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SENATE BILL 10

**50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SPECIAL SESSION, 2011**

INTRODUCED BY

Carlos R. Cisneros

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 Internal Revenue Code of 1986, as amended.  
8 Proceeds from the sale of the bonds are appropriated for the  
9 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, including projects that  
16 have been reauthorized, by the end of fiscal year 2013, the  
17 authorization for that project is void.

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

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

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1 bond proceeds within three years after the applicable bond  
2 proceeds are available for the project.

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

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

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

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

21 (c) for any other project for which  
22 severance tax bonds were appropriated, within six months of  
23 completion of the project, but no later than the end of fiscal  
24 year 2015; and

25 (2) all remaining balances from the proceeds

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

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

8 F. For the purpose of this section, "unexpended  
9 balance" means the remainder of an appropriation after  
10 reserving for unpaid costs and expenses covered by binding  
11 written obligations to third parties.

12 SECTION 2. OTHER FUND APPROPRIATIONS--LIMITATIONS--  
13 REVERSIONS.--

14 A. Except as otherwise specifically provided by  
15 law:

16 (1) the unexpended balance of an appropriation  
17 made in this act from other state funds shall revert no later  
18 than the following dates:

19 (a) for a project for which an  
20 appropriation was made to match federal grants, six months  
21 after completion of the project;

22 (b) for a project for which an  
23 appropriation was made to purchase vehicles, including  
24 emergency vehicles and other vehicles that require special  
25 equipment; heavy equipment; books; educational technology; or

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1 other equipment or furniture that is not related to a more  
2 inclusive construction or renovation project, at the end of the  
3 fiscal year two years following the fiscal year in which the  
4 appropriation was made for the purchase; and

5 (c) for any other project for which an  
6 appropriation was made, within six months of completion of the  
7 project, but no later than the end of fiscal year 2015; and

8 (2) all remaining balances from an  
9 appropriation made in this act for a project shall revert three  
10 months after the latest reversion date specified for that type  
11 of project in Paragraph (1) of this subsection.

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

15 C. Except as provided in Subsection E of this  
16 section, the balance of an appropriation made from the general  
17 fund shall revert in the time frame set forth in Subsection A  
18 of this section to the capital projects fund.

19 D. Except as provided in Subsection E of this  
20 section, the balance of an appropriation made from other state  
21 funds shall revert in the time frame set forth in Subsection A  
22 of this section to the originating fund.

23 E. The balance of an appropriation made from the  
24 general fund or other state fund to the Indian affairs  
25 department or the aging and long-term services department for a

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1 project located on lands of an Indian nation, tribe or pueblo  
2 shall revert in the time frame set forth in Subsection A of  
3 this section to the tribal infrastructure project fund.

4 F. For the purpose of this section, "unexpended  
5 balance" means the remainder of an appropriation after  
6 reserving for unpaid costs and expenses covered by binding  
7 written obligations to third parties.

8 SECTION 3. ADMINISTRATIVE OFFICE OF THE COURTS PROJECT--  
9 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1  
10 of this act, upon certification by the administrative office of  
11 the courts that the need exists for the issuance of the bonds,  
12 one million five hundred thousand dollars (\$1,500,000) is  
13 appropriated to the administrative office of the courts to  
14 purchase and install security equipment, including related  
15 infrastructure, at judicial district and magistrate courts  
16 statewide and to furnish and equip the eighth judicial district  
17 courthouse in Taos in Taos county.

18 SECTION 4. AGING AND LONG-TERM SERVICES DEPARTMENT  
19 PROJECTS--SEVERANCE TAX BONDS.--Pursuant to the provisions of  
20 Section 1 of this act, upon certification by the aging and  
21 long-term services department that the need exists for the  
22 issuance of the bonds, the following amounts are appropriated  
23 to the aging and long-term services department for the  
24 following purposes:

25 1. four hundred seventy-four thousand dollars

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1 (\$474,000) to purchase and equip vehicles for senior centers  
2 countywide in Bernalillo county;

3 2. fifteen thousand dollars (\$15,000) to make  
4 improvements for building code compliance, including purchase  
5 and installation of equipment, at the Pajarito senior meal site  
6 in Bernalillo county;

7 3. one hundred thousand dollars (\$100,000) to make  
8 improvements for building code compliance, including purchase  
9 and installation of equipment, to the Rio Bravo senior meal  
10 site in Bernalillo county;

11 4. forty-eight thousand dollars (\$48,000) to  
12 purchase and equip vehicles for the Pueblo of Isleta senior  
13 center in Bernalillo county;

14 5. thirty-eight thousand dollars (\$38,000) to  
15 purchase and equip vehicles for senior centers countywide in  
16 Chaves county;

17 6. forty-two thousand dollars (\$42,000) to purchase  
18 and equip vehicles for the Roswell Joy senior center in Chaves  
19 county;

20 7. sixty thousand dollars (\$60,000) to make  
21 improvements for building code compliance, including purchase  
22 and installation of equipment, to the Ramah chapter senior  
23 center on the Navajo Nation in Cibola county;

24 8. ninety-three thousand dollars (\$93,000) to  
25 purchase and equip vehicles for senior centers countywide in

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1 Colfax county;

2 9. one hundred forty thousand dollars (\$140,000) to  
3 make improvements for building code compliance, including  
4 purchase and installation of equipment, to the Raton senior  
5 center in Colfax county;

6 10. five thousand dollars (\$5,000) to make  
7 improvements for building code compliance, including purchase  
8 and installation of equipment, to the Springer senior center in  
9 Colfax county;

10 11. sixty thousand dollars (\$60,000) to make  
11 improvements for building code compliance, including purchase  
12 and installation of equipment, to the Alice Converse senior  
13 center in Curry county;

14 12. two hundred fifty thousand dollars (\$250,000)  
15 to make improvements for building code compliance, including  
16 purchase and installation of equipment, to the Robert Munson  
17 senior center in Las Cruces in Dona Ana county;

18 13. eight thousand five hundred dollars (\$8,500) to  
19 make improvements for building code compliance, including  
20 purchase and installation of equipment, to the Artesia senior  
21 center in Eddy county;

22 14. forty-eight thousand dollars (\$48,000) to  
23 purchase and equip vehicles for the Artesia senior center in  
24 Eddy county;

25 15. sixty-two thousand dollars (\$62,000) to make

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1 improvements for building code compliance, including purchase  
2 and installation of equipment, to senior centers countywide in  
3 Grant county;

4 16. seventy-eight thousand dollars (\$78,000) to  
5 purchase and equip vehicles for the Mimbres and Silver City  
6 senior centers in Grant county;

7 17. twenty-five thousand dollars (\$25,000) to  
8 purchase and equip vehicles for the Santa Rosa senior center in  
9 Guadalupe county;

10 18. six thousand dollars (\$6,000) to make  
11 improvements for building code compliance, including purchase  
12 and installation of equipment, to the Eunice senior center in  
13 Lea county;

14 19. twenty-five thousand dollars (\$25,000) to  
15 purchase and equip vehicles for the Tatum senior center in Lea  
16 county;

17 20. eighteen thousand five hundred dollars  
18 (\$18,500) to make improvements for building code compliance,  
19 including purchase and installation of equipment, to the Baca  
20 chapter senior center on the Navajo Nation in McKinley county;

21 21. one hundred thousand dollars (\$100,000) to make  
22 improvements for building code compliance, including purchase  
23 and installation of equipment, to the Thoreau chapter senior  
24 center on the Navajo Nation in McKinley county;

25 22. three hundred thousand dollars (\$300,000) to

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1 make improvements for building code compliance, including  
2 purchase and installation of equipment, to the Pueblo of Zuni  
3 senior center in McKinley county;

4 23. eighteen thousand dollars (\$18,000) to make  
5 improvements for building code compliance, including purchase  
6 and installation of equipment, to the Pueblo of Isleta senior  
7 center in Bernalillo county;

8 24. ninety thousand dollars (\$90,000) to purchase  
9 and equip vehicles for the Sacramento Mountain senior center in  
10 Otero county;

11 25. ten thousand dollars (\$10,000) to make  
12 improvements for building code compliance, including purchase  
13 and installation of equipment, to the Beatrice Martinez senior  
14 center in Espanola in Rio Arriba county;

15 26. fifty-five thousand dollars (\$55,000) to make  
16 improvements for building code compliance, including purchase  
17 and installation of equipment, to the Espanola senior center in  
18 Rio Arriba county;

19 27. one hundred seven thousand dollars (\$107,000)  
20 to purchase and equip vehicles for senior centers countywide in  
21 San Juan county;

22 28. twenty-five thousand dollars (\$25,000) to  
23 purchase and equip vehicles for the Bloomfield senior center in  
24 San Juan county;

25 29. sixty thousand dollars (\$60,000) to make

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1 improvements, including purchase and installation of equipment,  
2 to the Nageezi chapter senior center on the Navajo Nation in  
3 San Juan county;

4 30. two hundred fifty thousand dollars (\$250,000)  
5 to make improvements for building code compliance, including  
6 purchase and installation of equipment, to the Sanostee chapter  
7 senior center on the Navajo Nation in San Juan county;

8 31. thirty-one thousand dollars (\$31,000) to make  
9 improvements for building code compliance, including purchase  
10 and installation of equipment, to the Tse'Daa'Kaan chapter  
11 senior center on the Navajo Nation in San Juan county;

12 32. fifty thousand dollars (\$50,000) to purchase  
13 and equip vehicles for senior centers in Las Vegas and Pecos in  
14 San Miguel county;

15 33. one hundred twenty-nine thousand dollars  
16 (\$129,000) to purchase and equip vehicles for senior centers at  
17 the Pueblo of Sandia, Pueblo of Santa Ana and Pueblo of Zia in  
18 Sandoval county;

19 34. eight thousand five hundred dollars (\$8,500) to  
20 make improvements for building code compliance, including  
21 purchase and installation of equipment, to the Corrales senior  
22 center in Sandoval county;

23 35. forty thousand dollars (\$40,000) to purchase  
24 and equip vehicles for the Cuba senior center in Sandoval  
25 county;

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1           36. eleven thousand dollars (\$11,000) to make  
2 improvements for building code compliance, including purchase  
3 and installation of equipment, to the Pueblo of Jemez senior  
4 center in Sandoval county;

5           37. one hundred seventy-seven thousand dollars  
6 (\$177,000) to make improvements for building code compliance,  
7 including purchase and installation of equipment, to the Pueblo  
8 of Sandia senior center in Bernalillo county;

9           38. two hundred seventy-four thousand dollars  
10 (\$274,000) to purchase and equip vehicles for senior centers  
11 countywide in Santa Fe county;

12           39. seven thousand one hundred fifty dollars  
13 (\$7,150) to make improvements for building code compliance,  
14 including purchase and installation of equipment, to the  
15 Edgewood senior center in Santa Fe county;

16           40. one hundred seventy-eight thousand dollars  
17 (\$178,000) to purchase and equip vehicles for senior centers  
18 citywide in Santa Fe in Santa Fe county;

19           41. one hundred twenty-eight thousand four hundred  
20 sixty-seven dollars (\$128,467) to make improvements for  
21 building code compliance, including purchase and installation  
22 of equipment, to the Mary Esther Gonzales senior center in  
23 Santa Fe in Santa Fe county;

24           42. fifty-two thousand twenty-two dollars (\$52,022)  
25 to make improvements for building code compliance, including

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1 purchase and installation of equipment, to the Truth or  
2 Consequences senior center in Sierra county;

3 43. thirteen thousand dollars (\$13,000) to make  
4 improvements for building code compliance, including purchase  
5 and installation of equipment, to the Socorro senior center in  
6 Socorro county;

7 44. three thousand eight hundred sixty-six dollars  
8 (\$3,866) to make improvements for building code compliance,  
9 including purchase and installation of equipment, to the  
10 Chamisal senior center in Taos county;

11 45. thirty-five thousand dollars (\$35,000) to  
12 purchase and equip vehicles for the Chamisal senior center in  
13 Taos county;

14 46. three thousand eight hundred sixty-six dollars  
15 (\$3,866) to make improvements for building code compliance,  
16 including purchase and installation of equipment, to the Questa  
17 senior center in Taos county;

18 47. sixteen thousand one hundred twenty-nine  
19 dollars (\$16,129) to make improvements for building code  
20 compliance, including purchase and installation of equipment,  
21 to the Des Moines senior center in Union county; and

22 48. one hundred sixty-one thousand dollars  
23 (\$161,000) to purchase and equip vehicles for senior centers  
24 countywide in Valencia county.

25 SECTION 5. CAPITAL PROGRAM FUND PROJECTS--SEVERANCE TAX

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1 BONDS.--Pursuant to the provisions of Section 1 of this act,  
2 upon certification by the property control division of the  
3 general services department that the need exists for the  
4 issuance of the bonds, the following amounts are appropriated  
5 to the capital program fund for the following purposes:

6 1. five hundred thousand dollars (\$500,000) to  
7 purchase and install shelving for storage of public records at  
8 the commission of public records facility in Albuquerque in  
9 Bernalillo county;

10 2. three hundred thousand dollars (\$300,000) for  
11 improvements and upgrades at the human services department  
12 commodities warehouse in Albuquerque in Bernalillo county;

13 3. two hundred thousand dollars (\$200,000) to  
14 design and upgrade the heating, ventilation and air  
15 conditioning systems at the workforce solutions department  
16 administration building in Albuquerque in Bernalillo county;

17 4. one million dollars (\$1,000,000) to plan,  
18 design, construct, renovate, equip and furnish improvements,  
19 including lighting and upgrades for safety and code compliance,  
20 at the workforce solutions department administration building  
21 in Albuquerque in Bernalillo county;

22 5. one million two hundred thousand dollars  
23 (\$1,200,000) to construct a water and wastewater system to meet  
24 environmental standards and regulations at the Roswell  
25 correctional facility in Chaves county;

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1           6. five hundred thousand dollars (\$500,000) to  
2 plan, design and construct water, wastewater and erosion  
3 control improvements at the western New Mexico correctional  
4 facility in Cibola county;

5           7. fifty thousand dollars (\$50,000) to plan and  
6 design the renovation and expansion of the workforce connection  
7 center in Deming in Luna county;

8           8. two million nine hundred thousand dollars  
9 (\$2,900,000) to design, renovate and equip the kitchens at the  
10 southern New Mexico correctional facility in Dona Ana county  
11 and the central New Mexico correctional facility in Valencia  
12 county;

13           9. ten million dollars (\$10,000,000) to design and  
14 upgrade the heating, ventilation and air conditioning systems  
15 and infrastructure at the southern New Mexico correctional  
16 facility in Dona Ana county, the central New Mexico  
17 correctional facility in Valencia county and the western New  
18 Mexico correctional facility in Cibola county;

19           10. one million three hundred thousand dollars  
20 (\$1,300,000) to acquire land for and plan and design a juvenile  
21 detention facility to implement Cambiar New Mexico in the  
22 southeastern part of the state;

23           11. two million dollars (\$2,000,000) to design and  
24 upgrade infrastructure and renovate, equip and furnish  
25 facilities at the youth diagnostic and development center

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1 campus in Albuquerque in Bernalillo county and the John Paul  
2 Taylor center in Las Cruces in Dona Ana county;

3 12. seven hundred thousand dollars (\$700,000) to  
4 plan, design, renovate, equip, furnish and expand the New  
5 Mexico state police district office in Espanola in Rio Arriba  
6 county;

7 13. five hundred thousand dollars (\$500,000) to  
8 design and stabilize the foundations of buildings at the New  
9 Mexico behavioral health institute in Las Vegas in San Miguel  
10 county;

11 14. one million five hundred thousand dollars  
12 (\$1,500,000) to design and upgrade boilers and related  
13 infrastructure at the New Mexico behavioral health institute in  
14 Las Vegas in San Miguel county;

15 15. three hundred thousand dollars (\$300,000) to  
16 purchase, design and install chillers at the New Mexico  
17 behavioral health institute in Las Vegas in San Miguel county;

18 16. two million five hundred thousand dollars  
19 (\$2,500,000) for design and infrastructure improvements at the  
20 New Mexico behavioral health institute in Las Vegas in San  
21 Miguel county;

22 17. four million five hundred thousand dollars  
23 (\$4,500,000) to construct, furnish and equip the New Meadows  
24 buildings at the New Mexico behavioral health institute in Las  
25 Vegas in San Miguel county;

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1           18. one million three hundred thousand dollars  
2           (\$1,300,000) for design and roof replacement at the New Mexico  
3 behavioral health institute in Las Vegas in San Miguel county;

4           19. one million five hundred thousand dollars  
5           (\$1,500,000) for design and security upgrades at the New Mexico  
6 behavioral health institute in Las Vegas in San Miguel county;

7           20. fifty thousand dollars (\$50,000) to plan and  
8 design the renovation and expansion of the workforce connection  
9 center in Las Vegas in San Miguel county;

10          21. two million six hundred twenty-five thousand  
11 six hundred dollars (\$2,625,600) to design, renovate and  
12 furnish the dormitories, including fire suppression and  
13 heating, ventilation and air conditioning systems, at the New  
14 Mexico law enforcement academy in Santa Fe county;

15          22. one million two hundred thousand dollars  
16 (\$1,200,000) to design, renovate, improve, furnish and make  
17 infrastructure improvements to the Runnels building, including  
18 heating, ventilation and air conditioning and electrical  
19 systems, and to plan, design and develop the site at the south  
20 capitol campus in Santa Fe county;

21          23. ten million dollars (\$10,000,000) for  
22 infrastructure improvements and renovations at the Lujan  
23 building in Santa Fe in Santa Fe county;

24          24. six million five hundred thousand dollars  
25 (\$6,500,000) to construct, furnish and equip the Alzheimer's

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1 skilled nursing unit at the New Mexico state veterans' home in  
2 Truth or Consequences in Sierra county;

3 25. two million six hundred thousand dollars  
4 (\$2,600,000) to design and improve infrastructure at the New  
5 Mexico state veterans' home in Truth or Consequences in Sierra  
6 county;

7 26. seven hundred thousand dollars (\$700,000) for  
8 design and heating, ventilation and air conditioning system  
9 improvements and system isolation at the New Mexico state  
10 veterans' home in Truth or Consequences in Sierra county;

11 27. three million dollars (\$3,000,000) to upgrade,  
12 repair and equip correctional facilities statewide;

13 28. two million dollars (\$2,000,000) for  
14 demolition, decommissioning and hazardous materials abatement  
15 of state buildings, including structures on the campuses of Los  
16 Lunas training hospital in Valencia county, Fort Bayard medical  
17 center in Grant county, the old Roswell rehabilitation center  
18 in Chaves county, the oil conservancy building in Hobbs in Lea  
19 county and the youth diagnostic and development center in  
20 Albuquerque in Bernalillo county; and

21 29. five million dollars (\$5,000,000) for repairs,  
22 renovations, deferred maintenance, restoration infrastructure  
23 improvements and construction at state buildings statewide.

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

5 1. seven hundred fifty thousand dollars (\$750,000)  
6 to construct the education center at the New Mexico museum of  
7 natural history and science in Albuquerque in Bernalillo  
8 county;

9 2. two hundred twenty-five thousand dollars  
10 (\$225,000) for landscaping, signage and purchasing and  
11 installing furniture, fixtures and equipment at the national  
12 Hispanic cultural center in Albuquerque in Bernalillo county;

13 3. five hundred thousand dollars (\$500,000) to  
14 design, construct and install exhibits at Bosque Redondo  
15 memorial at Fort Sumner state monument in De Baca county;

16 4. one million dollars (\$1,000,000) to construct  
17 and install outdoor exhibits and security fencing at the New  
18 Mexico farm and ranch heritage museum in Las Cruces in Dona Ana  
19 county;

20 5. one hundred thousand dollars (\$100,000) for  
21 property acquisition at Fort Selden state monument in Radium  
22 Springs in Dona Ana county;

23 6. five hundred thousand dollars (\$500,000) to  
24 construct, purchase and install water infrastructure,  
25 furniture, fixtures and equipment at the center for New Mexico

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1 archaeology in Santa Fe county; and

2 7. four million dollars (\$4,000,000) for repairs,  
3 upgrades and renovations at state museums and monuments  
4 statewide.

5 SECTION 7. CUMBRES AND TOLTEC SCENIC RAILROAD COMMISSION  
6 PROJECTS--SEVERANCE TAX BONDS.--Pursuant to the provisions of  
7 Section 1 of this act, upon certification by the Cumbres and  
8 Toltec scenic railroad commission that the need exists for the  
9 issuance of the bonds, the following amounts are appropriated  
10 to the Cumbres and Toltec scenic railroad commission for the  
11 following purposes:

12 1. one million dollars (\$1,000,000) for track  
13 rehabilitation and improvements to the Cumbres and Toltec  
14 scenic railroad in Rio Arriba county; and

15 2. five hundred thousand dollars (\$500,000) to  
16 rehabilitate the boiler system and make other improvements to  
17 comply with federal standards.

18 SECTION 8. ECONOMIC DEVELOPMENT DEPARTMENT PROJECTS--  
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 the following amounts are appropriated to the economic  
23 development department for the following purposes:

24 1. one million dollars (\$1,000,000) for mainstreet  
25 infrastructure and renovation projects statewide; and

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1           2. eight million dollars (\$8,000,000) for economic  
2 development projects statewide pursuant to the Local Economic  
3 Development Act.

4           **SECTION 9. PUBLIC EDUCATION DEPARTMENT PROJECT--SEVERANCE**  
5 **TAX BONDS.**--Pursuant to the provisions of Section 1 of this  
6 act, upon certification by the public education department that  
7 the need exists for the issuance of the bonds, four million  
8 three hundred thousand dollars (\$4,300,000) is appropriated to  
9 the public education department to purchase school buses  
10 statewide.

11           **SECTION 10. ENERGY, MINERALS AND NATURAL RESOURCES**  
12 **DEPARTMENT PROJECT--SEVERANCE TAX BONDS.**--Pursuant to the  
13 provisions of Section 1 of this act, upon certification by the  
14 energy, minerals and natural resources department that the need  
15 exists for the issuance of the bonds, two million dollars  
16 (\$2,000,000) is appropriated to the energy, minerals and  
17 natural resources department to purchase and equip fire engines  
18 and conduct wildfire mitigation and forest restoration projects  
19 statewide.

20           **SECTION 11. OFFICE OF THE STATE ENGINEER PROJECTS--**  
21 **SEVERANCE TAX BONDS.**--Pursuant to the provisions of Section 1  
22 of this act, upon certification by the office of the state  
23 engineer that the need exists for the issuance of the bonds,  
24 the following amounts are appropriated to the office of the  
25 state engineer for the following purposes:

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1           1. three million seven hundred thousand dollars  
2           (\$3,700,000) to construct the dam spillway in Springer in  
3           Colfax county and for emergency dam repairs statewide; and

4           2. five hundred thousand dollars (\$500,000) to  
5           purchase and install surface and ground water meters to assess  
6           water use, water supply, impairment, public welfare,  
7           conservation and water accountability statewide.

8           **SECTION 12. INDIAN WATER RIGHTS SETTLEMENT--SEVERANCE TAX**  
9           **BONDS.**--Pursuant to the provisions of Section 1 of this act,  
10          upon certification by the office of the state engineer that the  
11          need exists for the issuance of the bonds, fifteen million  
12          dollars (\$15,000,000) is appropriated to the Indian water  
13          rights settlement fund. Notwithstanding the requirement for a  
14          joint resolution of the legislature in Subsection A of Section  
15          72-1-11 NMSA 1978, if corresponding commitments have been made  
16          for the federal portion of the settlement in the *Navajo Nation*,  
17          *Taos* and *Aamodt* cases, the money may be expended by the  
18          interstate stream commission in fiscal year 2012 and subsequent  
19          fiscal years to implement the state's portion of the  
20          settlement, and any unexpended or unencumbered balances shall  
21          not revert at the end of a fiscal year.

22          **SECTION 13. DEPARTMENT OF ENVIRONMENT PROJECTS--SEVERANCE**  
23          **TAX BONDS.**--Pursuant to the provisions of Section 1 of this  
24          act, upon certification by the department of environment that  
25          the need exists for the issuance of the bonds, the following

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1 amounts are appropriated to the department of environment for  
2 the following purposes:

3 1. one million five hundred thousand dollars  
4 (\$1,500,000) to plan, design and construct improvements to the  
5 water supply and distribution system, including replacing wells  
6 and fire pumps, serving Santa Teresa and surrounding areas of  
7 Dona Ana county;

8 2. seven hundred thousand dollars (\$700,000) to  
9 plan, design, construct and equip a wastewater treatment  
10 facility serving the Santa Teresa port of entry, industrial  
11 areas and surrounding communities in Dona Ana county; and

12 3. five million dollars (\$5,000,000) to the special  
13 appropriations program for completion of water and wastewater  
14 projects impacting the health and safety of the general public  
15 at the local government level statewide; provided that the  
16 project eligibility be prioritized by the construction programs  
17 bureau of the department of environment and reviewed by the  
18 department of finance and administration and the legislative  
19 finance committee; and provided further that the allocations  
20 shall be subject to approval by the state board of finance.

21 **SECTION 14. STATE FAIR COMMISSION PROJECT--SEVERANCE TAX**  
22 **BONDS.--**Pursuant to the provisions of Section 1 of this act,  
23 upon certification by the state fair commission that the need  
24 exists for the issuance of the bonds, four million dollars  
25 (\$4,000,000) is appropriated to the state fair commission for

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1 deferred maintenance improvements, including fire suppression  
2 and electrical infrastructure, at the New Mexico state  
3 fairgrounds in Albuquerque in Bernalillo county.

4 SECTION 15. DEPARTMENT OF FINANCE AND ADMINISTRATION  
5 PROJECT--SEVERANCE TAX BONDS.--Pursuant to the provisions of  
6 Section 1 of this act, upon certification by the department of  
7 finance and administration that the need exists for the  
8 issuance of the bonds, ten million dollars (\$10,000,000) is  
9 appropriated to the department of finance and administration  
10 for completion of projects impacting the health and safety of  
11 the general public at the local government level statewide;  
12 provided that the criteria and application process for project  
13 eligibility shall be developed by the department of finance and  
14 administration, the legislative council service and the  
15 legislative finance committee; and provided further that the  
16 criteria, application process and allocations shall be subject  
17 to review by the legislative finance committee and approval by  
18 the state board of finance.

19 SECTION 16. DEPARTMENT OF HEALTH PROJECTS--SEVERANCE TAX  
20 BONDS.--Pursuant to the provisions of Section 1 of this act,  
21 upon certification by the department of health that the need  
22 exists for the issuance of the bonds, the following amounts are  
23 appropriated to the department of health for the following  
24 purposes:

25 1. one million three hundred thousand dollars

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1 (\$1,300,000) to purchase and install equipment at the New  
2 Mexico behavioral health institute in Las Vegas in San Miguel  
3 county;

4 2. two hundred thousand dollars (\$200,000) for  
5 vehicle replacement to comply with the Americans with  
6 Disabilities Act of 1990 at the New Mexico behavioral health  
7 institute in Las Vegas in San Miguel county; and

8 3. four hundred fifty thousand dollars (\$450,000)  
9 to purchase and install analytical equipment for the scientific  
10 laboratory division in Albuquerque in Bernalillo county.

11 SECTION 17. HUMAN SERVICES DEPARTMENT PROJECTS--SEVERANCE  
12 TAX BONDS.--Pursuant to the provisions of Section 1 of this  
13 act, upon certification by the human services department that  
14 the need exists for the issuance of the bonds, the following  
15 amounts are appropriated to the human services department for  
16 the following purposes:

17 1. two hundred fifty thousand dollars (\$250,000) to  
18 upgrade voice and data wiring and purchase and install backup  
19 cooling units for the computer systems at human services  
20 department offices in Farmington, Hobbs, Albuquerque and  
21 Espanola; and

22 2. thirteen million six hundred thousand dollars  
23 (\$13,600,000) to plan, design, purchase and install information  
24 technology, including related infrastructure. Before the human  
25 services department may certify the need for issuance of

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1 severance tax bonds, the department of finance and  
2 administration shall verify that the human services department  
3 or the department of information technology, or both, have:

4 (a) included specific deliverables in distinct  
5 phases for all contracts so that only the amount to be expended  
6 in a single year can be encumbered, including deliverables of  
7 any contract for integrator or project management office  
8 services;

9 (b) ensured that the project sufficiently  
10 redesigns current business process to eliminate obsolete or  
11 outdated practices;

12 (c) received written approval from the  
13 compliance and project management division of the department of  
14 information technology for each phase;

15 (d) received written approval from the federal  
16 funding agencies;

17 (e) provided copies of monthly written reports  
18 and approvals, including any independent validation and  
19 verification reports, to the governor, the department of  
20 finance and administration and the legislative finance  
21 committee; and

22 (f) provided quarterly reports to the  
23 department of finance and administration and the legislative  
24 finance committee on their oversight activities of the project.

25 **SECTION 18. DEPARTMENT OF INFORMATION TECHNOLOGY**

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1 PROJECTS--SEVERANCE TAX BONDS.--Pursuant to the provisions of  
2 Section 1 of this act, upon certification by the department of  
3 information technology that the need exists for the issuance of  
4 the bonds, the following amounts are appropriated to the  
5 department of information technology for the following  
6 purposes:

7 1. five hundred thousand dollars (\$500,000) to  
8 upgrade infrastructure for the state's enterprise email system;

9 2. two million six hundred thousand dollars  
10 (\$2,600,000) for two-way radios and antenna systems and  
11 upgrades to support radio communications for agencies  
12 statewide; and

13 3. five hundred thousand dollars (\$500,000) for  
14 telephone system upgrades statewide.

15 SECTION 19. DEPARTMENT OF MILITARY AFFAIRS PROJECT--  
16 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1  
17 of this act, upon certification by the department of military  
18 affairs that the need exists for the issuance of the bonds, one  
19 million six hundred thousand dollars (\$1,600,000) is  
20 appropriated to the department of military affairs to design  
21 and construct a readiness center in Farmington in San Juan  
22 county.

23 SECTION 20. DEPARTMENT OF PUBLIC SAFETY PROJECT--  
24 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1  
25 of this act, upon certification by the department of public

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1 safety that the need exists for the issuance of the bonds, four  
2 million dollars (\$4,000,000) is appropriated to the department  
3 of public safety to purchase and equip vehicles, including  
4 installing satellite communication upgrades.

5 SECTION 21. NEW MEXICO SCHOOL FOR THE BLIND AND VISUALLY  
6 IMPAIRED AND NEW MEXICO SCHOOL FOR THE DEAF PROJECTS--PUBLIC  
7 SCHOOL CAPITAL OUTLAY FUND--SEVERANCE TAX BONDS.--Pursuant to  
8 the provisions of Section 1 of this act, upon certification by  
9 the public school capital outlay council that the need exists  
10 for the issuance of the bonds, the following amounts are  
11 appropriated to the public school capital outlay fund for the  
12 following purposes:

13 1. eight hundred fifty thousand dollars (\$850,000)  
14 for renovating Watkins education center and for other  
15 infrastructure improvements to address critical deficiencies  
16 and to comply with the requirements of the Americans with  
17 Disabilities Act of 1990 at the New Mexico school for the blind  
18 and visually impaired in Alamogordo in Otero county; and

19 2. one million eight hundred fifty thousand dollars  
20 (\$1,850,000) for improvements, including fire suppression and  
21 improvements to comply with the Americans with Disabilities Act  
22 of 1990, and other renovations to Dillon hall and to address  
23 critical deficiencies at the New Mexico school for the deaf in  
24 Santa Fe in Santa Fe county.

25 SECTION 22. SECRETARY OF STATE PROJECT--SEVERANCE TAX

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1 BONDS.--Pursuant to the provisions of Section 1 of this act,  
2 upon certification by the secretary of state that the need  
3 exists for the issuance of the bonds, seven hundred thousand  
4 dollars (\$700,000) is appropriated to the secretary of state  
5 for information technology upgrades, including computers and  
6 servers, at the secretary of state's office in Santa Fe in  
7 Santa Fe county.

8 SECTION 23. SUPREME COURT BUILDING COMMISSION PROJECTS--

9 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1  
10 of this act, upon certification by the supreme court building  
11 commission that the need exists for the issuance of the bonds,  
12 the following amounts are appropriated to the supreme court  
13 building commission for the following purposes:

14 1. three million dollars (\$3,000,000) for upgrades,  
15 electrical infrastructure and renovations, including  
16 improvements to comply with the Americans with Disabilities Act  
17 of 1990, at the supreme court law library in Santa Fe in Santa  
18 Fe county; and

19 2. seven hundred eighty thousand dollars (\$780,000)  
20 to replace or upgrade the roof at the supreme court building in  
21 Santa Fe in Santa Fe county.

22 SECTION 24. TAXATION AND REVENUE DEPARTMENT PROJECTS--

23 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1  
24 of this act, upon certification by the taxation and revenue  
25 department that the need exists for the issuance of the bonds,

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1 the following amounts are appropriated to the taxation and  
2 revenue department for the following purposes:

3 1. three hundred thirty thousand dollars (\$330,000)  
4 to purchase and install mail extraction units in Santa Fe in  
5 Santa Fe county; and

6 2. two hundred fifty thousand dollars (\$250,000) to  
7 purchase and install microfilm equipment, including scanners  
8 for the image processing unit, in Santa Fe in Santa Fe county.

9 SECTION 25. DEPARTMENT OF TRANSPORTATION PROJECT--  
10 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1  
11 of this act, upon certification by the department of  
12 transportation that the need exists for the issuance of the  
13 bonds, three hundred fifty thousand dollars (\$350,000) is  
14 appropriated to the department of transportation to construct a  
15 commercial lane, including related infrastructure, on the  
16 southbound road at the port of entry in Santa Teresa in Dona  
17 Ana county.

18 SECTION 26. STATE ROAD FUND PROJECT--SEVERANCE TAX  
19 BONDS.--Pursuant to the provisions of Section 1 of this act,  
20 upon certification by the department of transportation that the  
21 need exists for the issuance of the bonds, forty-two million  
22 fifteen thousand dollars (\$42,015,000) is appropriated to the  
23 state road fund for state highway improvements, including  
24 pavement preservation treatments, pavement overlay,  
25 rehabilitation and highway reconstruction statewide.

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1           **SECTION 27. WASTEWATER FACILITY CONSTRUCTION LOAN FUND**  
2 PROJECT--SEVERANCE TAX BONDS.--Pursuant to the provisions of  
3 Section 1 of this act, upon certification by the department of  
4 environment that the need exists for the issuance of the bonds,  
5 one million four hundred forty-four thousand four hundred  
6 dollars (\$1,444,400) is appropriated to the wastewater facility  
7 construction loan fund to implement the provisions of the  
8 Wastewater Facility Construction Loan Act or to provide state  
9 matching funds required by the terms of any federal grant under  
10 the Clean Water Act.

11           **SECTION 28. DEPARTMENT OF GAME AND FISH PROJECTS--**  
12 **APPROPRIATIONS FROM THE GAME AND FISH BOND RETIREMENT FUND.--**  
13 The following amounts are appropriated from the game and fish  
14 bond retirement fund to the department of game and fish for  
15 expenditure in fiscal years 2011 through 2015, unless otherwise  
16 provided for in Section 2 of this act, for the following  
17 purposes:

18                   1. two hundred fifty thousand dollars (\$250,000)  
19 for wildlife management area facility improvements statewide;  
20 and

21                   2. three hundred thousand dollars (\$300,000) to  
22 replace water pipelines at the hatchery in Red River in Taos  
23 county.

24           **SECTION 29. DEPARTMENT OF GAME AND FISH PROJECTS--**  
25 **APPROPRIATIONS FROM THE GAME PROTECTION FUND.--**The following  
  
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1 amounts are appropriated from the game protection fund to the  
2 department of game and fish for expenditure in fiscal years  
3 2011 through 2015, unless otherwise provided for in Section 2  
4 of this act, for the following purposes:

5 1. one hundred twenty-five thousand dollars  
6 (\$125,000) for improvements related to safety compliance at the  
7 Clayton, Snow, Quemado and Hopewell lake fisheries and their  
8 associated dams and spillways; and

9 2. two hundred thousand dollars (\$200,000) to  
10 replace water pipelines at the hatchery in Red River in Taos  
11 county.

12 **SECTION 30. DEPARTMENT OF GAME AND FISH PROJECT--**  
13 **APPROPRIATION FROM THE HABITAT MANAGEMENT FUND.--**Two hundred  
14 fifty thousand dollars (\$250,000) is appropriated from the  
15 habitat management fund to the department of game and fish for  
16 expenditure in fiscal years 2011 through 2015, unless otherwise  
17 provided for in Section 2 of this act, for improvements related  
18 to safety compliance at the Clayton, Snow, Quemado and Hopewell  
19 lake fisheries and their associated dams and spillways.

20 **SECTION 31. DEPARTMENT OF TRANSPORTATION PROJECT--**  
21 **APPROPRIATION FROM THE STATE ROAD FUND.--**Three hundred fifty  
22 thousand dollars (\$350,000) is appropriated from the state road  
23 fund to the department of transportation for expenditure in  
24 fiscal years 2011 through 2015, unless otherwise provided for  
25 in Section 2 of this act, for purchase, installation and

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1 construction of salt storage facilities statewide.

2 SECTION 32. PROJECT SCOPE--EXPENDITURES.--If an  
3 appropriation for a project authorized in this act is not  
4 sufficient to complete all the purposes specified, the  
5 appropriation may be expended for any portion of the purposes  
6 specified in the appropriation. Expenditures shall not be made  
7 for purposes other than those specified in the appropriation.

8 SECTION 33. ART IN PUBLIC PLACES.--Pursuant to Section  
9 13-4A-4 NMSA 1978 and where applicable, the appropriations  
10 authorized in this act include one percent for the art in  
11 public places fund.

12 SECTION 34. EMERGENCY.--It is necessary for the public  
13 peace, health and safety that this act take effect immediately.