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SENATE BILL 471

48TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2008

INTRODUCED BY

Carlos R. Cisneros

AN ACT

RELATING TO CAPITAL EXPENDITURES; 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. 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 Bonding Act in an amount not to exceed the total of the amounts authorized for purposes specified in this act. The state board

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1 of finance shall schedule the issuance and sale of the bonds in
2 the most expeditious and economical manner possible upon a
3 finding by the board that the project has been developed
4 sufficiently to justify the issuance and that the project can
5 proceed to contract within a reasonable time. The state board
6 of finance shall further take the appropriate steps necessary
7 to comply with the Internal Revenue Code of 1986, as amended.
8 Proceeds from the sale of the bonds are appropriated for the
9 purposes specified in this act.

10 B. The agencies named in this act shall certify to
11 the state board of finance when the money from the proceeds of
12 the severance tax bonds authorized in this section is needed
13 for the purposes specified in the applicable section of this
14 act. If an agency has not certified the need for the issuance
15 of the bonds for a particular project, including projects that
16 have been reauthorized, by the end of fiscal year 2010, the
17 authorization for that project is void.

18 C. Before an agency may certify for the issuance of
19 severance tax bonds, the project must be developed sufficiently
20 so that the agency reasonably expects to:

21 (1) incur within six months after the
22 applicable bonds have been issued a substantial binding
23 obligation to a third party to expend at least five percent of
24 the bond proceeds for the project; and

25 (2) spend at least eighty-five percent of the

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1 bond proceeds within three years after the applicable bonds
2 have been issued.

3 D. Except as otherwise provided in this section or
4 another section of this act, the unexpended balance from the
5 proceeds of severance tax bonds issued for a project, including
6 projects that have been reauthorized, shall revert to the
7 severance tax bonding fund as follows:

8 (1) for projects for which severance tax bonds
9 were issued to match federal grants, six months after
10 completion of the project;

11 (2) for projects for which severance tax bonds
12 were issued to purchase vehicles, heavy equipment, educational
13 technology or other equipment or furniture that is not related
14 to a more inclusive construction or renovation project, at the
15 end of the fiscal year two years following the fiscal year in
16 which the severance tax bonds were issued for the purchase;

17 (3) for projects for which severance tax bonds
18 were issued to purchase emergency vehicles or other vehicles
19 that require special equipment, at the end of the fiscal year
20 two years following the fiscal year in which the severance tax
21 bonds were issued for the purchase; and

22 (4) for all other projects for which severance
23 tax bonds were issued, within six months of completion of the
24 project, but no later than the end of fiscal year 2012.

25 E. Except for appropriations to the capital program

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1 fund, money from severance tax bond proceeds provided pursuant
2 to this act shall not be used to pay indirect project costs.

3 F. For the purpose of this section, "unexpended
4 balance" means the remainder of an appropriation after
5 reserving for unpaid costs and expenses covered by binding
6 written obligations to third parties.

7 Section 2. GENERAL FUND AND OTHER FUND APPROPRIATIONS--
8 LIMITATIONS--REVERSIONS.--

9 A. Except as otherwise provided in this section or
10 another section of this act, the unexpended balance of an
11 appropriation made in this act from the general fund or other
12 state fund, including changes to prior appropriations, shall
13 revert to the originating fund as follows:

14 (1) for projects for which appropriations were
15 made to match federal grants, six months after completion of
16 the project;

17 (2) for projects for which appropriations were
18 made to purchase vehicles, heavy equipment, educational
19 technology or equipment or furniture that is not related to a
20 more inclusive construction or renovation project, at the end
21 of the fiscal year two years following the fiscal year in which
22 the appropriation was made for the purchase;

23 (3) for projects for which appropriations were
24 made to purchase emergency vehicles or other vehicles that
25 require special equipment, at the end of the fiscal year two

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1 years following the fiscal year in which the appropriation was
2 made for the purchase; and

3 (4) for all other projects for which
4 appropriations were made, within six months of completion of
5 the project, but no later than the end of fiscal year 2012.

6 B. Upon certification by an agency that money from
7 the general fund is needed for a purpose specified in this act,
8 the secretary of finance and administration shall disburse such
9 amount of the appropriation for that project as is necessary to
10 meet that need.

11 C. Except for appropriations to the capital program
12 fund, money from appropriations made in this act shall not be
13 used to pay indirect project costs.

14 D. The unexpended balance of an appropriation made
15 from the general fund or other state fund, including changes to
16 prior appropriations, to the Indian affairs department or the
17 aging and long-term services department for projects located on
18 lands of an Indian nation, tribe or pueblo, including projects
19 that have been reauthorized, shall revert in a time frame set
20 forth in Subsection A of this section to the tribal
21 infrastructure project fund.

22 E. For the purpose of this section, "unexpended
23 balance" means the remainder of an appropriation after
24 reserving for unpaid costs and expenses covered by binding
25 written obligations to third parties.

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1 Section 3. ARMORY PROJECTS--STATE ARMORY BOARD--SEVERANCE
2 TAX BONDS.--Pursuant to the provisions of Section 1 of this
3 act, upon certification by the state armory board that the need
4 exists for the issuance of the bonds, the following amounts are
5 appropriated to the state armory board for the following
6 purposes:

- 7 1. nine hundred thousand dollars (\$900,000) to
8 design and construct infrastructure improvements, including
9 site improvements and road construction and upgrades, at the
10 Rio Rancho armory in Sandoval county; and
- 11 2. one million dollars (\$1,000,000) to demolish old
12 facilities and make upgrades to existing facilities and staging
13 areas at armories statewide.

14 Section 4. MUSEUM AND MONUMENT IMPROVEMENTS--CULTURAL
15 AFFAIRS DEPARTMENT--SEVERANCE TAX BONDS.--Pursuant to the
16 provisions of Section 1 of this act, upon certification by the
17 cultural affairs department that the need exists for the
18 issuance of the bonds, the following amounts are appropriated
19 to the cultural affairs department for the following purposes:

- 20 1. four hundred thousand dollars (\$400,000) to
21 construct, furnish, equip and landscape the education building
22 at the national Hispanic cultural center in Albuquerque in
23 Bernalillo county;
- 24 2. two million two hundred thousand dollars
25 (\$2,200,000) to construct the common areas, offices and

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1 laboratories of the office of archaeology studies at the center
2 for New Mexico archaeology in Santa Fe in Santa Fe county;

3 3. seven hundred thousand dollars (\$700,000) to
4 renovate the Girard wing, including electrical infrastructure
5 and storage upgrades, at the museum of international folk art
6 in Santa Fe in Santa Fe county; and

7 4. five million dollars (\$5,000,000) for
8 renovations and repairs related to life and safety, compliance
9 with the Americans with Disabilities Act of 1990, security and
10 other upgrades at state museum and monument facilities
11 statewide.

12 Section 5. STATE BUILDING IMPROVEMENTS--CAPITAL PROGRAM
13 FUND--SEVERANCE TAX BONDS.--Pursuant to the provisions of
14 Section 1 of this act, upon certification by the property
15 control division of the general services department that the
16 need exists for the issuance of the bonds, the following
17 amounts are appropriated to the capital program fund for the
18 following purposes:

19 1. one million dollars (\$1,000,000) to plan, design
20 and construct water line improvements and replacement at the
21 youth diagnostic and detention center in Albuquerque in
22 Bernalillo county;

23 2. one million seven hundred seventy-six thousand
24 eight hundred dollars (\$1,776,800) to plan, design, construct
25 and equip health and safety systems, including fire

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1 suppression, fire alarm and water supply systems, elevators,
2 ceiling tiles and office space, at the Tiwa building in
3 Albuquerque in Bernalillo county;

4 3. two million five hundred thousand dollars
5 (\$2,500,000) to construct the New Mexico rehabilitation center
6 in Roswell in Chaves county;

7 4. three million two hundred thousand dollars
8 (\$3,200,000) for construction of vocational rooms and an indoor
9 basketball gymnasium, including a weight room, showers and
10 bleachers, at the J. Paul Taylor center in Las Cruces in Dona
11 Ana county;

12 5. three million five hundred thousand dollars
13 (\$3,500,000) for land acquisition for and to plan, design,
14 construct, renovate, furnish and equip a New Mexico state
15 police district office in Las Cruces in Dona Ana county;

16 6. five hundred fifty thousand dollars (\$550,000)
17 to design, construct, equip, furnish, landscape and make site
18 improvements at the office headquarters facility of the border
19 authority in Santa Teresa in Dona Ana county;

20 7. eight million three hundred thousand dollars
21 (\$8,300,000) for construction of the port of entry at Lordsburg
22 in Hidalgo county;

23 8. four million dollars (\$4,000,000) to plan,
24 design and construct kitchen renovations at correctional
25 facilities in Los Lunas in Valencia county, Las Cruces in Dona

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1 Ana county and Roswell in Chaves county;

2 9. three million five hundred thousand dollars
3 (\$3,500,000) for land acquisition for and to plan, design,
4 construct, renovate, furnish and equip a New Mexico state
5 police district office in Las Vegas in San Miguel county;

6 10. four hundred fifty thousand dollars (\$450,000)
7 to upgrade the security system, including the parking lot and
8 interior, at the Manuel Lujan building in Santa Fe in Santa Fe
9 county;

10 11. three million two hundred thousand dollars
11 (\$3,200,000) to plan, design and construct an expansion to the
12 motor vehicles division field office in Santa Fe in Santa Fe
13 county;

14 12. nine million dollars (\$9,000,000) to continue
15 construction of the Alzheimer's unit and skilled nursing
16 facility at the New Mexico state veterans' home in Truth or
17 Consequences in Sierra county;

18 13. five million dollars (\$5,000,000) for security
19 upgrades, equipment and renovation at correctional facilities
20 statewide;

21 14. five million dollars (\$5,000,000) for repairs,
22 upgrades and equipment, including roof replacement, wastewater
23 systems, paving, structural renovations and heating,
24 ventilation and air conditioning systems, at correctional
25 facilities statewide;

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1 15. seven million dollars (\$7,000,000) for repairs,
2 renovations, deferred maintenance, infrastructure improvements
3 and capital projects related to the decommissioning of vacant
4 state property at state buildings statewide;

5 16. three million dollars (\$3,000,000) to plan,
6 design, construct and equip upgrades to address building
7 deficiencies in department of health facilities statewide;

8 17. five hundred thousand dollars (\$500,000) to
9 complete renovations at the Mary Medina building field office
10 in Taos in Taos county; and

11 18. six million dollars (\$6,000,000) to plan,
12 design, construct, renovate and equip a state-of-the-art
13 methamphetamine- and other substance-abuse treatment center on
14 the former Los Lunas training center campus in Los Lunas in
15 Valencia county.

16 Section 6. COURT OF APPEALS BUILDING--SEVERANCE TAX
17 BONDS.--Pursuant to the provisions of Section 1 of this act,
18 upon certification by the court of appeals that the need exists
19 for the issuance of the bonds, six million six hundred thousand
20 dollars (\$6,600,000) is appropriated to the court of appeals to
21 construct a building adjacent to the law school at the
22 university of New Mexico in Albuquerque in Bernalillo county.

23 Section 7. SANTA FE AVIATION READINESS CENTER--DEPARTMENT
24 OF MILITARY AFFAIRS--SEVERANCE TAX BONDS.--Pursuant to the
25 provisions of Section 1 of this act, upon certification by the

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1 department of military affairs that the need exists for the
2 issuance of the bonds, two million five hundred thousand
3 dollars (\$2,500,000) is appropriated to the department of
4 military affairs to renovate the Santa Fe aviation readiness
5 center, including an addition, in Santa Fe county.

6 Section 8. STATE FAIR PROJECTS--STATE FAIR COMMISSION--
7 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
8 of this act, upon certification by the state fair commission
9 that the need exists for the issuance of the bonds, the
10 following amounts are appropriated to the state fair commission
11 for the following purposes:

12 1. five million five hundred thousand dollars
13 (\$5,500,000) to plan, design and construct a food court and
14 central entertainment zone, including landscaping and a stage
15 for performances, at the New Mexico state fairgrounds in
16 Albuquerque in Bernalillo county; and

17 2. nine hundred thousand dollars (\$900,000) to
18 renovate the restrooms at the New Mexico state fairgrounds in
19 Albuquerque in Bernalillo county.

20 Section 9. WORKFORCE DEVELOPMENT CENTER PROJECTS--
21 WORKFORCE SOLUTIONS DEPARTMENT--SEVERANCE TAX BONDS.---Pursuant
22 to the provisions of Section 1 of this act, upon certification
23 by the workforce solutions department that the need exists for
24 the issuance of the bonds, seven hundred two thousand dollars
25 (\$702,000) is appropriated to the workforce solutions

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1 department to plan, design and construct upgrades to workforce
2 development centers statewide, including roofs; heating,
3 ventilation and air conditioning systems; and improvements to
4 comply with the Americans with Disabilities Act of 1990.

5 Section 10. SENIOR CENTER VEHICLES--AGING AND LONG-TERM
6 SERVICES DEPARTMENT--GENERAL FUND.--Four million one hundred
7 thousand dollars (\$4,100,000) is appropriated from the general
8 fund to the aging and long-term services department for
9 expenditure in fiscal years 2008 through 2012, unless otherwise
10 provided in Section 2 of this act, to purchase and equip
11 vehicles for use by senior centers and programs statewide.

12 Section 11. MUSEUM PROJECTS--CULTURAL AFFAIRS
13 DEPARTMENT--GENERAL FUND.--The following amounts are
14 appropriated from the general fund to the cultural affairs
15 department for expenditure in fiscal years 2008 through 2012,
16 unless otherwise provided for in Section 2 of this act, for the
17 following purposes:

18 1. one million one hundred thousand dollars
19 (\$1,100,000) to plan, design and construct exhibits and venues
20 at the New Mexico farm and ranch heritage museum in Las Cruces
21 in Dona Ana county; and

22 2. seven hundred fifty thousand dollars (\$750,000)
23 to furnish and equip the New Mexico history museum in Santa Fe
24 in Santa Fe county.

25 Section 12. STATE BUILDING IMPROVEMENTS--CAPITAL PROGRAM

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1 FUND--GENERAL FUND.--The following amounts are appropriated
2 from the general fund to the capital program fund for
3 expenditure in fiscal years 2008 through 2012, unless otherwise
4 provided for in Section 2 of this act, for the following
5 purposes:

6 1. two hundred thousand dollars (\$200,000) for
7 architectural and engineering services to renovate living units
8 at youth diagnostic and detention center facilities statewide
9 based on a model that allows for individualized education,
10 behavioral health and substance abuse services for youth in
11 detention;

12 2. four million five hundred thousand dollars
13 (\$4,500,000) to purchase land for and construct facilities and
14 roads for ingress and egress and throughout the site of the
15 Santa Teresa port of entry in Dona Ana county;

16 3. four million dollars (\$4,000,000) for upgrades
17 related to patient health and safety, including renovating
18 bathrooms, purchasing and installing a panic button system and
19 a fire sprinkler system and improving building security
20 systems, at the New Mexico behavioral health institute in Las
21 Vegas in San Miguel county;

22 4. one million five hundred thousand dollars
23 (\$1,500,000) to plan and design mechanical upgrades to the
24 heating, ventilation and air conditioning systems and other
25 internal systems in the Lujan building in Santa Fe in Santa Fe

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1 county;

2 5. two million five hundred thousand dollars
3 (\$2,500,000) to acquire land for, plan, design and construct a
4 forensic crime laboratory in Santa Fe county; and

5 6. one hundred seventy-five thousand dollars
6 (\$175,000) to plan, design, construct and equip a fire
7 investigation processing center, including office space,
8 climate-controlled evidence storage, a laboratory, bays,
9 related technology and a backup generator system, at the New
10 Mexico firefighters training academy in Socorro in Socorro
11 county.

12 Section 13. CUMBRES AND TOLTEC TRACK UPGRADES--CUMBRES
13 AND TOLTEC SCENIC RAILROAD COMMISSION--GENERAL FUND.--Two
14 million dollars (\$2,000,000) is appropriated from the general
15 fund to the Cumbres and Toltec scenic railroad commission for
16 expenditure in fiscal years 2008 through 2012, unless otherwise
17 provided in Section 2 of this act, to upgrade the track and
18 railbed of the Cumbres and Toltec scenic railroad in Rio Arriba
19 county.

20 Section 14. JUVENILE FACILITIES SECURITY SYSTEMS--
21 CHILDREN, YOUTH AND FAMILIES DEPARTMENT--GENERAL FUND.--One
22 million dollars (\$1,000,000) is appropriated from the general
23 fund to the children, youth and families department for
24 expenditure in fiscal years 2008 through 2012, unless otherwise
25 provided in Section 2 of this act, to purchase, install,

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1 replace and upgrade security systems at children, youth and
2 families department juvenile facilities statewide.

3 Section 15. DRINKING WATER STATE REVOLVING LOAN FUND
4 PROJECTS--DEPARTMENT OF ENVIRONMENT--GENERAL FUND.--One million
5 five hundred thousand dollars (\$1,500,000) is appropriated from
6 the general fund to the department of environment for
7 expenditure in fiscal years 2008 through 2012, unless otherwise
8 provided in Section 2 of this act, to implement the provisions
9 of the Drinking Water State Revolving Loan Fund Act and to
10 provide state matching funds that are required by the terms of
11 any federal grant under the federal Safe Drinking Water Act of
12 1974.

13 Section 16. PUBLIC HEALTH OFFICES--DEPARTMENT OF HEALTH--
14 GENERAL FUND.--Two million dollars (\$2,000,000) is appropriated
15 from the general fund to the department of health for
16 expenditure in fiscal years 2008 through 2012, unless otherwise
17 provided in Section 2 of this act, for improvements and
18 construction at public health offices in Roosevelt county,
19 Espanola in Rio Arriba county, Sunland Park in Dona Ana county
20 and Alamogordo in Otero county.

21 Section 17. LAW ENFORCEMENT VEHICLES--DEPARTMENT OF
22 PUBLIC SAFETY--GENERAL FUND.--Three million seven hundred
23 thousand dollars (\$3,700,000) is appropriated from the general
24 fund to the department of public safety for expenditure in
25 fiscal years 2008 through 2012, unless otherwise provided in

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1 Section 2 of this act, to purchase and equip law enforcement
2 vehicles statewide.

3 Section 18. ECONOMIC DEVELOPMENT PROJECTS--ECONOMIC
4 DEVELOPMENT DEPARTMENT--GENERAL FUND.--The following amounts
5 are appropriated from the general fund to the economic
6 development department for expenditure in fiscal years 2008
7 through 2012, unless otherwise provided for in Section 2 of
8 this act, for the following purposes:

9 1. five million dollars (\$5,000,000) to purchase
10 land for, plan, design and construct a building and
11 infrastructure related to project Pinnacle in Bernalillo
12 county; and

13 2. one million five hundred thousand dollars
14 (\$1,500,000) for improvements and equipment related to hazmat
15 and emergency response for the fire station to serve
16 industries, the port of entry, the airport, the railyard
17 fueling station and the community in Santa Teresa in Dona Ana
18 county.

19 Section 19. FIRE TRUCKS AND CREW CARRIERS--ENERGY,
20 MINERALS AND NATURAL RESOURCES DEPARTMENT--GENERAL FUND.--Five
21 hundred thousand dollars (\$500,000) is appropriated from the
22 general fund to the energy, minerals and natural resources
23 department for expenditure in fiscal years 2008 through 2012,
24 unless otherwise provided in Section 2 of this act, to purchase
25 and equip fire trucks and crew carriers for district offices

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1 statewide.

2 Section 20. DAM IMPROVEMENTS--DEPARTMENT OF GAME AND
3 FISH--GENERAL FUND.--The following amounts are appropriated
4 from the general fund to the department of game and fish for
5 expenditure in fiscal years 2008 through 2012, unless otherwise
6 provided for in Section 2 of this act, for the following
7 purposes:

8 1. two million five hundred thousand dollars
9 (\$2,500,000) for renovation of Lake Roberts dam and spillway in
10 Silver City in Grant county;

11 2. one hundred thousand dollars (\$100,000) for an
12 assessment and emergency action plan for the McGaffey Lake dam
13 in the northwest quadrant of the state near Fort Wingate in
14 McKinley county; and

15 3. one hundred thousand dollars (\$100,000) for an
16 assessment and emergency action plan for the Laguna del Campo
17 dam near Tierra Amarilla in Rio Arriba county.

18 Section 21. TRIBAL INFRASTRUCTURE PROJECTS--DEPARTMENT OF
19 FINANCE AND ADMINISTRATION--GENERAL FUND.--Five million dollars
20 (\$5,000,000) is appropriated from the general fund to the
21 tribal infrastructure project fund for expenditure in fiscal
22 year 2008 and subsequent fiscal years, unless otherwise
23 provided in Section 2 of this act, for tribal infrastructure
24 projects related to water, wastewater, electrical systems,
25 communications, roads, health, emergency facilities and

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1 economic development statewide to carry out the provisions of
2 the Tribal Infrastructure Act. Any unexpended or unencumbered
3 balance remaining at the end of a fiscal year shall not revert
4 to the general fund.

5 Section 22. AFFORDABLE HOUSING ACT PROJECTS--DEPARTMENT
6 OF FINANCE AND ADMINISTRATION--GENERAL FUND.--Two million
7 dollars (\$2,000,000) is appropriated from the general fund to
8 the department of finance and administration for expenditure in
9 fiscal years 2008 through 2012, unless otherwise provided in
10 Section 2 of this act, for land, building, infrastructure and
11 financing projects statewide pursuant to the Affordable Housing
12 Act.

13 Section 23. RESERVOIR AND PECOS RIVER COMPACT PROJECTS--
14 OFFICE OF THE STATE ENGINEER--GENERAL FUND.--The following
15 amounts are appropriated from the general fund to the office of
16 the state engineer for expenditure in fiscal years 2008 through
17 2012, unless otherwise provided for in Section 2 of this act,
18 for the following purposes:

19 1. one million two hundred fifty thousand dollars
20 (\$1,250,000) for equipment for and construction of the Elephant
21 Butte reservoir pilot channel in Sierra county; and

22 2. five million dollars (\$5,000,000) for purchasing
23 water rights and land and making related infrastructure
24 improvements to implement the long-term strategy for the
25 state's permanent compliance with the Pecos River Compact and

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1 the United States supreme court-amended decree in *Texas v. New*
2 *Mexico*, No. 65 original.

3 Section 24. STATE FAIR YOUTH MULTIPURPOSE BUILDING--STATE
4 FAIR COMMISSION--GENERAL FUND.--Five hundred thousand dollars
5 (\$500,000) is appropriated from the general fund to the state
6 fair commission for expenditure in fiscal years 2008 through
7 2012, unless otherwise provided in Section 2 of this act, to
8 plan and design a youth multipurpose building for the New
9 Mexico state fair in Albuquerque in Bernalillo county.

10 Section 25. STATE PARK RESTORATION--ENERGY, MINERALS AND
11 NATURAL RESOURCES DEPARTMENT--GENERAL FUND.--Two million
12 dollars (\$2,000,000) is appropriated from the general fund to
13 the state parks division of the energy, minerals and natural
14 resources department for expenditure in fiscal years 2008
15 through 2012, unless otherwise provided in Section 2 of this
16 act, for improvements, including paving parking lots,
17 campground upgrades, roof replacement, utility renovations,
18 furnishings and signage, to restore state parks statewide.

19 Section 26. SALT DOMES--DEPARTMENT OF TRANSPORTATION--
20 STATE ROAD FUND.--Six hundred thousand dollars (\$600,000) is
21 appropriated from the state road fund to the department of
22 transportation for expenditure in fiscal years 2008 through
23 2012, unless otherwise provided in Section 2 of this act, for
24 construction of salt domes statewide.

25 Section 27. PUBLIC EMPLOYEES RETIREMENT ASSOCIATION

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1 BUILDING--INCOME FUND.--One million five hundred thousand
2 dollars (\$1,500,000) is appropriated from the income fund of
3 the public employees retirement association to the public
4 employees retirement association for expenditure in fiscal
5 years 2008 through 2012, unless otherwise provided in Section 2
6 of this act, to complete construction of the public employees
7 retirement association office building in Santa Fe in Santa Fe
8 county.

9 Section 28. MINERS' HOSPITAL IMPROVEMENTS--MINERS' TRUST
10 FUND.--Six hundred thousand dollars (\$600,000) is appropriated
11 from the miners' trust fund to the miners' hospital for
12 expenditure in fiscal years 2008 through 2012, unless otherwise
13 provided in Section 2 of this act, to make capital
14 improvements, including paving parking lots and stuccoing, and
15 to purchase and install equipment, including a bone density
16 scanner and anesthesia machine, at the miners' hospital in
17 Raton in Colfax county.

18 Section 29. PROJECT SCOPE--EXPENDITURES.--If an
19 appropriation for a project authorized in this act is not
20 sufficient to complete all the purposes specified, the
21 appropriation may be expended for any portion of the purposes
22 specified in the appropriation. Expenditures shall not be made
23 for purposes other than those specified in the appropriation.

24 Section 30. ART IN PUBLIC PLACES.--Pursuant to Section
25 13-4A-4 NMSA 1978 and where applicable, the appropriations

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1 authorized in this act include one percent for the art in
2 public places fund.

3 Section 31. EMERGENCY.--It is necessary for the public
4 peace, health and safety that this act take effect
5 immediately.

6 - 21 -