

AN ACT

RELATING TO STATE EDUCATIONAL INSTITUTIONS; PROVIDING FOR THE CORRECTION OF OUTSTANDING DEFICIENCIES AT THE NEW MEXICO SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED AND THE NEW MEXICO SCHOOL FOR THE DEAF PURSUANT TO THE PUBLIC SCHOOL CAPITAL OUTLAY ACT; DECLARING AN EMERGENCY.

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

Section 1. Section 22-24-5.6 NMSA 1978 (being Laws 2006, Chapter 95, Section 6) is amended to read:

"22-24-5.6. OUTSTANDING DEFICIENCIES AT CERTAIN STATE EDUCATIONAL INSTITUTIONS.--

A. In consultation with the higher education department and the applicable board of regents, and after reviewing the existing five-year facilities plan and the facilities condition assessment, the public school facilities authority shall verify the assessed outstanding health, safety or infrastructure deficiencies at the New Mexico school for the blind and visually impaired and the New Mexico school for the deaf and shall develop a plan to correct the deficiencies.

B. The council may approve allocations from the fund and, working with the higher education department and the applicable board of regents, enter into construction contracts to correct the deficiencies.

C. The council shall establish oversight functions

for the public school facilities authority and such other guidelines and conditions as it deems necessary to ensure that the allocations from the fund pursuant to this section are expended in the most prudent manner possible and consistent with the original purpose.

D. As used in the Public School Capital Outlay Act, "public school capital outlay project", "capital outlay project" or "project" includes a program for the correction of deficiencies at the New Mexico school for the blind and visually impaired or at the New Mexico school for the deaf pursuant to this section.

E. As used in Sections 22-24-5.1, 22-24-5.3 and 22-24-5.5 NMSA 1978 and in Paragraph (10) of Subsection B of Section 22-24-5 NMSA 1978, "school district" includes the New Mexico school for the blind and visually impaired and the New Mexico school for the deaf."

Section 2. TEMPORARY PROVISION--STUDY OF MATCH REQUIREMENT.--During calendar year 2009, the public school capital outlay oversight task force shall study reasonable alternatives for determining the local matching funds to be required from the New Mexico school for the blind and visually impaired and the New Mexico school for the deaf for a grant award pursuant to the Public School Capital Outlay Act and shall report its findings and recommendations to the second session of the forty-ninth legislature.

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

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