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HOUSE BILL 61

**44TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION,
2000**

INTRODUCED BY

Joe Thompson

AN ACT

RELATING TO PUBLIC PROPERTY; AUTHORIZING OPERATING EXPENSES
FOR THE PROPERTY CONTROL DIVISION OF THE GENERAL SERVICES
DEPARTMENT TO BE PAID FROM THE PUBLIC BUILDINGS REPAIR FUND;
AUTHORIZING ESTIMATED OPERATING EXPENSES FOR THE PROPERTY
CONTROL DIVISION TO BE INCLUDED IN BUILDING USE FEES.

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

Section 1. Section 15-3-11.1 NMSA 1978 (being Laws
1996, Chapter 46, Section 1) is amended to read:

"15-3-11.1. PUBLIC BUILDINGS REPAIR FUND--CREATED--
EXPENDITURES.--

A. The "public buildings repair fund" is created
in the state treasury. The fund shall consist of
appropriations, building use fees, gifts, grants, donations
and bequests. Money in the fund shall not revert at the end
of any fiscal year. The fund shall be administered by the

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underscored material = new
~~[bracketed material] = delete~~

1 property control division of the general services department.

2 B. Expenditures may be made from the public
3 buildings repair fund only for operating expenses of the
4 property control division and necessary repair, renovation
5 and purchase of physical plant equipment for public buildings
6 owned by the state and under the control of the property
7 control division.

8 C. The property control division shall establish
9 priorities for the use of the public buildings repair fund
10 and shall submit to the legislature in each regular session a
11 list of recommended expenditures to be made from the fund in
12 the following fiscal year. Except as provided in Subsection
13 D of this section, the public buildings repair fund shall be
14 expended pursuant to appropriations by the legislature.

15 D. Upon certification from the secretary of
16 general services to the state board of finance that an
17 emergency need for repairs or purchase of equipment exists in
18 a public building to which the provisions of this section
19 apply, the state board of finance may approve such emergency
20 expenditures from the public buildings repair fund. Total
21 expenditures pursuant to this subsection shall not exceed two
22 hundred thousand dollars (\$200,000) a year. The state board
23 of finance shall report emergency expenditures to the
24 legislative finance committee."
25

Section 2. Section 15-3-11.2 NMSA 1978 (being Laws
1996, Chapter 46, Section 2) is amended to read:

"15-3-11.2. BUILDING USE FEES--TRANSFERS TO FUND.--The

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1 secretary of general services shall establish a schedule of
2 building use fees for state agencies occupying space in
3 state-owned buildings under the control of the property
4 control division of the general services department. The
5 building use fees shall equal the estimated cost for the next
6 fiscal year of operating expenses for the property control
7 division and planned and emergency repairs, renovations and
8 purchase of physical plant equipment; provided that total
9 fees shall not exceed ten million dollars (\$10,000,000) in
10 any fiscal year. The building use fees shall be included in
11 the budget requests of pertinent state agencies beginning
12 with fiscal year 1998. At the beginning of each fiscal year,
13 the department of finance and administration shall transfer
14 to the public buildings repair fund the amounts appropriated
15 for building use fees."

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