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HOUSE BILL 337

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

INTRODUCED BY

Jim R. Trujillo

AN ACT

RELATING TO CAPITAL EXPENDITURES; ENACTING THE WORK NEW MEXICO
ACT; 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. SHORT TITLE.--This act may be cited as the
"Work New Mexico Act".

SECTION 2. 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

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1 Bonding Act in an amount not to exceed the total of the amounts
2 authorized for purposes specified in this act. The state board
3 of finance shall schedule the issuance and sale of the bonds in
4 the most expeditious and economical manner possible upon a
5 finding by the board that the project has been developed
6 sufficiently to justify the issuance and that the project can
7 proceed to contract within a reasonable time. The state board
8 of finance shall further take the appropriate steps necessary
9 to comply with the federal Internal Revenue Code of 1986, as
10 amended. Proceeds from the sale of the bonds are appropriated
11 for the purposes specified in this act.

12 B. The agencies named in this act shall certify to
13 the state board of finance when the money from the proceeds of
14 the severance tax bonds appropriated in this section is needed
15 for the purposes specified in the applicable section of this
16 act. If an agency has not certified the need for severance tax
17 bond proceeds for a particular project, including projects that
18 have been reauthorized, by the end of fiscal year 2015, the
19 authorization for that project is void.

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

23 (1) incur within six months after the
24 applicable bond proceeds are available for the project a
25 substantial binding obligation to a third party to expend at

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1 least five percent of the bond proceeds for the project; and
2 (2) spend at least eighty-five percent of the
3 bond proceeds within three years after the applicable bond
4 proceeds are available for the project.

5 D. Except as otherwise specifically provided by
6 law:

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

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

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

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

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1 year 2017; and

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

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

10 F. Except for a project that was originally funded
11 using a tax-exempt loan or bond issue, a project involving
12 repayment of debt previously incurred shall be funded through
13 the issuance of taxable severance tax bonds with a term that
14 does not extend beyond the fiscal year in which they are
15 issued.

16 G. For the purpose of this section, "unexpended
17 balance" means the remainder of an appropriation after
18 reserving for unpaid costs and expenses covered by binding
19 written obligations to third parties.

20 SECTION 3. BERNALILLO COUNTY METROPOLITAN COURT PROJECT--
21 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 2
22 of this act, upon certification by the Bernalillo county
23 metropolitan court that the need exists for the issuance of the
24 bonds, nine hundred ninety thousand dollars (\$990,000) is
25 appropriated to the Bernalillo county metropolitan court to

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1 plan, design and construct public restroom facilities and
2 egress access on the fourth floor of the Bernalillo county
3 metropolitan courthouse in Albuquerque in Bernalillo county.

4 SECTION 4. CAPITAL PROGRAM FUND PROJECTS--SEVERANCE TAX
5 BONDS.--Pursuant to the provisions of Section 2 of this act,
6 upon certification by the property control division of the
7 general services department that the need exists for the
8 issuance of the bonds, the following amounts are appropriated
9 to the capital program fund for the following purposes:

10 1. three million dollars (\$3,000,000) for building
11 repairs, including ventilation modifications, at the state
12 scientific laboratory building in Albuquerque in Bernalillo
13 county;

14 2. two million dollars (\$2,000,000) to plan,
15 design, construct, equip and furnish infrastructure
16 improvements to existing youth diagnostic and development
17 center facilities in support of the Cambiar objectives,
18 including improvements to comply with the Americans with
19 Disabilities Act of 1990 and for accessibility, security and a
20 centralized waste removal system, in Albuquerque in Bernalillo
21 county;

22 3. four million eight hundred thousand dollars
23 (\$4,800,000) for heating, ventilation and air conditioning
24 system upgrades at the central New Mexico correctional facility
25 in Valencia county and the western New Mexico correctional

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1 facility in Cibola county;

2 4. four million five hundred thousand dollars
3 (\$4,500,000) for patient health and safety upgrades at the New
4 Mexico behavioral health institute in Las Vegas in San Miguel
5 county, at the New Mexico state veterans' home in Truth or
6 Consequences in Sierra county, at the Sequoyah facility in
7 Albuquerque in Bernalillo county and at the Los Lunas facility
8 in Valencia county; and for renovation and upgrades to
9 isolation rooms, the kitchen and laundry and heating,
10 ventilation and air conditioning upgrades at Fort Bayard
11 medical center in Santa Clara in Grant county;

12 5. five million dollars (\$5,000,000) for facilities
13 upgrades at the New Mexico behavioral health institute in Las
14 Vegas in San Miguel county, at the New Mexico state veterans'
15 home in Truth or Consequences in Sierra county and at the
16 Sequoyah facility in Albuquerque in Bernalillo county;

17 6. three million five hundred twenty thousand
18 dollars (\$3,520,000) for renovation and construction of the
19 state police district office in Espanola in Rio Arriba county;

20 7. eight hundred eleven thousand dollars (\$811,000)
21 for constructing and equipping the state police district
22 office, including a secondary access road, in Las Vegas in San
23 Miguel county;

24 8. two million five hundred thousand dollars
25 (\$2,500,000) to demolish the old Meadows building, including

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1 rerouting utilities, excavation and other site improvements, in
2 preparation for phase 3 of the new Meadows building at the New
3 Mexico behavioral health institute in Las Vegas in San Miguel
4 county;

5 9. six hundred thousand dollars (\$600,000) for
6 renovations at the dormitories, including upgrading fire
7 suppression and heating, ventilation and air conditioning
8 systems, at the New Mexico law enforcement academy in Santa Fe
9 county;

10 10. six million dollars (\$6,000,000) to make
11 repairs at correctional facilities statewide to correct safety
12 hazards and address operational interruptions and facility
13 deterioration;

14 11. four million dollars (\$4,000,000) to
15 decommission and demolish unusable state facilities statewide,
16 including abatement of the rehabilitation center in Roswell in
17 Chaves county and the old Fort Bayard medical center in Grant
18 county; and

19 12. eight million dollars (\$8,000,000) for
20 renovations and infrastructure upgrades at state buildings
21 statewide.

22 SECTION 5. CULTURAL AFFAIRS DEPARTMENT PROJECTS--
23 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 2
24 of this act, upon certification by the cultural affairs
25 department that the need exists for the issuance of the bonds,

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1 the following amounts are appropriated to the cultural affairs
2 department for the following purposes:

3 1. seven million dollars (\$7,000,000) for project
4 completion, for purchasing equipment for museums and monuments
5 statewide and for a master plan and design of Santa Fe
6 facilities in Santa Fe county; and

7 2. five million dollars (\$5,000,000) for critical
8 repairs, upgrades and renovations at museums and monuments
9 statewide.

10 SECTION 6. OFFICE OF THE STATE ENGINEER PROJECT--
11 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 2
12 of this act, upon certification by the office of the state
13 engineer that the need exists for the issuance of the bonds,
14 six million four hundred thousand dollars (\$6,400,000) is
15 appropriated to the office of the state engineer for
16 construction and rehabilitation of the dam in Springer in
17 Colfax county.

18 SECTION 7. STATE FAIR COMMISSION PROJECT--SEVERANCE TAX
19 BONDS.--Pursuant to the provisions of Section 2 of this act,
20 upon certification by the state fair commission that the need
21 exists for the issuance of the bonds, three million dollars
22 (\$3,000,000) is appropriated to the state fair commission to
23 plan, design and construct infrastructure improvements and
24 deferred maintenance to facilities at the New Mexico state
25 fairgrounds in Albuquerque in Bernalillo county.

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1 **SECTION 8. HIGHER EDUCATION DEPARTMENT PROJECT--SEVERANCE**
2 TAX BONDS.--Pursuant to the provisions of Section 2 of this
3 act, upon certification by the higher education department that
4 the need exists for the issuance of the bonds, three million
5 dollars (\$3,000,000) is appropriated to the higher education
6 department to design, construct, furnish and equip, including
7 erosion control improvements, the school of energy at San Juan
8 college in Farmington in San Juan county.

9 **SECTION 9. EASTERN NEW MEXICO UNIVERSITY PROJECT--**
10 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 2
11 of this act, upon certification by the board of regents of
12 eastern New Mexico university that the need exists for the
13 issuance of the bonds, five million dollars (\$5,000,000) is
14 appropriated to the board of regents of eastern New Mexico
15 university for renovations of the Jack Williamson liberal arts
16 building at eastern New Mexico university in Portales in
17 Roosevelt county.

18 **SECTION 10. NEW MEXICO HIGHLANDS UNIVERSITY PROJECT--**
19 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 2
20 of this act, upon certification by the board of regents of New
21 Mexico highlands university that the need exists for the
22 issuance of the bonds, two million three hundred thousand
23 dollars (\$2,300,000) is appropriated to the board of regents of
24 New Mexico highlands university to plan, design, construct,
25 renovate and equip infrastructure improvements to the Trolley

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1 building and other facilities at New Mexico highlands
2 university in Las Vegas in San Miguel county.

3 SECTION 11. NEW MEXICO INSTITUTE OF MINING AND TECHNOLOGY
4 PROJECT--SEVERANCE TAX BONDS.--Pursuant to the provisions of
5 Section 2 of this act, upon certification by the board of
6 regents of New Mexico institute of mining and technology that
7 the need exists for the issuance of the bonds, six million
8 dollars (\$6,000,000) is appropriated to the board of regents of
9 New Mexico institute of mining and technology to plan, design,
10 construct, equip and furnish a geology facility at New Mexico
11 institute of mining and technology in Socorro in Socorro
12 county.

13 SECTION 12. NEW MEXICO STATE UNIVERSITY PROJECT--
14 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 2
15 of this act, upon certification by the board of regents of New
16 Mexico state university that the need exists for the issuance
17 of the bonds, four million dollars (\$4,000,000) is appropriated
18 to the board of regents of New Mexico state university to plan
19 and construct additions and infrastructure improvements at
20 Hardman and Jacob halls at New Mexico state university in Las
21 Cruces in Dona Ana county, of which two hundred fifty thousand
22 dollars (\$250,000) shall be expended to plan, design, prepare
23 the site for, make improvements to utility infrastructure and
24 construct or purchase and install modular units for dormitory
25 facilities at the southwest center for rangeland sustainability

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1 in Corona in Lincoln county.

2 SECTION 13. UNIVERSITY OF NEW MEXICO PROJECTS--SEVERANCE
3 TAX BONDS.--Pursuant to the provisions of Section 2 of this
4 act, upon certification by the board of regents of the
5 university of New Mexico that the need exists for the issuance
6 of the bonds, the following amounts are appropriated to the
7 board of regents of the university of New Mexico for the
8 following purposes:

9 1. six million dollars (\$6,000,000) for phase 2
10 renovations of the science and math learning center at the
11 university of New Mexico in Albuquerque in Bernalillo county;
12 and

13 2. one million five hundred thousand dollars
14 (\$1,500,000) to construct the core student success center at
15 the Taos branch of the university of New Mexico in Taos county.

16 SECTION 14. WESTERN NEW MEXICO UNIVERSITY PROJECT--
17 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 2
18 of this act, upon certification by the board of regents of
19 western New Mexico university that the need exists for the
20 issuance of the bonds, two million five hundred thousand
21 dollars (\$2,500,000) is appropriated to the board of regents of
22 western New Mexico university to plan, design, construct,
23 renovate, equip and landscape Light hall and make
24 infrastructure improvements at western New Mexico university in
25 Silver City in Grant county.

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