Municipality	6120	Village of Maxwell	FY07	Y
Municipality	6174	City of Texico	FY11	Y
Municipality	6040	Village of Columbus	FY10	N
Municipality	6130	Village of Mosquero	FY10	N
Municipality	6060	City of Espanola	FY10	Y
REC	7100	Northern NM Network for Rural Education	FY11	N
School	7022	Des Moines Municipal Schools	FY09	Y
School	7048	Las Vegas City Schools	FY11	Y
Special Districts	4060	Pojoaque Valley Irrigation District	FY11	Y
Special Districts	4020	Southwest Solid Waste Authority	FY11	Y
Special Districts	4090	Yah-ta-hey Water & Sanitation District	FY05	Y
Special Districts	4031	North Central Solid Waste Authority	FY06	Y
Special Districts	4080	Rio San Jose Flood Control District	FY04	N
Special Districts	4019	El Prado Water and Sanitation District	FY10	Y
Special Districts	4021	Hammond Conservancy District	FY08	N
Special Districts	4098	Ramah Water & Sanitation District	FY01	Y
Special Districts	4104	Eddy-Lea Energy Alliance, LLC	N/A	Y
Special Districts	4006	Alpine Village Sanitation District	FY11	Y
Council of Governments	803	Eastern Plains Council of Governments	FY11	Y
State Agency	669	Health Policy Commission	FY09	Y

As of July 31, 2013

Hospitals - 1

REC - 1

Special Districts - 10

Schools - 2

Total on "AT RISK" List

Council of Gov't - 1

Municipalities - 18

State Agencies - 1

34

June/July 2013 Bond Sale Report

PROJECT NUMBER	PROJECT TITLE	APPROP AMOUNT	ENTITY NAME	AGENCY	2013 BOND SALE	EO RESULT	INELIGIBLE REASON
12-1281	STW-HSD LOS LUNAS DRUG & SUBSTANCE ABUSE CTR	5,000,000	GSD	GSD		Non Local	SBOF
12-1284	ALB DEAF CULTURE MLTPRPS CTR & APARTMENT COMPLEX	200,000	CDHHP	CDHHP		Non Local	
12-1410	SOUTH VALLEY MLTPRPS CTR RESPITE ADDITION	100,000	Bernalillo County	LGD		Eligible	SBOF
12-1419	BERN CO ADULT DAY SERVICES FACILITY IMPROVE	140,000	Bernalillo County	LGD		Eligible	SBOF
12-1473	SANTA FE CO DISABLED FACILITIES IMPROVE	50,000	Santa Fe County	LGD		Eligible	SBOF
12-1474	SANTA FE CO DISABLED FURNISHINGS	20,000	Santa Fe County	LGD		Eligible	SBOF
13-1177	FORD CANYON SENIOR CENTER MCKINLEY CO-IMPROVE CODE	78,500	Gallup, City of	ALTSD		Ineligible	Not Public Record
13-1178	GALLUP CITYWIDE SENIOR CENTERS-MEALS EQUIP	42,600	Gallup, City of	ALTSD		Ineligible	Not Public Record
13-1179	MANUELITO CHP SENIOR CENTER CONSTRUCT	50,000	Navajo Nation, Manuelito Chapter	ALTSD		Exception	SBOF
13-1180	MANUELITO CHP SENIOR CENTER RENOVATE	75,000	Navajo Nation, Manuelito Chapter	ALTSD		Exception	SBOF
13-1181	NAVAJO NATION LONG-TERM CARE FACILITY CONSTRUCT	170,000	Navajo Nation	ALTSD		Exception	SBOF
13-1198	TWO GREY HILLS CHP SENIOR GROUP HOME RENOVATE	50,000	Navajo Nation, Two Grey Hills Chapter	ALTSD		Exception	SBOF
13-1244	LOS LUNAS SUBSTANCE ABUSE TREATMENT CENTER	1,000,000	GSD	GSD		Non Local	SBOF
13-1258	CIEN AGUAS INTERNATL SCHL FACILITY	110,000	Cien Aguas International School	PED		Eligible	SBOF
13-1371	VALLEY HIGH SCHL SPECTATOR ROOF & SEATING PURCHASE	25,000	Albuquerque Public Schools	PED		Eligible	SBOF
13-1388	CARLSBAD HIGH SCHL GYM BLEACHERS PURCHASE	25,000	Carlsbad Municipal School District	PED		Eligible	SBOF
13-1390	CARLSBAD HIGH SCHL STADIUM SEATING PURCHASE	50,000	Carlsbad Municipal School District	PED		Eligible	SBOF
13-1401	FLOYD HIGH SCHL BLEACHERS/SEATS/OFFICIALS STATION	100,000	Floyd Municipal School District	PED		Ineligible	Audit Findings
13-1402	LAS VEGAS CITY PSD ACTIVITY BUSES	155,000	Las Vegas City Public School District	PED		Ineligible	Not Public Record
13-1414	BELEN CSD WILLIE CHAVEZ PARK AGRICULTURE ED FARM	100,000	Belen Consolidated School District	PED		Ineligible	Not Public Record
13-1420	ROBERT F. KENNEDY CHARTER SCHL PEDESTRIAN BRIDGE	125,000	Robert F. Kennedy Charter School	OSE		Ineligible	SBOF/No EO Form
13-1426	BLACK ARROYO/MAGGIE CORDOVA PED BRIDGE-SSCAFCA	265,000	South Sandoval County Arroyo Flood	OSE		Eligible	SBOF
13-1427	GALISTEO CREEK RESTORATION	82,000	Santa Fe County Pojoaque Irrigation District	OSE		Ineligible	SBOF/No EO Form
13-1428	NAMBE DAM IMPROVE	50,000	Pojoaque Irrigation District	OSE		Ineligible	Not Public Record
13-1429	QUESTA WATER RIGHTS PURCHASE	50,000	Questa, Village of	OSE		Ineligible	Not Public Record
13-1432	SEO INDIAN WATER RIGHTS SETTLEMENTS	10,000,000	OSE	OSE		Non Local	SBOF
13-1435	DEXTER WATER SYSTEM IMPROVE	100,000	Dexter, Town of	DOE		Ineligible	Audit findings
13-1437	CEBOLLETA LAND GRANT WWATER SYSTEM IMPROVEMENTS	205,000	Cebolleta Land Grant	DOE		Ineligible	Not Public Record
13-1439	CIMARRON WATER & WASTEWATER SYSTEM IMPROVEMENTS	50,000	Cimarron, Village of	DOE		Ineligible	Not Public Record
13-1444	DE BACA CO COLLECTION CENTER BUILDING & EQUIP	175,000	De Baca County	DOE		Ineligible	Not Public Record
13-1446	DESERT AIRE MDW & SWA WASTEWATER SYSTEM	51,000	Desert Aire Mutual Domestic Water and	DOE		Ineligible	Not Public Record
13-1447	DESERT AIRE MDW & SWA WATER SYSTEM IMPROVE	50,000	Desert Aire Mutual Domestic Water and	DOE		Ineligible	Not Public Record
13-1458	LOVINGTON WATER METERS & EQUIP	350,000	Lovington, City of	DOE		Ineligible	Audit findings
13-1460	LINCOLN CO GREENTREE SWA PNEUMATIC TIRE FORKLIFT	45,000	Greentree Solid Waste Authority	DOE		Ineligible	Not Public Record
13-1468	BUTTERFIELD TRAIL REGIONAL LANDFILL CONSTRUCT	450,000	Deming, City of	DOE		Eligible	SBOF

June/July 2013 Bond Sale Report

PROJECT NUMBER	PROJECT TITLE	APPROP AMOUNT	ENTITY NAME	AGENCY	2013 BOND SALE	EO RESULT	INELIGIBLE REASON
13-1469	GAMERCO WSD WATER SYSTEM IMPROVE	100,000	Gamerco Water and Sanitation District	DOE		Ineligible	Not Public Record
13-1473	ALAMOGORDO RECLAIMED WATER & EFFLUENT LINES	243,000	Alamogordo, City of	DOE		Ineligible	Audit findings
13-1474	CLOUDCROFT WASTEWATER TREATMENT FCLTY IMPROVE	225,000	Cloudcroft, Village of	DOE		Ineligible	Audit findings
13-1475	TIMBERON WSD CONTROL AND DATA ACQUISITION SYSTEM	72,800	Timberon Water and Sanitation	DOE		Ineligible	Not Public Record
13-1476	TIMBERON WSD MAINTENANCE BARN ELEC SYSTEM	42,560	Timberon Water and Sanitation	DOE		Ineligible	Not Public Record
13-1481	CHAMITA MDWC&SWA WATER SUPPLEMENTAL WELL CONSTRUCT	100,000	Chamita Mutual Domestic Water	DOE		Ineligible	Not Public Record
13-1483	ELIDA TRASH TRUCK CONTAINER/EQUIP	164,000	Elida, Town of	DOE		Ineligible	Not Public Record
13-1487	SOUTHSIDE MDWA WATER TANK ERECTION	50,000	Southside Mutual Domestic Water	DOE		Eligible	SBOF
13-1496	CUBA WASTEWATER SYSTEM IMPROVE	165,600	Cuba, Village of	DOE		Ineligible	Not Public Record
13-1497	CUBA WATER SYSTEM IMPROVE	35,000	Cuba, Village of	DOE		Ineligible	SBOF/Not Public Record
13-1505	ALAMO CHP WATER SYSTEM PHASE 3	100,000	Navajo Nation, Alamo Chapter	DOE		Exception	SBOF
13-1506	MAGDALENA WATER SYSTEM IMPROVE	50,830	Magdalena, Village of	DOE		Ineligible	Not Public Record
13-1507	EL PRADO WSD WELL/WATER/WASTEWATER IMPROVE	50,000	El Prado Water and Sanitation District	DOE		Ineligible	Not Public Record
13-1513	QUESTA WASTEWATER SYSTEM IMPROVE	50,000	Questa, Village of	DOE		Ineligible	SBOF/Not Public Record
13-1516	ENCINO WATER SYSTEM IMPROVE	60,000	Encino, Village of	DOE		Eligible	SBOF
13-1517	ESTANCIA SEWER SYSTEM IMPROVE	20,000	Estancia, Town of	DOE		Ineligible	Audit findings
13-1520	VALENCIA CO BARTOLA CANYON WELL	15,000	Valencia County	DOE		Ineligible	Audit findings
13-1526	SANTA ROSA FISH PRODUCTION FACILITY CONSTRUCT	150,000	Santa Rosa, City of	DGF		Ineligible	SBOF/No EO Form
13-1560	SANTA ANA PUEBLO POLICE SUBSTATION & HOLDING FCLTY	196,234	Santa Ana, Pueblo of	IAD		Exception	SBOF
13-1569	LOS RANCHOS DE ATRISCO ACEQUIA IMPROVE	20,000	Los Ranchos de Atrisco Acequia	ISC		Ineligible	SBOF/Not Public Record
13-1571	COLONIAS COMMUNITY DITCH DAM	60,000	Colonias Community Ditch	ISC		Ineligible	Not Public Record
13-1573	ACEQUIA DE SANTA CRUZ IMPROVE	50,000	La Acequia de Santa Cruz	ISC		Ineligible	Not Public Record
13-1574	ACEQUIA DE LOS BARRIALES IMPROVE	45,000	Acequia de Los Barriales	ISC		Eligible	SBOF
13-1575	ACEQUIA DEL LLANO DE SANTA CRUZ IMPROVE	41,850	La Acequia del Llano de Santa Cruz	ISC		Ineligible	Not Public Record
13-1576	ACEQUIA DEL MOLINO IMPROVE	50,000	Acequia del Molino in Servilleta plaza in	ISC		Eligible	SBOF
13-1584	ACEQUIA DEL MOLINO IMPROVE-EAST PECOS	25,000	Acequia del Molino in east Pecos in San	ISC		Ineligible	Not Public Record
13-1585	ACEQUIA MADRE DE VILLANUEVA NORTH INFRA IMPROVE	25,000	Acequia Madre de Villanueva	ISC		Ineligible	Not Public Record
13-1586	ACEQUIA MADRE DE VILLANUEVA NORTHSIDE CEMENT DITCH	6,000	Acequia Madre de Villanueva	ISC		Ineligible	Not Public Record
13-1587	WEST PECOS ACEQUIA IMPROVE	25,000	West Pecos Acequia	ISC		Ineligible	Not Public Record
13-1591	SAN YSIDRO COMMUNITY DITCH IMPROVE	20,000	San Ysidro Community Ditch	ISC		Ineligible	Not Public Record
13-1592	ACEQUIA AGUA FRIA SYSTEM IMPROVE	46,750	Acequia Agua Fria	ISC		Eligible	SBOF
13-1593	ACEQUIA DE LOS CHUPADEROS IMPROVE	40,000	Acequia de los Chupaderos	ISC		Ineligible	Not Public Record
13-1596	ACEQUIA LARGO DE JACONA IMPROVE	16,000	Acequia Largo de Jacona	ISC		Ineligible	Not Public Record
13-1598	ACEQUIA DE LA CIENEGA IMPROVE	82,667	Acequia de la Cienega	ISC		Ineligible	Not Public Record
13-1599	ACEQUIA DE LA CIENEGA WELL ELEC SYSTEM IMPROVE	50,386	Acequia de la Cienega	ISC		Ineligible	Not Public Record

June/July 2013 Bond Sale Report

PROJECT NUMBER	PROJECT TITLE	APPROP AMOUNT	ENTITY NAME	AGENCY	2013 BOND SALE	EO RESULT	INELIGIBLE REASON
13-1600	NAMBE PUEBLO ACEQUIAS IMPROVE	94,000	Acequias La Nueva, del Llano and	ISC		Ineligible	Not Public Record
13-1601	ACEQUIA DE LA OTRA BANDA DIVERSION CONSTRUCT	25,000	Acequia de la Otra Banda	ISC		Ineligible	Not Public Record
13-1602	ACEQUIA DE LA OTRA BANDA RIVERBANK IMPROVE	34,000	Acequia de la Otra Banda	ISC		Ineligible	Not Public Record
13-1605	ACEQUIA DE ARRIBA DEL LLANO DE SAN MIGUEL IMPROVE	25,000	Acequia de San Juan de Nepumuceno	ISC		Ineligible	SBOF
13-1606	ACEQUIA DEL MONTE DEL RIO CHIQUITO WATER PRJT LOAN	16,000	Acequia del Monte del Rio Chiquito	ISC		Ineligible	Not Public Record
13-1607	ACEQUIAS MADRE/MONTE DEL RIO CHIQUITO LOAN PAYOFF	16,400	Acequias Madre and Monte del Rio	ISC		Ineligible	Not Public Record
13-1609	ALB ARENAL DRAIN BLUFF AREA PARK	145,450	Albuquerque, City of	LGD		Eligible	SBOF
13-1611	BERN CO HEAD START BUSES	170,000	Bernalillo County	LGD		Eligible	SBOF
13-1646	ALB SEXUAL ASSAULT VICTIMS FORENSIC EQUIP PURCHASE	7,500	Albuquerque, City of	LGD		Eligible	SBOF
13-1648	ALB VETERANS TRANSITIONAL BLDGS MODIFICATIONS	25,000	Albuquerque, City of	LGD		Eligible	SBOF
13-1650	ALB W CENTRAL METRO REDVLP DIST 57TH/CENTRAL INFRA	100,000	Albuquerque, City of	LGD		Eligible	SBOF
13-1653	BERN CO BARELAS AFFORDABLE HOUSING REHAB	203,000	Albuquerque, City of	LGD		Eligible	SBOF
13-1654	BERN CO CHILDREN'S SVCS TRAINING CTR EQUIP	125,000	Albuquerque, City of	LGD		Eligible	SBOF
13-1655	BERN CO MOBILE FOOD UNITS	299,900	Bernalillo County	LGD		Eligible	SBOF
13-1656	BERN CO RAPE CRISIS ASSISTANCE INFO TECH	7,500	Albuquerque, City of	LGD		Eligible	SBOF
13-1658	BERN CO SOUTH VALLEY YOUTH CRISIS MULTI ROOM	141,500	Albuquerque, City of	LGD		Eligible	SBOF
13-1659	BERN CO TRANSITIONAL LIVING & RECOVERY CENTER	757,715	Albuquerque, City of	LGD		Eligible	SBOF
13-1672	CIMARRON PRIMARY CARE & AMBULANCE FCLTY CONSTRUCT	70,000	Cimarron, Village of	LGD		Ineligible	Not Public Record
13-1695	MESILLA PUBLIC SAFETY BUILDING IMPROVE	452,000	Mesilla, Town of	LGD		Ineligible	Audit findings
13-1700	SUNLAND PARK LIFT & UTILITY TRUCKS PURCHASE	110,000	Sunland Park, City of	LGD		Ineligible	Not Public Record
13-1701	EDDY CO NORTH SHOOTING RANGE	50,000	Eddy County	LGD		Ineligible	Not Public Record
13-1704	ARTESIA GUADALUPE PARK IMPROVE	50,000	Artesia, City of	LGD		Ineligible	Audit findings
13-1705	ARTESIA YOUTH OUTREACH CENTER IMPROVE EDDY CO	55,000	Artesia, City of	LGD		Ineligible	Audit findings
13-1706	CARLSBAD HALAGUENO ARTS PARK IMPROVE	80,000	Carlsbad, City of	LGD		Ineligible	Not Public Record
13-1707	CARLSBAD NOAH'S ARK ANIMAL SHELTER IMPROVE	100,000	Carlsbad, City of	LGD		Ineligible	SBOF/Not Public Record
13-1708	CARLSBAD SUNSET GARDENS CEMETERY IMPROVE	25,000	Carlsbad, City of	LGD		Ineligible	Not Public Record
13-1709	EDDY CO SHERIFF PECOS VALLEY DRUG TASK FORCE CMLPX	175,000	Eddy County	LGD		Ineligible	Not Public Record
13-1710	LAKE CARLSBAD TENNIS COURTS RESTROOM FCLTY	100,000	Carlsbad, City of	LGD		Ineligible	Not Public Record
13-1711	HOPE TRUCK PURCHASE	40,000	Hope, Village of	LGD		Ineligible	Not Public Record
13-1712	BAYARD CEMETERY CONSTRUCT	200,000	Bayard, City of	LGD		Ineligible	Audit findings
13-1716	SANTA ROSA AMBULANCE	40,000	Santa Rosa, City of	LGD		Ineligible	Not Public Record
13-1717	SANTA ROSA BLUE HOLE PARKING	85,000	Santa Rosa, City of	LGD		Ineligible	Not Public Record
13-1718	EUNICE MAIN STREET BEAUTIFICATION	100,000	Eunice, City of	LGD		Eligible	SBOF
13-1720	JAL POLICE COMPLEX IMPROVE	215,000	Jal, City of	LGD		Ineligible	Audit findings
13-1721	LEA CO JUDICIAL COMPLEX	500,000	Lea County	LGD		Eligible	SBOF

June/July 2013 Bond Sale Report

PROJECT NUMBER	PROJECT TITLE	APPROP AMOUNT	ENTITY NAME	AGENCY	2013 BOND SALE	EO RESULT	INELIGIBLE REASON
13-1728	LOS ALAMOS CO RADIO SYSTEM DESIGN PHASE 1	25,000	Los Alamos County	LGD		Eligible	SBOF
13-1730	GALLUP VETERANS MEMORIAL PILLARS	14,000	Gallup, City of	LGD		Ineligible	Not Public Record
13-1731	MCKINLEY CO DISABILITY SERVICES VEHICLES PURCHASE	50,000	McKinley County	LGD		Ineligible	Audit findings
13-1732	MCKINLEY CO GALLUP INTERTRIBAL OFFICE EQUIPMENT	50,000	Gallup, City of	LGD		Ineligible	SBOF/Not Public Record
13-1733	THOREAU CMTY CTR KITCHEN RENOVATE	15,000	McKinley County	LGD		Ineligible	SBOF/Audit findings
13-1734	MORA CO COMPLEX PHASE 2	1,854,000	Mora County	LGD		Eligible	SBOF
13-1736	OTERO CO TULAROSA BASIN HISTORY MUSEUM	525,000	Otero County	LGD		Ineligible	SBOF/Not Public Record
13-1737	OTERO CO MAYHILL COMMUNITY CENTER	62,850	Otero County	LGD		Ineligible	SBOF/Not Public Record
13-1740	ARCH HURLEY CONSERVANCY DISTRICT EQUIP	190,000	Arch Hurley Conservancy District	LGD		Ineligible	Not Public Record
13-1744	ESPANOLA COURT/JAIL REMODEL FOR CITY HALL EXPAND	300,000	Espanola, City of	LGD		Ineligible	Not Public Record
13-1745	ESPANOLA LA JOYA FIRE STATION RENOVATE	100,000	Espanola, City of	LGD		Ineligible	Not Public Record
13-1746	ESPANOLA VETERANS' MEMORIAL WALL IMPROVE & SEATING	100,000	Espanola, City of	LGD		Ineligible	Not Public Record
13-1752	ROOSEVELT GENERAL HOSPITAL GAS PIPELINES	220,000	Roosevelt County Special Hospital	LGD		Ineligible	SBOF/Not Public Record
13-1753	PECOS FIRE & RESCUE TRUCK PURCHASE SAN MIGUEL CO	97,500	San Miguel County	LGD		Ineligible	SBOF/Audit findings
13-1762	RIO RANCHO ALL-INCLUSIVE PARK	182,926	Rio Rancho, City of	LGD		Eligible	SBOF
13-1764	SANTA FE CO DISABILITIES INFO TECH	33,333	Santa Fe County	LGD		Eligible	SBOF
13-1783	T OR C ANIMAL SHELTER	100,000	Truth or Consequences, City	LGD		Ineligible	SBOF/Audit findings
13-1791	QUESTA PUBLIC WORKS VEHICLES & EQUIP	50,000	Questa, Village of	LGD		Ineligible	Not Public Record
13-1794	SAN CRISTOBAL FIRE STATION	50,000	Taos County	LGD		Eligible	SBOF
13-1796	TORRANCE CO BUILDINGS IMPROVE	50,000	Torrance County	LGD		Ineligible	Audit findings
13-1797	TORRANCE CO DIST 3 & 5 FIRE ENGINES	30,000	Torrance County	LGD		Ineligible	Audit findings
13-1798	TORRANCE CO TRI-COUNTY YOUTH MULTIPURPOSE FCLTY	50,000	Torrance County	LGD		Ineligible	SBOF/Audit findings
13-1799	TORRANCE CO VOL FIRE STATIONS DIST 3 & 5 ADDITIONS	10,000	Torrance County	LGD		Ineligible	SBOF/Audit findings
13-1800	ESTANCIA COMMUNITY CENTER DOORS & IMPROVE	110,000	Estancia, Town of	LGD		Ineligible	Audit findings
13-1801	MOUNTAINAIR MULTIPURPOSE BUILDING CONSTRUCT	70,000	Torrance County	LGD		Ineligible	SBOF/Audit findings
13-1802	UNION CO JUDICIAL COMPLEX PLAN & DESIGN	75,000	Union County	LGD		Ineligible	Audit findings
13-1803	UNION CO ROAD DEPT TRUCK PURCHASE	110,000	Union County	LGD		Ineligible	Audit findings
13-1804	VALENCIA CO EMERGENCY BACKUP GENERATOR	45,000	Valencia County	LGD		Ineligible	Audit findings
13-1805	VALENCIA CO MANZANO VISTA FIRE DEPT GENERATOR	45,000	Valencia County	LGD		Ineligible	Audit findings
13-1806	VALENCIA CO SHERIFF DEPT PATROL VEHICLES	210,000	Valencia County	LGD		Ineligible	Audit findings
13-1809	VALENCIA CO ANIMAL CONTROL SHELTER IMPROVE	150,000	Valencia County	LGD		Ineligible	SBOF/Audit findings
13-1822	ALB RAILYARDS IMPROVE	303,000	Albuquerque, City of	DOT		Ineligible	Audit findings
13-1823	FOUR HILLS RD LANDSCAPE - ALB	50,000	Albuquerque, City of	DOT		Ineligible	Audit findings
13-1825	UNSER BLVD/98TH ST/ATRISCO VISTA BLVD OFF-RAMPS	950,000	Department of Transportation	DOT		Non Local	SBOF
13-1827	ZUNI ROAD IMPROVE - ALB	430,000	Albuquerque, City of	DOT		Ineligible	Audit findings

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PROJECT NUMBER	PROJECT TITLE	APPROP AMOUNT	ENTITY NAME	AGENCY	2013 BOND SALE	EO RESULT	INELIGIBLE REASON
13-1829	DEXTER SIDEWALKS IMPROVE ADA	180,000	Dexter, Town of	DOT		Ineligible	Audit findings
13-1830	ROSWELL STREETS IMPROVE	325,000	Roswell, City of	DOT		Ineligible	SBOF/Audit findings
13-1846	SUNLAND PARK STREETS & STORM DRAINAGE IMPROVE	300,000	Sunland Park, City of	DOT		Ineligible	Not Public Record
13-1848	NORTH CANAL ST IMPROVE - CARLSBAD	270,000	Carlsbad, City of	DOT		Ineligible	Not Public Record
13-1849	CARRASCO AVE & DIAZ AVE LIGHTING IMPROVE-HURLEY	182,000	Hurley, Town of	DOT		Ineligible	Audit findings
13-1853	BONITO RD IMPROVE - LINCOLN CO	25,000	Lincoln County	DOT		Ineligible	SBOF/Audit findings
13-1854	MCKINLEY CO RD 19 IMPROVE	50,000	McKinley County	DOT		Ineligible	SBOF/Audit findings
13-1855	MCKINLEY CO RD 43/SUPERMAN CANYON RD IMPROVE	200,000	McKinley County	DOT		Ineligible	Audit findings
13-1857	GALLUP PEDESTRIAN SAFETY IMPROVE	175,000	Gallup, City of	DOT		Ineligible	Not Public Record
13-1858	HOSPITAL DR & COLLEGE DR RECONSTRUCT GALLUP	175,000	Gallup, City of	DOT		Ineligible	Not Public Record
13-1859	SKY CITY ROAD - MANUELITO CHP	25,000	McKinley County	DOT		Ineligible	SBOF/Audit findings
13-1860	DEERSPRINGS RD IMPROVE	100,000	McKinley County	DOT		Ineligible	SBOF/Audit findings
13-1861	NAVAJO RT 7054 IMPROVE - PINEDALE CHP	75,000	McKinley County	DOT		Ineligible	SBOF/Audit findings
13-1862	RED LAKE CHP ROADS IMPROVE	20,000	McKinley County	DOT		Ineligible	SBOF/Audit findings
13-1863	HUNTER POINT ROAD IMPROVE-TSA-YA-TOH CHAPTER	50,000	McKinley County	DOT		Ineligible	SBOF/Audit findings
13-1864	TSA-YA-TOH CHP ADMIN COMPLEX ROAD IMPROVE	50,000	McKinley County	DOT		Ineligible	SBOF/Audit findings
13-1865	JOHNSON ROAD IMPROVE-TWIN LAKES CHAPTER	100,000	McKinley County	DOT		Ineligible	Audit findings
13-1869	SANOSTEE CHP SAFETY EASEMENT CONSTRUCT	50,000	Navajo Nation, Sanostee Chapter	DOT		Exception	SBOF
13-1870	SAN MIGUEL CO ROADS IMPROVE	287,000	San Miguel County	DOT		Ineligible	Audit findings
13-1871	EAST VENUS RD IMPROVE - EDGEWOOD	275,000	Edgewood, Town of	DOT		Ineligible	Audit findings
13-1874	SCHOLLE BRIDGE PLAN & DESIGN SOCORRO CO	108,670	Socorro County	DOT		Ineligible	Audit findings
13-1876	ALAN AYERS ROAD IMPROVE - ESTANCIA	83,000	Estancia, Town of	DOT		Ineligible	Audit findings
13-1877	AMY ROAD IMPROVE - VALENCIA CO	165,000	Valencia County	DOT		Ineligible	Audit findings
13-1878	WINSTON DR IMPROVE - VALENCIA CO	210,000	Valencia County	DOT		Ineligible	Audit findings
13-1879	NORTH BELEN INTERCHANGE DESIGN & CONSTRUCT	100,000	Belen, City of	DOT		Ineligible	SBOF/Audit findings
13-1894	NMMI BOILERS & CHILLERS REPLACE	1,000,000	NMMI	NMMI		Non Local	SBOF

Ineligible Reasons:

Non Local = state agency or higher educational institution

Audit findings = deficiencies and or material weaknesses

Not Public Record = no current audit on file

SBOF = ineligible as determined by Bond Counsel

**CAPITAL OUTLAY QUESTIONS
and
WHO TO CALL FIRST FOR ANSWERS**

I have a question about the governor's executive order and how it might affect my project.

*Call the Department of Finance and Administration Capital Outlay Bureau
Debbie Romero - (505) 827-3651*

Why is my governmental entity included on the list of "at-risk" entities (and what does it need to do to get off the list)?

*Call the Office of the State Auditor
(505) 476-3800*

Is the bond sale approved yet for my project (and if not, why not)?

*Call the State Board of Finance
Sharon Romero - (505) 827-3886*

How do I recommend a project for the "statewides" list or the general obligation bond list?

*Call the Legislative Finance Committee
Linda Kehoe - (505) 986-4550*

My project was awarded capital outlay money, and I have a question about the grant process.

*Call the Department of Finance and Administration Capital Outlay Bureau
Debbie Romero - (505) 827-3651*

How do I submit a reauthorization request for a project that needs more time/needs to expand its purpose/needs to change its purpose/etc.?

*Call the Legislative Council Service Capital Outlay Office
Renee Gregorio or Kathleen Dexter - (505) 986-4600*

What is capital outlay, does my project qualify and how does my project apply for it?

*Call the Legislative Council Service Capital Outlay Office
Renee Gregorio or Kathleen Dexter - (505) 986-4600*

What is the submission deadline for capital outlay?

*Call the Legislative Council Service
Capital Outlay Office
Renee Gregorio or Kathleen Dexter
(505) 986-4600*

LINKS TO KNOW

*Office of the State Auditor (at-risk entities list, updated weekly)
http://osanm.org/government_score_card*

*DFA Capital Outlay Bureau (copy of Executive Order 2013-006, etc.)
http://nmdfa.state.nm.us/Capital_Outlay_Bureau.aspx*

*LCS Capital Outlay Request Forms for 2014
www.nmlegis.gov - find the regular and reauthorization forms under the Capital Outlay link on the left side of the home page*