

FORTY-FIFTH LEGISLATURE
FIRST SESSION

March 9, 2001

SENATE FLOOR AMENDMENT number 2 to SENATE FINANCE COMMITTEE
SUBSTITUTE FOR SENATE
BILL 167

Amendment sponsored by Senator Ben D. Altamirano

1. On page 5, line 8, strike "2002" and insert in lieu thereof "2001".

2. On page 8, line 3 through page 10, line 8, strike Section 6 and insert in lieu thereof a new section to read:

"Section 6. A new section of the Public School Capital Outlay Act, Section 22-24-4.1 NMSA 1978, is enacted to read:

"22-24-4.1. [NEW MATERIAL] OUTSTANDING DEFICIENCIES--
ASSESSMENT-- CORRECTION. --

A. No later than September 1, 2001, the council shall define and develop guidelines, consistent with the codes adopted by the construction industries commission pursuant to the Construction Industries Licensing Act, for school districts to use to identify outstanding serious deficiencies in public school buildings and grounds, including buildings and grounds of charter schools, that may adversely affect the health or safety of students and school personnel.

B. A local school district shall use these guidelines to complete a self-assessment of the outstanding health or safety deficiencies within the district and provide cost projections to correct the outstanding deficiencies.

C. The council shall develop a methodology for prioritizing projects that will correct the deficiencies.

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D. After a public hearing and to the extent that money is available in the fund for such purposes, the council shall approve allocations from the fund on the established priority basis and, working with the school district and pursuant to the Procurement Code, enter into construction contracts with contractors to correct the deficiencies.

E. In entering into construction contracts to correct deficiencies pursuant to this section, the council shall include such terms and conditions as necessary to ensure that the state money is expended in the most prudent manner possible and consistent with the original purpose.

F. Any deficiency that may adversely affect the health or safety of students or school personnel may be corrected pursuant to this section, regardless of the local effort or percentage of indebtedness of the school district.

G. It is the intent of the legislature that all outstanding deficiencies in public schools and grounds that may adversely affect the health or safety of students and school personnel be identified and funded pursuant to this section no later than June 30, 2004. "".

3. On page 13, line 2, after "includes" insert a colon and the subparagraph designation "(a)".

4. On page 13, between lines 6 and 7, insert the following new subparagraph:

"(b) the facilities needed in the school district to implement a full-day kindergarten program or that the school district has shown that the need for facilities to implement the program is not as great as the capital needs requested in the application; provided that the total amount of assistance grants made in a fiscal year for the purpose of implementing full-day kindergarten programs shall not exceed five million dollars (\$5,000,000); and".

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5. On page 33, lines 2 through 10, strike Subsection D.
6. Reletter the succeeding subsections accordingly.
7. On page 34, lines 12 through 14, strike Section 18.
8. Renumber the succeeding section accordingly.

Ben D. Altamirano

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date _____