

HOUSE EDUCATION COMMITTEE SUBSTITUTE FOR  
SENATE BILL 84

49TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2010

AN ACT

RELATING TO PUBLIC SCHOOL FACILITIES; ENACTING A SECTION OF THE  
PUBLIC SCHOOL CAPITAL OUTLAY ACT TO PROVIDE FOR A "ONE PERCENT  
FOR THE TWENTY-FIRST CENTURY PROGRAM", UNDER WHICH SCHOOLS WILL  
BE EQUIPPED WITH SUSTAINABILITY FEATURES.

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

Section 1. A new section of the Public School Capital  
Outlay Act is enacted to read:

"[NEW MATERIAL] SUSTAINABILITY FEATURES--ONE PERCENT FOR  
THE TWENTY-FIRST CENTURY.--

A. The council shall develop and implement a "one  
percent for the twenty-first century program", under which each  
capital outlay project for a school that receives grant  
assistance pursuant to the Public School Capital Outlay Act  
shall include an allocation for sustainability features,

.181919.1

underscored material = new  
[bracketed material] = delete

1 including, but not limited to, solar panels, solar hot water  
2 heaters, passive solar heating, rain catchment barrels,  
3 recycling receptacles and other equipment approved by the  
4 public school facilities authority. The amount allocated for  
5 sustainability features shall equal the lesser of:

- 6 (1) one percent of the total project cost;
- 7 (2) two hundred thousand dollars (\$200,000);

8 or

9 (3) an amount set by the council if it  
10 determines that the lesser of the estimated costs in Paragraphs  
11 (1) and (2) of this subsection will exceed the estimated life-  
12 cycle savings of the building, addition or renovation.

13 B. The council shall promulgate rules to determine  
14 if the cost of compliance with the requirements of this section  
15 would exceed the estimated life-cycle savings of the building,  
16 addition or renovation and such other rules as necessary to  
17 carry out the provisions of this section."

18 Section 2. TERMINATION OF PROGRAM--DELAYED REPEAL.--The  
19 one percent for the twenty-first century program is terminated  
20 on July 1, 2021, pursuant to the provisions of the Sunset Act.  
21 The program shall continue to operate according to the  
22 provisions of the Public School Capital Outlay Act until July  
23 1, 2022. Effective July 1, 2022, the provisions of Section 1  
24 of this act are repealed.

25 Section 3. EFFECTIVE DATE.--The effective date of the  
.181919.1

1 provisions of this act is July 1, 2010.

2 - 3 -

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

underscored material = new  
[bracketed material] = delete

.181919.1