

SENATE FINANCE COMMITTEE SUBSTITUTE FOR
SENATE BILL 1061

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

AN ACT

RELATING TO STATE BUILDINGS; EXPANDING THE PLANNING AUTHORITY
OF THE CAPITOL BUILDINGS PLANNING COMMISSION; CHANGING THE
MEMBERSHIP OF THE COMMISSION; AUTHORIZING AN ADDITIONAL AMOUNT
OF STATE OFFICE BUILDING TAX REVENUE BONDS; INCREASING THE
AMOUNT OF A CERTAIN TAX DISTRIBUTION; MAKING APPROPRIATIONS FOR
MASTER PLANNING AND THE PLANNING AND DESIGN OF CERTAIN STATE
FACILITIES, THE ACQUISITION OF CERTAIN PROPERTY AND COMPLETING
THE STATE LABORATORY FACILITY; DECLARING AN EMERGENCY.

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

Section 1. Section 15-10-1 NMSA 1978 (being Laws 1997,
Chapter 178, Section 5, as amended) is amended to read:

"15-10-1. CAPITOL BUILDINGS PLANNING COMMISSION
CREATED.--

A. The "capitol buildings planning commission" is

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1 created to study and plan for the long-range facilities needs
2 of state government in the greater metropolitan areas of Las
3 Cruces, Santa Fe and Albuquerque. The commission shall review
4 prior long-range facilities needs assessments and develop an
5 initial master plan for the state facilities in the greater
6 metropolitan areas of Las Cruces, Santa Fe and Albuquerque.
7 After development of the initial master plan, the commission
8 shall conduct a review of state properties throughout the state
9 for the development of an overall master plan.

10 B. The commission shall be composed of four members
11 of the legislature, two from each house, appointed by the New
12 Mexico legislative council, the secretary of general services,
13 [~~the New Mexico staff architect~~] the state treasurer, the
14 secretary of [~~highway and~~] transportation or [~~his~~] the
15 secretary's designee, the [~~state~~] secretary of cultural affairs
16 [~~officer~~] or [~~his~~] the secretary's designee, the secretary of
17 finance and administration or [~~his~~] the secretary's designee,
18 the commissioner of public lands or [~~his~~] the commissioner's
19 designee and the [~~chairman~~] chair of the supreme court building
20 commission or [~~his~~] the chair's designee.

21 C. The legislative council service shall provide
22 staff for the commission in coordination with the staff
23 architect and other staff of the property control division of
24 the general services department.

25 D. The commission shall meet regularly and shall

1 report annually to the legislature on an annual update of the
 2 master plan for the long-range facilities needs of state
 3 government in the greater metropolitan areas of Las Cruces,
 4 Santa Fe and Albuquerque and throughout the state."

5 Section 2. Section 7-1-6.42 NMSA 1978 (being Laws 2001,
 6 Chapter 199, Section 12, as amended) is amended to read:

7 "7-1-6.42. DISTRIBUTION--STATE BUILDING BONDING
 8 FUND--GROSS RECEIPTS TAX.--A distribution pursuant to
 9 Section 7-1-6.1 NMSA 1978 shall be made to the state building
 10 bonding fund in the amount of [~~five hundred thousand dollars~~
 11 ~~(\$500,000)~~] five hundred thirty thousand dollars (\$530,000)
 12 from the net receipts attributable to the gross receipts tax
 13 imposed by the Gross Receipts and Compensating Tax Act. The
 14 distribution shall be made:

15 A. after the required distribution pursuant to
 16 Section 7-1-6.4 NMSA 1978;

17 B. contemporaneously with other distributions of
 18 net receipts attributable to the gross receipts tax for payment
 19 of debt service on outstanding bonds or to a fund dedicated for
 20 that purpose; and

21 C. prior to any other distribution of net receipts
 22 attributable to the gross receipts tax."

23 Section 3. Laws 2001, Chapter 166, Section 1, as amended
 24 by Laws 2004, Chapter 123, Section 6 and by Laws 2005, Chapter
 25 320, Section 1, is amended to read:

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1 "Section 1. AUTHORIZATION TO ACQUIRE PROPERTY--
2 APPROPRIATION.--

3 A. In order to acquire the following properties for
4 use as state agency offices in Santa Fe county, the property
5 control division of the general services department may:

6 (1) purchase and renovate, equip and furnish
7 the national education association building on South Capitol
8 street;

9 (2) plan, design, construct, equip and furnish
10 a new office building with integrated parking at the west
11 capitol complex on Cerrillos road, pursuant to the design
12 funded by Subsection I of Section 14 of Chapter 118 of Laws
13 1998, at a price not to exceed twenty-five million dollars
14 (\$25,000,000);

15 (3) purchase and renovate, equip and furnish
16 the public employees retirement association building on Paseo
17 de Peralta; and

18 (4) purchase land within or in close proximity
19 to the public safety campus as set out in the capitol buildings
20 master plan developed by the capitol buildings planning
21 commission; provided that no land shall be purchased pursuant
22 to this paragraph that does not have, in place, water, sewer,
23 electricity and other necessary infrastructure.

24 B. In addition to the acquisitions authorized in
25 Subsection A of this section, the property control division of
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1 the general services department may:

2 (1) in cooperation with the New Mexico
3 legislative council, pursuant to the capitol buildings master
4 plan developed by the capitol buildings planning commission and
5 after review by the commission plan, design, construct and
6 equip a parking structure in the central capitol campus in
7 Santa Fe. Upon completion of the parking structure, the
8 property control division shall transfer the parking structure
9 and associated real estate to the New Mexico legislative
10 council. After the transfer, the legislative council shall
11 operate and maintain the parking structure; ~~and]~~

12 (2) expend ~~[up to eighteen million one hundred~~
13 ~~thousand dollars (\$18,100,000) of the]~~ net proceeds from state
14 office building tax revenue bonds to acquire land and plan,
15 design, construct and equip a state laboratory facility in
16 Bernalillo county; and

17 (3) pursuant to the capitol buildings master
18 plan, acquire the property within the central capitol campus in
19 Santa Fe known as the "Coughlin building".

20 C. The acquisitions of property pursuant to
21 Subsection A of this section shall be made in the priority
22 order listed in that subsection. Purchases authorized in
23 Paragraphs (1), (2) and (4) of Subsection A of this section
24 shall be made at a price not to exceed the value of the
25 property established by the taxation and revenue department

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1 using generally accepted appraisal techniques for the type of
2 property purchased. The purchase authorized in Paragraph (3)
3 of Subsection A of this section shall be made at a price
4 negotiated with the retirement board of the public employees
5 retirement association that is not less than the fair market
6 value of the property and building."

7 Section 4. Laws 2001, Chapter 166, Section 2, as amended
8 by Laws 2004, Chapter 123, Section 7 and by Laws 2005, Chapter
9 320, Section 4, is amended to read:

10 "Section 2. STATE OFFICE BUILDING TAX REVENUE BONDS--
11 AUTHORIZATION--CONTINGENCY.--

12 A. The New Mexico finance authority may issue and
13 sell state office building tax revenue bonds in compliance with
14 the State Building Bonding Act [~~in a total amount not to exceed~~
15 ~~seventy-five million dollars (\$75,000,000)] when the director
16 of the property control division of the general services
17 department certifies to the authority that the proceeds from
18 the state office building tax revenue bonds are needed for one
19 or more of the purposes specified in Laws 2001, Chapter 166,
20 Section 1, as amended by [~~Section 1 of this 2005 act~~] Section 3
21 of this 2007 act; provided that the total amount of state
22 office building tax revenue bonds outstanding at any one time
23 shall not exceed one hundred million dollars (\$100,000,000).~~

24 The authority shall schedule the issuance and sale of the bonds
25 in the most expeditious and economical manner possible. Except

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1 as provided in [~~Subsection G~~] Subsections B and C of this
 2 section, net proceeds from the sale of the bonds are
 3 appropriated to the property control division of the general
 4 services department for expenditure in fiscal year 2001 and
 5 subsequent fiscal years for the purposes specified in Laws
 6 2001, Chapter 166, Section 1, as amended by [~~Section 1 of this~~
 7 ~~2005 act~~] Section 3 of this 2007 act.

8 ~~[B. The New Mexico finance authority may also issue~~
 9 ~~and sell additional state office building tax revenue bonds in~~
 10 ~~compliance with the State Building Bonding Act in a total~~
 11 ~~amount not to exceed fifteen million dollars (\$15,000,000) when~~
 12 ~~the director of the property control division of the general~~
 13 ~~services department certifies to the authority that the~~
 14 ~~proceeds from the state office building tax revenue bonds are~~
 15 ~~needed for one or more of the purposes specified in Laws 2001,~~
 16 ~~Chapter 166, Section 1, as amended by Section 1 of this 2005~~
 17 ~~act. The authority shall schedule the issuance and sale of the~~
 18 ~~bonds in the most expeditious and economical manner possible.~~
 19 ~~Net proceeds from the sale of the bonds are appropriated to the~~
 20 ~~property control division of the general services department~~
 21 ~~for expenditure in fiscal year 2005 and subsequent fiscal years~~
 22 ~~for the purposes specified in Laws 2001, Chapter 166, Section~~
 23 ~~1, as amended by Section 1 of this 2005 act.~~

24 ~~G.]~~ B. Two hundred fifty thousand dollars
 25 (\$250,000) of the proceeds from the bonds issued pursuant to
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1 Subsection A of this section are appropriated to the
2 legislative council service for expenditure in fiscal years
3 2004 through 2008 for the purpose of providing funding for the
4 capitol buildings planning commission, master planning process
5 for state facilities and for annual updates to master plans,
6 but excluding any payments for salaries, benefits and costs of
7 state employees. Any unexpended or unencumbered balance
8 remaining at the end of fiscal year 2008 shall revert to the
9 state building bonding fund.

10 C. Three hundred fifty thousand dollars (\$350,000)
11 of the proceeds from the bonds issued pursuant to Subsection A
12 of this section are appropriated to the legislative council
13 service for expenditure in fiscal years 2007 through 2009 for
14 the purpose of providing funding for the capitol buildings
15 planning commission, master planning process for state
16 facilities and annual updates to master plans, but excluding
17 any payments for salaries, benefits and costs of state
18 employees. Any unexpended or unencumbered balance remaining at
19 the end of fiscal year 2009 shall revert to the state building
20 bonding fund."

21 Section 5. APPROPRIATIONS.--

22 A. Eleven million dollars (\$11,000,000) is
23 appropriated from the general fund to the property control
24 division of the general services department for expenditure in
25 fiscal years 2007 through 2011 for the purpose of acquiring

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1 land and planning, designing, constructing and equipping the
2 state laboratory facility in Bernalillo county. Any unexpended
3 or unencumbered balance remaining at the end of fiscal year
4 2011 shall revert to the general fund.

5 B. The following amounts from the following sources
6 are appropriated to the property control division of the
7 general services department for expenditure in fiscal years
8 2007 through 2009 for the acquisition of the property within
9 the west capitol complex owned by the United States general
10 services administration and the United States forest service.
11 Any unexpended or unencumbered balance remaining at the end of
12 fiscal year 2009 shall revert proportionately to the
13 originating fund:

14 (1) one million five hundred thousand dollars
15 (\$1,500,000) from the property control reserve fund; and

16 (2) three million five hundred thousand
17 dollars (\$3,500,000) from the public buildings repair fund.

18 C. One million dollars (\$1,000,000) is appropriated
19 from the general fund to the property control division of the
20 general services department for expenditure in fiscal years
21 2007 through 2009 for the planning and designing of a New
22 Mexico state police crime laboratory to be located adjacent to
23 or within close proximity to the state laboratory facility in
24 Bernalillo county. Any unexpended or unencumbered balance
25 remaining at the end of fiscal year 2009 shall revert to the

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1 general fund.

2 Section 6. EMERGENCY.--It is necessary for the public
3 peace, health and safety that this act take effect immediately.

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