

FORTY-SIXTH LEGISLATURE
FIRST SESSION, 2003

March 5, 2003

Mr. Speaker:

Your APPROPRIATIONS AND FINANCE COMMITTEE, to whom has been referred

HOUSE BILL 455

has had it under consideration and reports same with recommendation that it DO PASS, amended as follows:

1. On page 1, line 12, after "ACT" strike the remainder of the line, strike line 13 and strike line 14 up to the semicolon.

2. On page 2, line 21, before "architectural" insert "procurement of".

3. On page 2, line 23, strike "construction management" and insert in lieu thereof "management and oversight of construction activities".

4. On page 10, lines 7 and 8, strike "on-site".

5. On page 10, line 9, strike "one million dollars (\$1,000,000)" and insert in lieu thereof "one million two hundred fifty thousand dollars (\$1,250,000)".

6. On page 10, line 15, strike the closing quotation mark.

7. On page 10, between lines 15 and 16, insert the following new subsections and section to read:

"I. Of the appropriation made to the fund by Subsection D of Section 15 of Chapter 338 of Laws 2001 for the purpose of correcting outstanding deficiencies, one million one hundred thousand dollars (\$1,100,000) is appropriated to the council for expenditure in fiscal year 2004 for the core administrative functions of the deficiencies corrections program. Any unexpended or unencumbered balance remaining at the end of fiscal year 2004 shall revert to the fund.

J. Up to seven hundred thousand dollars (\$700,000) of the balances of the fund may be expended by the council in fiscal year 2004 for the core administrative functions of the public school facilities authority. "

FORTY-SIXTH LEGISLATURE
FIRST SESSION, 2003

HAFC/HB 455

Page 2

Section 4. Section 22-24-4.1 NMSA 1978 (being Laws 2001, Chapter 338, Section 6) is amended to read:

"22-24-4.1. 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.

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~~] awards made pursuant to this section no later than June 30, 2004, and that funds be expended no

FORTY-SIXTH LEGISLATURE
FIRST SESSION, 2003

HAFC/HB 455

Page 3

later than June 30, 2006. "".

8. Renumber the succeeding sections accordingly.

9. On page 19, line 20, strike "and".

10. On page 19, between lines 20 and 21, insert the following new paragraph to read:

"(2) fifteen million dollars (\$15,000,000) of the money in the fund available for the funding cycle in fiscal year 2004 shall be set aside for allocation solely for projects in school districts that are eligible for funding and that:

(a) are eligible for additional program units pursuant to Section 22-8-23.1 NMSA 1978;

(b) are indebted at not less than ninety percent of the total general obligation debt authorized by law; and

(c) have a net taxable value per MEM equal to less than fifty percent of the average statewide net taxable value per MEM; and".

11. Renumber the succeeding paragraph accordingly.

12. On page 25, line 9, after "technology" insert "and reauthorizations of appropriations made to the subject school district".

13. On page 28, line 24, after "December" strike "1" and insert in lieu thereof "15".

14. On page 31, line 23, after "appropriations" insert ", excluding reauthorizations of education technology appropriations made to the subject school district,".

Respectfully submitted,

Max Coll, Chairman

FORTY-SIXTH LEGISLATURE
FIRST SESSION, 2003

HAFC/HB 455

Page 4

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 13 For 0 Against

Yes: 13

Excused: Bratton, Larrañaga, Marquardt, Moore, Ogle

Absent: None

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