

SENATE RULES COMMITTEE SUBSTITUTE FOR  
SENATE BILL 507

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

AN ACT

RELATING TO PUBLIC MONEY; INCREASING FISCAL AND PROGRAMMATIC  
SCRUTINY OF CAPITAL OUTLAY EXPENDITURES; REQUIRING  
COMPREHENSIVE FIVE-YEAR PLANS; CREATING THE CAPITAL OUTLAY  
PLANNING AND MONITORING DIVISION IN THE DEPARTMENT OF FINANCE  
AND ADMINISTRATION; CREATING A JOINT PERMANENT LEGISLATIVE  
CAPITAL OUTLAY REVIEW COMMITTEE; PROVIDING POWERS AND DUTIES;  
CREATING A FUND; MAKING TRANSFERS; MAKING AN APPROPRIATION.

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

SECTION 1. [NEW MATERIAL] CAPITAL OUTLAY REVIEW COMMITTEE  
CREATED--MEMBERSHIP--APPOINTMENT--VACANCIES.--

A. The "capital outlay review committee" is created  
as a permanent joint interim legislative committee. The  
committee shall be composed of seven members from the house of  
representatives and seven members from the senate appointed by

.193815A.2

underscored material = new  
[bracketed material] = delete

1 the New Mexico legislative council. The members of the capital  
2 outlay review committee shall be appointed from each house so  
3 as to give the two political parties having the most members in  
4 each house the same total proportionate representation on the  
5 committee as prevails in that house; provided that in the  
6 computation, major fractions shall be counted as whole numbers,  
7 and in no event shall either of the two major parties have less  
8 than one member from each house. The members shall serve for  
9 terms of two years or less expiring on the first day of the  
10 regular session held in odd-numbered years. A member may be  
11 removed from the committee by the New Mexico legislative  
12 council for nonattendance according to New Mexico legislative  
13 council policy.

14 B. No action shall be taken by the committee if a  
15 majority of the total membership from either house on the  
16 council rejects such action.

17 C. The chairship of the committee shall rotate  
18 between the house and the senate, and for the fifty-first  
19 legislature, the chairperson shall be a senate member and the  
20 vice chairperson shall be a house member.

21 SECTION 2. [NEW MATERIAL] SUBCOMMITTEES.--Subcommittees  
22 may be created only by majority vote of all members appointed  
23 to the capital outlay review committee. A subcommittee shall  
24 be composed of at least one member from the house of  
25 representatives and one member from the senate, and at least

1 one member of the minority party shall be a member of the  
2 subcommittee. All meetings and expenditures of a subcommittee  
3 shall be approved by the full committee in advance of the  
4 meeting or expenditure, and the approval shall be shown in the  
5 minutes of the committee.

6 SECTION 3. [NEW MATERIAL] CAPITAL OUTLAY REVIEW COMMITTEE  
7 DUTIES.--

8 A. The capital outlay review committee shall:

9 (1) oversee functions and processes of the  
10 capital outlay planning and monitoring of the several state  
11 agencies that propose or review capital project requests  
12 pursuant to the Capital Outlay Planning and Monitoring Act;

13 (2) adopt standards and guidelines for  
14 evaluating requests for capital project funding, including  
15 consideration of how singular projects fit in with the state  
16 capital improvements plan and how they maximize federal, state  
17 and local revenue sources;

18 (3) adopt a standard capital project request  
19 form that includes the information required by staff and the  
20 committee to evaluate requests;

21 (4) prioritize capital project requests  
22 received from the capital outlay planning and monitoring  
23 division and from legislators based on the standards and  
24 guidelines and make recommendations to the legislature for  
25 funding the prioritized projects;

.193815A.2

1 (5) require periodic reports from state  
2 agencies, institutions, instrumentalities and local governments  
3 that receive funding for state and local capital projects to  
4 ensure that:

5 (a) funded capital projects are  
6 implemented in a cost-effective manner and consistent with the  
7 purpose of the appropriation;

8 (b) funded capital projects are  
9 proceeding in a timely manner; and

10 (c) money is reverted to the funding  
11 source of the capital project in a timely manner;

12 (6) conduct ongoing reviews of state and local  
13 infrastructure capital improvements plans and report to the  
14 legislature;

15 (7) directly or through its staff participate  
16 in hearings held by the capital outlay planning and monitoring  
17 division and other hearings held by state agencies responsible  
18 for reviewing capital project proposals and planning; and

19 (8) perform such other duties as it deems  
20 necessary or that are assigned to it by the New Mexico  
21 legislative council.

22 B. Unless otherwise provided by law, the following  
23 proposed capital projects are exempt from committee review,  
24 though not from consideration of the projects in relation to  
25 the state capital improvements plan:

.193815A.2

- 1 (1) capital projects funded pursuant to the  
 2 Public School Capital Outlay Act;  
 3 (2) department of transportation road projects  
 4 funded in whole or in part by federal highway funding; and  
 5 (3) capital projects that will be funded by  
 6 loans or grants from the New Mexico finance authority and not  
 7 from the general fund.

8 SECTION 4. [NEW MATERIAL] STAFF.--

9 A. The staff for the capital outlay review  
 10 committee shall be provided by the legislative council service  
 11 and the legislative finance committee.

12 B. The legislative council service and the  
 13 legislative finance committee may, subject to legislative  
 14 appropriation:

15 (1) appoint and employ such professional,  
 16 technical and clerical assistance as they and the committee  
 17 deem necessary to carry out the duties of the committee; and

18 (2) enter into contracts for professional,  
 19 technical or clerical assistance as necessary.

20 SECTION 5. [NEW MATERIAL] INTERAGENCY COOPERATION.--

21 A. Each agency, institution and instrumentality of  
 22 the state and local governments shall, upon request, assist the  
 23 capital outlay review committee in carrying out its duties.

24 B. The agencies that fund exempt capital projects  
 25 or that approve capital project funding that has not been

.193815A.2

underscored material = new  
 [bracketed material] = delete

1 evaluated by the committee, including community development  
2 projects, public school facilities authority projects,  
3 transportation projects and loan or grant fund projects, shall  
4 provide timely reports to the committee that describe those  
5 projects and provide funding amounts and other information  
6 requested by the committee to ensure interagency coordination  
7 in the evaluation, funding and monitoring of capital projects.

8       **SECTION 6. [NEW MATERIAL] AUDITS.**--The committee may  
9 request the legislative finance committee, the state auditor or  
10 the capital outlay planning and monitoring division of the  
11 department of finance and administration to conduct financial,  
12 compliance or performance audits on any capital project.

13       **SECTION 7. [NEW MATERIAL] SHORT TITLE--CAPITAL OUTLAY**  
14 **PLANNING AND MONITORING ACT.**--Sections 7 through 14 of this act  
15 may be cited as the "Capital Outlay Planning and Monitoring  
16 Act".

17       **SECTION 8. [NEW MATERIAL] DEFINITIONS.**--As used in the  
18 Capital Outlay Planning and Monitoring Act:

19           A. "capital project" means the acquisition, repair,  
20 alteration, demolition, renovation, construction or  
21 reconstruction of a public building or other public works owned  
22 by the state or a political subdivision, including planning and  
23 design and professional engineering, surveying, architectural  
24 and landscape architectural services directly related to the  
25 capital project; purchase of land for a public building or

1 other public works; site improvements to public property;  
2 purchase and installation of equipment of a long-term nature  
3 for a public building or other public works; purchase of  
4 furniture as part of a renovation or construction of a public  
5 building; purchase of motor vehicles or heavy equipment with a  
6 life expectancy of five years or more; and hardware and  
7 software for voice, radio, video and data communications; and

8 B. "division" means the capital outlay planning and  
9 monitoring division of the department of finance and  
10 administration.

11 SECTION 9. [NEW MATERIAL] DIVISION CREATED--POWERS AND  
12 DUTIES.--

13 A. The "capital outlay planning and monitoring  
14 division" is created in the department of finance and  
15 administration. The division shall:

16 (1) direct capital project planning for the  
17 executive branch, for state institutions and for local  
18 governments that seek state funding for capital projects,  
19 either directly or through coordination with other responsible  
20 state and local agencies;

21 (2) coordinate with the New Mexico finance  
22 authority, the New Mexico mortgage finance authority and  
23 federal agencies that provide capital project funding for local  
24 governments, other eligible entities and rural areas;

25 (3) work with state agencies, state

.193815A.2

1 institutions, local governments and the legislature to develop  
2 priorities to be funded through the legislature's capital  
3 outlay process;

4 (4) make recommendations to the governor on  
5 capital projects to be proposed for funding by the legislature;

6 (5) oversee, either directly or through other  
7 responsible state agencies, all state-funded capital projects  
8 to ensure timely execution of approved capital projects, proper  
9 expenditures of state funding and timely reversion of  
10 unexpended balances;

11 (6) develop procedures to ensure current and  
12 complete accounting and reporting on capital projects;

13 (7) maintain a central database on capital  
14 projects that includes the up-to-date fiscal and programmatic  
15 status of each capital project;

16 (8) identify stagnant capital projects that  
17 should be deauthorized or capital projects that have been  
18 completed and fund balances that should be reverted;

19 (9) provide training and assistance to state  
20 agencies and political subdivisions on planning, budgeting and  
21 administration of capital projects, including proper accounting  
22 and monitoring and completion of capital projects within  
23 statutory deadlines and the reversion of unexpended funds as  
24 required by law; and

25 (10) work with the board of finance division

1 of the department of finance and administration to ensure that  
 2 capital projects authorized by the legislature are properly  
 3 certified for the issuance of bonds and to ensure that capital  
 4 projects proceed in a timely manner and meet federal and state  
 5 requirements.

6 B. The division may conduct financial, compliance  
 7 and performance audits on capital projects on its own or in  
 8 conjunction with the state auditor or legislative committees.

9 C. All state agencies, institutions and  
 10 instrumentalities shall assist the division as required for the  
 11 division to carry out its duties.

12 SECTION 10. [NEW MATERIAL] PLANNING COMMITTEE.--

13 A. The "executive capital planning committee" is  
 14 created as an interagency and intergovernmental planning and  
 15 coordination committee to assist the division in carrying out  
 16 its duties. The committee shall include employees of the  
 17 following agencies or other entities who have direct  
 18 responsibility for planning or overseeing capital projects for  
 19 their agencies or entities:

- 20 (1) the property control division of the  
 21 general services department;
- 22 (2) the capitol buildings planning commission;
- 23 (3) the cultural affairs department;
- 24 (4) the local government division of the  
 25 department of finance and administration;

.193815A.2

- 1 (5) the department of environment;
- 2 (6) the aging and long-term services
- 3 department;
- 4 (7) the higher education department;
- 5 (8) the department of transportation;
- 6 (9) the New Mexico finance authority; and
- 7 (10) the councils of governments.

8 B. The division shall invite representatives of  
9 federal agencies that provide loans and grants to New Mexico  
10 communities for infrastructure and other capital projects to  
11 participate in meetings of the committee and may invite other  
12 participants as it deems necessary.

13 C. The division shall not pay per diem and mileage  
14 or any other compensation, perquisite or allowance to members  
15 of the committee for service in the committee.

16 D. The committee shall assist the division in  
17 capital planning and the development of the state capital  
18 improvements plan.

19 SECTION 11. [NEW MATERIAL] STATE CAPITAL IMPROVEMENTS  
20 PLAN.--

21 A. The division, the property control division of  
22 the general services department and the local government  
23 division of the department of finance and administration shall,  
24 with the assistance of the executive capital planning  
25 committee, prepare and annually update a five-year "state

.193815A.2

1 capital improvements plan" that details the major capital  
2 projects recommended to be undertaken by the state or to be  
3 undertaken with state aid or under state regulation. The plan  
4 shall:

5 (1) include an economic forecast and a  
6 discussion of economic activities that bear on the need for  
7 state or local infrastructure and how completed capital  
8 projects have changed the prior-year plan;

9 (2) include a description of outstanding  
10 capital projects being funded with state money, their estimated  
11 completion date, their initial cost, their estimated completion  
12 cost and their estimated operational costs for the first five  
13 years;

14 (3) classify capital projects with respect to  
15 urgency and need for realization;

16 (4) recommend a time sequence for construction  
17 or purchase of specific capital projects;

18 (5) contain an estimated cost of each capital  
19 project, as well as the probable operating and maintenance  
20 costs of each project;

21 (6) identify any revenue that will be  
22 generated by a capital project;

23 (7) identify existing or additional sources of  
24 funds needed for construction and operation of each capital  
25 project;

.193815A.2

1 (8) identify the governmental owner of every  
2 capital project; and

3 (9) provide other information for any capital  
4 project or for the state capital improvements plan as  
5 determined by the division.

6 B. All capital project recommendations of the  
7 executive shall be based on the state capital improvements  
8 plan.

9 C. A state agency, local government or other  
10 potential recipient of state capital outlay funds is not  
11 eligible for a capital project if it is not current on its  
12 annual audit or has a plan approved by the state auditor for  
13 completion of its audit. A local government shall be current  
14 on its budget and quarterly report submissions to the local  
15 government division of the department of finance and  
16 administration.

17 SECTION 12. [NEW MATERIAL] CAPITAL PROJECT REQUESTS--  
18 GUIDELINES--INFRASTRUCTURE CAPITAL IMPROVEMENTS PLANS--  
19 SUBMISSION TO DIVISION.--

20 A. By January 15 of each year, the division shall  
21 publish capital project guidelines to be followed by all state  
22 agencies and local governments that plan to seek partial or  
23 full funding for any capital project in the next year's  
24 legislative session.

25 B. The guidelines shall include provisions to guide

1 state agencies that review capital project requests or  
2 infrastructure capital improvements plans from state agencies  
3 or local governments. The state capital improvements plan and  
4 each local government's infrastructure capital improvements  
5 plan shall be updated each year.

6 C. The review guidelines shall include:

7 (1) requirements for local government  
8 infrastructure capital improvements plans to be submitted to  
9 appropriate state agencies;

10 (2) requirements for analyzing immediate and  
11 future needs of the state, regions of the state and localities;  
12 and

13 (3) requirements for analyzing requests in  
14 light of:

15 (a) critical needs of the state,  
16 including local governments;

17 (b) the necessity of the capital project  
18 to meet a critical need;

19 (c) the necessity of the capital project  
20 to address a health and safety concern;

21 (d) the ability of the local government  
22 to provide at least matching funds so that the state is not the  
23 sole funding source for a local capital project;

24 (e) the availability of other sources  
25 for the capital project;

.193815A.2

1 (f) the capital project's priority on  
2 either the state capital improvements plan or a local  
3 government infrastructure capital improvements plan;

4 (g) the ability to phase the capital  
5 project, if necessary, and the availability of funding to  
6 complete at least one full, functional capital project phase;

7 (h) the ability of the ultimate  
8 governmental recipient to provide necessary and adequate staff  
9 and funding for operations and maintenance for the capital  
10 project;

11 (i) the expected useful life of the  
12 capital project;

13 (j) the available alternatives to the  
14 capital project as requested;

15 (k) consideration of whether a  
16 renovation project will forestall substantial capital outlay  
17 costs in the short and long terms;

18 (l) the most appropriate funding sources  
19 for types of capital projects; and

20 (m) other considerations determined by  
21 the division, after consultation with the executive capital  
22 planning committee and the legislative capital outlay review  
23 committee.

24 D. By May 1 of each year, all infrastructure  
25 capital improvements plans are due to state agencies, as

1 follows:

2 (1) local government plans that are not  
3 otherwise submitted to another state agency are due to the  
4 local government division of the department of finance and  
5 administration;

6 (2) water and wastewater plans that are  
7 developed by special districts or the water trust board or that  
8 are separate from a municipal or county infrastructure capital  
9 improvements plan are due to the department of environment;

10 (3) street, road and highway plans from any  
11 jurisdiction are due to the department of transportation;

12 (4) regional plans that involve more than one  
13 local government are due to the local government division;

14 (5) area agency on aging or local aging  
15 program plans are due to the aging and long-term services  
16 department;

17 (6) public post-secondary educational  
18 institution plans are due to the higher education department;

19 (7) state museums and state monuments plans  
20 are due to the cultural affairs department;

21 (8) state agency plans for state agencies  
22 under the jurisdiction of the property control division of the  
23 general services department are due to the property control  
24 division;

25 (9) state and local government plans that are

.193815A.2

1 part of master plans approved by the capitol buildings planning  
2 commission are due to the capitol buildings planning  
3 commission; and

4 (10) New Mexico state fair, state parks  
5 division of the energy, minerals and natural resources  
6 department, state armory board, tribal infrastructure board,  
7 colonias infrastructure board, water trust board, New Mexico  
8 school for the deaf, New Mexico school for the blind and  
9 visually impaired, New Mexico military institute, judicial and  
10 any other capital improvement plans or capital project requests  
11 that are not specifically assigned to another state agency are  
12 due to the division.

13 E. All state agencies that are responsible for  
14 reviewing capital project requests shall submit their  
15 recommendations to the division by August 1 of each year. For  
16 local government projects, the recommendations shall include  
17 comprehensive analysis of the local government's capacity and  
18 effort to fund the requested capital project and its ability to  
19 operate the capital project, if applicable.

20 F. The division shall review the recommendations  
21 and hold hearings on the recommendations by September 15 of  
22 each year. The division shall report its findings to the  
23 governor and the capital outlay review committee by October 1  
24 of each year. The division's report to the capital outlay  
25 review committee shall include proposed changes to the state

1 capital improvements plan and a listing of all capital project  
2 requests received, findings of each reviewing agency and  
3 findings of the division.

4 G. The division shall publish the annual state  
5 capital improvements plan, an abstract of which shall be  
6 included in the executive budget recommendations for the  
7 following fiscal year.

8 SECTION 13. [NEW MATERIAL] REPORTS.--Every state agency  
9 responsible for capital projects shall file electronic monthly  
10 status reports with the division and the capital outlay review  
11 committee on appropriations and expenditures.

12 SECTION 14. [NEW MATERIAL] CAPITAL PROJECT ADMINISTRATION  
13 FUND--CREATED--AUDITS--FEES.--

14 A. The "capital project administration fund" is  
15 created as a nonreverting fund in the state treasury. The fund  
16 consists of appropriations and any other money credited to the  
17 fund.

18 B. The legislature shall appropriate money in the  
19 fund to the division to carry out its duties pursuant to the  
20 Capital Outlay Planning and Monitoring Act and to the state  
21 auditor's office and the legislative finance committee to  
22 conduct audits using agreed-upon procedures of any capital  
23 project to ensure compliance with federal laws, internal  
24 revenue service rules pertaining to the issuance and use of  
25 tax-exempt bonds, other pertinent federal regulations, state

.193815A.2

1 laws and any pertinent rule adopted by the state treasurer,  
2 board of finance division of the department of finance and  
3 administration, state auditor or other state agency. The  
4 division shall assist in the identification of capital projects  
5 to be audited.

6 SECTION 15. Section 6-21-31 NMSA 1978 (being Laws 1992,  
7 Chapter 61, Section 31) is amended to read:

8 "6-21-31. POWERS AND DUTIES.--The New Mexico finance  
9 authority oversight committee shall:

10 A. monitor and oversee the operation of the New  
11 Mexico finance authority;

12 B. meet on a regular basis to receive and review  
13 reports from the authority on implementation of the provisions  
14 of the New Mexico Finance Authority Act and to review and  
15 approve [~~regulations~~] rules proposed for adoption pursuant to  
16 that act;

17 C. monitor and provide assistance and advice on the  
18 public project financing program of the New Mexico finance  
19 authority;

20 [~~D. oversee and monitor state and local government  
21 capital planning and financing and take testimony from state  
22 and local officials on state and local capital needs;~~

23 E. ~~provide advice and assistance to the New Mexico  
24 finance authority and cooperate with the executive branch of  
25 state government and local governments on planning, setting~~

1 ~~priorities for and financing of state and local capital~~  
 2 ~~projects;~~

3 ~~F.]~~ D. undertake an ongoing examination of the  
 4 statutes, constitutional provisions, [~~regulations~~] rules and  
 5 court decisions governing state and local government capital  
 6 financing in New Mexico; and

7 [~~G.]~~ E. report its findings and recommendations,  
 8 including recommended legislation or necessary changes, to the  
 9 governor and to each session of the legislature. The report  
 10 and proposed legislation shall be made available on or before  
 11 December 15 each year."

12 **SECTION 16.** Section 9-6-3 NMSA 1978 (being Laws 1977,  
 13 Chapter 247, Section 3, as amended) is amended to read:

14 "9-6-3. DEPARTMENT OF FINANCE AND ADMINISTRATION--  
 15 CREATION--TRANSFER AND MERGER OF DIVISION FUNCTIONS--MERGER AND  
 16 CREATION OF DIVISIONS.--

17 A. The "department of finance and administration"  
 18 is created. The department shall consist of those divisions  
 19 created by law or executive order, as modified by executive  
 20 order pursuant to Subsection C of this section, including but  
 21 not limited to:

- 22 (1) the board of finance division;
- 23 (2) the financial control division;
- 24 (3) the local government division;
- 25 (4) the management and contracts review

.193815A.2

underscored material = new  
 [bracketed material] = delete

1 division; ~~and~~

2 (5) the state budget division; and

3 (6) the capital outlay planning and monitoring  
4 division.

5 B. The secretary is empowered to organize the  
6 department and the divisions thereof specified in Subsection A  
7 of this section and may transfer or merge functions between  
8 divisions in the interest of efficiency and economy.

9 C. The governor is empowered to merge divisions of  
10 the department or to create additional divisions by executive  
11 order in the interest of efficiency and economy."

12 SECTION 17. Section 9-6-5.1 NMSA 1978 (being Laws 1983,  
13 Chapter 296, Section 7) is amended to read:

14 "9-6-5.1. PLANNING POWERS AND DUTIES OF SECRETARY OF  
15 FINANCE AND ADMINISTRATION.--The secretary of [~~the department~~  
16 ~~of~~] finance and administration, in addition to the other powers  
17 and duties conferred:

18 A. shall review federal grant applications and  
19 provide management assistance;

20 B. shall coordinate, in accordance with directives  
21 from the governor's office of policy and planning, state agency  
22 plans for economic, natural resource, energy resource and human  
23 resource development;

24 C. shall provide aid to planning and development  
25 districts in developing grant proposals and cooperate with

.193815A.2

1 other local entities in developing grant proposals;

2 ~~[D. shall acquire, study and review all plans for~~  
3 ~~capital projects proposed by state agencies and render advice~~  
4 ~~on the plans. The secretary shall maintain long-range~~  
5 ~~estimates and plans for capital projects and develop standards~~  
6 ~~for measuring the need for and utility of proposed projects;~~

7 ~~E.]~~ D. may contract for, receive and utilize any  
8 grants or other financial assistance made available by the  
9 United States government or by any other source, public or  
10 private;

11 ~~[F.]~~ E. may provide planning and funding assistance  
12 to units of local government, council of government  
13 organizations, Indian tribal governments situated within New  
14 Mexico and ~~[to]~~ nonprofit entities having for their purpose  
15 local, regional or community betterment. The secretary,  
16 incident to any such programs, may enter into contracts and  
17 agreements with such units of local government, council of  
18 government organizations, Indian tribal governments, nonprofit  
19 entities and the federal government and may participate in or  
20 receive aid from any federal or private program in relation to  
21 such a planning program or assistance;

22 ~~[G.]~~ F. shall confer with the state budget division  
23 ~~[of the department of finance and administration]~~ and the  
24 capital outlay and monitoring division in developing  
25 comprehensive plans to assure coordination of planning and

.193815A.2

1 budgeting functions;

2           ~~[H.]~~ G. shall coordinate the state clearinghouse  
3 review process;

4           ~~[I.]~~ H. shall develop a status of the state report;

5           ~~[J.]~~ I. shall review and coordinate comment by  
6 state agencies on draft environmental impact statements;

7           ~~[K.]~~ J. shall provide community development block  
8 grant technical assistance to local governments;

9           ~~[L.]~~ K. shall administer, in consultation with and  
10 upon advice and direction from the community development block  
11 grant policy committee, the program for the state community  
12 development block grant program;

13           ~~[M.]~~ L. shall serve as staff to the New Mexico  
14 association of regional councils;

15           ~~[N.]~~ M. shall maintain a state planning library;

16 and

17           ~~[O.]~~ N. shall provide planning assistance to county  
18 and multi-county districts relative to application by such  
19 districts for financial assistance and for regional plan  
20 development."

21           **SECTION 18. TEMPORARY PROVISION--TRANSFER OF FUNCTIONS,**  
22 **MONEY, APPROPRIATIONS AND PROPERTY.--**On the effective date of  
23 the provisions of this act, all functions, money,  
24 appropriations, records, furniture, equipment and other  
25 property of the capital projects bureau of the state budget

1 division of the department of finance and administration are  
 2 transferred to the capital outlay planning and monitoring  
 3 division of the department of finance and administration.

4 SECTION 19. APPROPRIATION.--One million one hundred  
 5 thousand dollars (\$1,100,000) is appropriated from the general  
 6 fund to the department of finance and administration for  
 7 expenditure in fiscal year 2014 and subsequent fiscal years to  
 8 establish the capital outlay and monitoring division and carry  
 9 out the purposes of this act. Any unexpended or unencumbered  
 10 balance remaining at the end of a fiscal year shall not revert  
 11 to the general fund.

12 SECTION 20. REPEAL.--Section 6-4-1 NMSA 1978 (being Laws  
 13 1975, Chapter 282, Section 3, as amended) is repealed.

14 SECTION 21. EFFECTIVE DATE.--The effective date of the  
 15 provisions of this act is July 1, 2013.

underscored material = new  
 [bracketed material] = delete