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SENATE BILL 392

53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017

INTRODUCED BY

Pete Campos and Sander Rue

AN ACT

RELATING TO CAPITAL EXPENDITURES; ENACTING THE CAPITAL OUTLAY REFORM ACT; PROVIDING POWERS AND DUTIES; CREATING THE CAPITAL PLANNING AND ASSISTANCE DIVISION OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION; CREATING THE CAPITAL OUTLAY OVERSIGHT TASK FORCE; EXPANDING THE MEMBERSHIP OF THE CAPITOL BUILDINGS PLANNING COMMISSION; REQUIRING AN ANNUAL STATEWIDE CAPITAL IMPROVEMENTS PLAN.

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

SECTION 1. [NEW MATERIAL] SHORT TITLE.--Sections 1 through 8 of this act may be cited as the "Capital Outlay Reform Act".

SECTION 2. [NEW MATERIAL] DEFINITIONS.--As used in the Capital Outlay Reform Act:

A. "capital project":

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1 (1) means the acquisition, repair, alteration,
2 demolition, renovation, construction, reconstruction,
3 furnishing or equipping of a public building, a public work, a
4 motor vehicle or heavy equipment that:

5 (a) is owned by an eligible entity;
6 (b) is located wholly in New Mexico; and
7 (c) has a useful life of at least six
8 years;

9 (2) includes:
10 (a) the planning, design and
11 professional engineering, surveying, architectural and
12 landscape architectural services that are directly related to a
13 capital project;

14 (b) when for a public building or public
15 work, the purchase of: 1) rights of way; 2) easements; 3)
16 land; 4) property; 5) water rights; and 6) site improvements;

17 (c) the purchase and installation of
18 equipment with a useful life of at least six years for a public
19 building or other public work;

20 (d) the purchase of furniture and
21 fixtures as part of a capital project; and

22 (e) a project that does not result in a
23 capital asset with a useful life of at least six years if the
24 project: 1) consists of the demolition of a capital asset; 2)
25 consists of watershed or forest improvements; 3) is an economic

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1 development project funded in accordance with the Local
2 Economic Development Act; or 4) is deemed by the commission as
3 being one for which funding with capital outlay resources is in
4 the best interest of the state; and

5 (3) does not include:

6 (a) capital projects whose funding
7 derives solely from a loan or grant from the New Mexico finance
8 authority, the water trust board, the tribal infrastructure
9 board, the colonias infrastructure board or a combination of
10 those sources; and

11 (b) road projects funded by the
12 department of transportation;

13 B. "commission" means the capitol buildings
14 planning commission;

15 C. "division" means the capital planning and
16 assistance division of the department of finance and
17 administration;

18 D. "government entity" means:

19 (1) a state agency, a state institution or a
20 political subdivision of the state that is in compliance with
21 the Audit Act; or

22 (2) a federally recognized tribe or pueblo
23 located wholly or partially in New Mexico that is in compliance
24 with its tribal or pueblo government's requirements to ensure
25 fiscal responsibility; and

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1 E. "task force" means the capital outlay oversight
2 task force.

3 SECTION 3. [NEW MATERIAL] CAPITAL OUTLAY OVERSIGHT TASK
4 FORCE--CREATED--MEMBERSHIP--SUBCOMMITTEES--STAFF.--

5 A. The "capital outlay oversight task force" is
6 created as an interim committee of the legislature and consists
7 of seventeen members as follows:

8 (1) five members of the house of
9 representatives appointed by the speaker of the house of
10 representatives;

11 (2) five members of the senate appointed by
12 the senate committees' committee or, if the appointments are
13 made in the interim, by the president pro tempore of the senate
14 after consultation with the committees' committee and with the
15 agreement of a majority of its members;

16 (3) the chair of the house standing committee
17 charged with reviewing capital outlay requests or the chair's
18 designee;

19 (4) the chair of the senate standing committee
20 charged with reviewing capital outlay requests or the chair's
21 designee;

22 (5) the secretary of general services or the
23 secretary's designee;

24 (6) the secretary of transportation or the
25 secretary's designee;

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1 (7) the secretary of cultural affairs or the
2 secretary's designee;

3 (8) the secretary of finance and
4 administration or the secretary's designee; and

5 (9) one member appointed by the governor who
6 has expertise in the planning, engineering, architecture or
7 construction of large commercial or public capital projects.

8 B. For each set of the appointments as outlined in
9 Paragraphs (1) and (2) of Subsection A of this section, the
10 appointments shall be made so as to match as closely as
11 possible the political composition of the chamber, except
12 insofar as is necessary to ensure that at least one member from
13 each party is appointed. An appointing authority may remove a
14 member it appoints for the member's nonattendance at task force
15 meetings; if the member is a legislator, that removal shall
16 accord with New Mexico legislative council policy.

17 C. Except for initially appointed members, who
18 shall serve one-year terms, members of the task force shall
19 serve two-year terms that expire on the first day of regular
20 legislative sessions held in odd-numbered years. A vacancy in
21 a seat on the task force shall be filled according to the terms
22 applicable to the original appointment. A member may serve
23 consecutive terms on the task force.

24 D. The appointing authorities for legislative
25 members shall designate the chair and vice chair of the task

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1 force. During the fifty-third legislature, a member of the
2 senate shall serve as the chair, and a member of the house of
3 representatives shall serve as the vice chair. Thereafter, the
4 seats of chair and vice chair shall rotate between the two
5 chambers.

6 E. The chair of the task force may, subject to the
7 approval of the New Mexico legislative council, create a
8 subcommittee of the task force that consists of at least one
9 member from the house of representatives, one member from the
10 senate and one cabinet secretary and whose legislative members
11 collectively represent the two major political parties. The
12 subcommittee shall make an expenditure only if the task force
13 approves it in advance and if that approval is shown in the
14 task force's minutes.

15 F. The legislative council service shall provide
16 staff for the task force. Staff from the division and from the
17 legislative finance committee shall assist legislative council
18 service staff in performing task force-related functions.

19 SECTION 4. [NEW MATERIAL] CAPITAL OUTLAY OVERSIGHT TASK
20 FORCE--POWERS AND DUTIES.--

21 A. The task force shall:

22 (1) monitor the commission's work related to,
23 and progress on, the statewide capital improvements plan and
24 the commission's work related to the endorsement of capital
25 outlay expenditure authorization legislation;

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1 (2) develop an understanding of the elements
2 of that plan and legislation;

3 (3) consult with the commission and the
4 division on the development and adoption of the statewide
5 capital improvements plan, on annual updates to that plan and
6 on capital outlay expenditure authorization legislation;

7 (4) identify general categories of
8 infrastructure needs and establish broad, objective criteria
9 and a scoring methodology for the commission to employ when
10 selecting capital projects for inclusion in the statewide
11 capital improvements plan; and

12 (5) before the beginning of each regular
13 session of the legislature, report the results of its analyses
14 and oversight and its related recommendations, if any, to the
15 legislature and the governor.

16 B. The task force may:

17 (1) direct its staff to research requests from
18 legislators for capital projects that are not included in the
19 statewide capital improvements plan or in capital outlay
20 expenditure authorization legislation; and

21 (2) request that the commission consider those
22 requests for inclusion in the statewide capital improvements
23 plan or in capital outlay expenditure authorization
24 legislation.

25 C. If the task force endorses a capital project

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1 that is not included in commission-endorsed capital outlay
2 expenditure authorization legislation, the task force shall
3 express its endorsement of the project through legislation
4 separate from the commission-endorsed authorization
5 legislation.

6 SECTION 5. [NEW MATERIAL] DIVISION--POWERS AND DUTIES.--

7 A. The division shall:

- 8 (1) provide information and reports as
9 requested by the commission and the task force;
- 10 (2) receive infrastructure capital
11 improvements plans from entities applying for capital project
12 funding and forward each plan, either in its entirety or
13 relevant portions of it, to the appropriate state agency for
14 review;
- 15 (3) receive state agency recommendations on
16 infrastructure capital improvements plans, receive government
17 entities' identified priorities for capital project funding and
18 make recommendations to the commission on the development of
19 the statewide capital improvements plan;
- 20 (4) assist government entities with the
21 development and implementation of their annual multiyear
22 infrastructure capital improvements plans and preventive
23 maintenance plans;
- 24 (5) provide training and assistance to
25 government entities on the planning, budgeting and

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1 administration of capital projects, including training and
2 assistance related to:

3 (a) the proper accounting, monitoring
4 and completion of capital projects; and

5 (b) compliance with laws imposing
6 project deadlines and requiring the reversion of unexpended
7 project funds;

8 (6) develop procedures to ensure current and
9 complete accounting and reporting on capital projects
10 authorized by the legislature for funding;

11 (7) maintain a central database on capital
12 projects that:

13 (a) includes the fiscal and programmatic
14 status of each capital project; and

15 (b) allows for government entities that
16 sponsor capital outlay projects authorized by the legislature
17 for funding to file electronic, quarterly status reports on
18 appropriations, encumbrances and expenditures that also include
19 other information, if any, required by the division;

20 (8) to facilitate the timely execution of
21 capital projects, the proper expenditure of state money and the
22 timely reversion of unexpended capital project balances,
23 oversee, either directly or indirectly through the state agency
24 charged with overseeing the project, all capital projects
25 authorized by the legislature for funding;

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1 (9) identify stagnant capital projects
2 authorized by the legislature for funding and make
3 recommendations to the commission as to those projects'
4 reauthorization or deauthorization;

5 (10) cooperate with government entities that
6 sponsor capital outlay projects authorized by the legislature
7 for funding to ensure that each capital project proceeds in the
8 time frame required by the legislation authorizing funding for
9 the project and to ensure that projects meet applicable federal
10 and state requirements;

11 (11) provide to the legislative council
12 service the information on capital projects required for the
13 service to draft capital outlay expenditure authorization
14 legislation;

15 (12) before the date funding for capital
16 projects becomes available, report to the state board of
17 finance on whether, for each capital project authorized by the
18 legislature for funding, the government entity sponsoring the
19 project is in compliance with:

20 (a) budget and quarterly report
21 submissions to the local government division of the department
22 of finance and administration or the public education
23 department, as applicable; and

24 (b) capital project-related reporting
25 requirements established by the division; and

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1 (13) promulgate rules defining the division's
2 statutorily established powers and duties.

3 B. The division may evaluate, for compliance and
4 performance, capital projects authorized by the legislature for
5 funding.

6 C. When developing recommendations for capital
7 project expenditure funding authorization, deauthorization or
8 reauthorization in accordance with Subsection A of this
9 section, the division and reviewing state agencies shall
10 coordinate with other capital project planning and funding
11 agencies and instrumentalities in the state, including the New
12 Mexico finance authority, the water trust board, the tribal
13 infrastructure board, the colonias infrastructure board and the
14 public school capital outlay council, and shall coordinate with
15 the federal agencies that provide capital project funding for
16 state and local governments, to:

17 (1) ensure that the commission has the
18 information it needs to, as appropriate, consider the
19 infrastructure improvement needs in the state and the funding
20 sources available to satisfy those needs; and

21 (2) allow the commission to prioritize those
22 needs according to the task force-established project-selection
23 criteria and scoring methodology.

24 D. The New Mexico finance authority, the water
25 trust board, the tribal infrastructure board and the colonias

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1 infrastructure board shall regularly report to the division on:

2 (1) the capital project proposals received
3 from government entities by the authority or board as part of
4 the authority's or board's funding application process;

5 (2) the capital projects sponsored by those
6 entities and selected by the authority or board for funding
7 and, for each project selected:

8 (a) the amount of funding awarded; and

9 (b) whether that award is sufficient to
10 fund: 1) the entire project; or 2) an identifiable, discrete
11 phase of the project; and

12 (3) the authority's or board's annual and
13 long-range plans.

14 E. The department of transportation shall regularly
15 report to the division on the department's annual and
16 long-range state transportation infrastructure plans.

17 F. The division shall include in the statewide
18 capital improvements plan the plans submitted in accordance
19 with Paragraph (3) of Subsection D and Subsection E of this
20 section.

21 G. A government entity that applies for capital
22 outlay project funding or whose capital project is authorized
23 by the legislature for funding shall cooperate with the
24 division as necessary for the division to perform its duties in
25 accordance with this section.

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1 H. The division shall regularly update the
2 commission and the task force on the status of proposed,
3 ongoing and completed capital projects.

4 **SECTION 6. [NEW MATERIAL] STATEWIDE CAPITAL IMPROVEMENTS**
5 **PLAN--CREATION--PLAN REQUIREMENTS--GUIDELINES--PLAN**
6 **SUBMISSIONS.--**

7 A. The commission shall prepare, publish and
8 annually update a statewide capital improvements plan that:

- 9 (1) spans at least five future years;
- 10 (2) is based on best practices in, and
11 national standards for, capital budgeting;
- 12 (3) details the capital projects recommended
13 for state funding and identifies which of those projects would
14 fall under state regulation;
- 15 (4) includes a summary of changes from the
16 prior year's plan;
- 17 (5) includes capital projects geographically
18 diverse from one another;
- 19 (6) prioritizes capital projects recommended
20 for funding using the project-selection criteria and scoring
21 methodology established by the task force;
- 22 (7) classifies capital projects with respect
23 to urgency and need;
- 24 (8) identifies, for each project:
 - 25 (a) a recommended time sequence for

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- 1 construction or purchase;
- 2 (b) the estimated cost;
- 3 (c) the estimated overall cost of
- 4 operation and maintenance;
- 5 (d) the revenue, if any, that will
- 6 result from the project;
- 7 (e) existing or additional sources of
- 8 funding needed for project construction, operation and
- 9 maintenance;
- 10 (f) the eligible entity of ownership;
- 11 and
- 12 (g) the entity that will operate it;
- 13 (9) includes a description of outstanding
- 14 capital projects authorized for funding with state money, and,
- 15 for each:
- 16 (a) the estimated completion date; and
- 17 (b) the initial cost, estimated
- 18 completion cost and estimated first-five-years operational
- 19 cost; and
- 20 (10) includes other capital project or
- 21 statewide capital improvements plan information, if any,
- 22 required by the commission or the task force.

23 B. The commission shall recommend a capital project
24 for funding with state money only if it is included in the
25 statewide capital improvements plan.

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1 C. Using the project-selection criteria and scoring
2 methodology established by the task force, the commission shall
3 develop guidelines for evaluating capital project requests that
4 include as considerations:

5 (1) the critical needs, including the public
6 health and safety needs, the project would address;

7 (2) if the government entity proposing the
8 project is not a state agency or instrumentality, the ability
9 of the entity to secure matching funding from non-state sources
10 for the project;

11 (3) the availability of other sources of
12 funding for the project, including funding from state and
13 federal planning and funding agencies and instrumentalities;

14 (4) the feasibility of phasing the project, if
15 necessary, and the availability of funding to complete at least
16 one full, functional phase;

17 (5) the ability of the government entity
18 proposing the project to provide for the operation and
19 maintenance of the project;

20 (6) the estimated useful life of the project;

21 (7) the available alternatives to the project
22 as requested;

23 (8) the possibility of renovation as a means
24 to minimize substantial capital outlay spending in the short
25 and long terms;

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1 (9) the most appropriate funding source or
2 sources for the type of project; and

3 (10) other project elements, if any,
4 identified as evaluation considerations by the commission.

5 D. A government entity applying for the inclusion
6 of a capital project in the statewide capital improvements plan
7 shall follow the application guidelines established by the
8 commission.

9 E. By May 1 of each year, a government entity
10 applying for the inclusion of a capital project in the
11 statewide capital improvements plan shall submit its
12 infrastructure capital improvements plan, which shall span at
13 least five future years, to the division. The division shall
14 forward the entire plan or a portion of the plan, as
15 appropriate, to the appropriate state agency for its review.

16 F. By July 1 of each year, a state agency that
17 receives a proposal for state funding of a capital project
18 shall review the proposal and develop a recommendation on
19 whether the project should be funded with state money. The
20 agency shall submit that recommendation to the division. For
21 capital projects proposed by government entities that are not
22 state agencies or instrumentalities, the recommendations shall
23 include a comprehensive analysis of the entity's capacity and
24 effort to fund the requested capital project from sources other
25 than the state and its ability to operate and maintain the

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1 capital project, if applicable.

2 G. By November 1 of each year, the commission shall
3 submit the statewide capital improvements plan and the current
4 priority list of capital projects to the task force. The
5 priority list of capital projects shall be based on the
6 project-selection criteria and scoring methodology established
7 by the task force.

8 SECTION 7. [NEW MATERIAL] CAPITAL OUTLAY PROJECT

9 FUNDING--COMPLIANCE REQUIREMENTS.--Funding for a capital
10 project shall be released only if the government entity
11 sponsoring the project is in compliance with:

12 A. budget and quarterly report submissions to the
13 local government division of the department of finance and
14 administration or the public education department, as
15 applicable; and

16 B. capital project-related reporting requirements
17 established by the division.

18 SECTION 8. [NEW MATERIAL] REPORTS.--A government entity
19 whose capital project is authorized by the legislature for
20 funding shall electronically file with the division quarterly
21 status reports on project appropriations, encumbrances and
22 expenditures.

23 SECTION 9. Section 6-21-31 NMSA 1978 (being Laws 1992,
24 Chapter 61, Section 31) is amended to read:

25 "6-21-31. POWERS AND DUTIES.--The New Mexico finance

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1 authority oversight committee shall:

2 A. monitor and oversee the operation of the [~~New~~
3 ~~Mexico finance~~] authority;

4 B. meet [~~on a regular basis~~] regularly to receive
5 and review reports from the authority on implementation of [~~the~~
6 ~~provisions of~~] the New Mexico Finance Authority Act and to
7 review and approve regulations proposed for adoption pursuant
8 to that act;

9 C. monitor, [~~and provide assistance and advice~~]
10 assist and advise on the public project financing program of
11 the [~~New Mexico finance~~] authority;

12 [~~D. oversee and monitor state and local government~~
13 ~~capital planning and financing and take testimony from state~~
14 ~~and local officials on state and local capital needs;~~

15 [~~E. provide advice and assistance to~~]

16 D. assist and advise the [~~New Mexico finance~~]
17 authority and cooperate with the executive branch of state
18 government and local governments on planning, setting
19 priorities for and the financing of state and local capital
20 projects;

21 [~~F. undertake an ongoing examination of~~] E.
22 continually examine the statutes, constitutional provisions,
23 regulations and court decisions governing state and local
24 government capital financing in New Mexico; and

25 [~~G.~~] F. report its findings and recommendations,

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1 including recommended legislation or necessary changes, to the
2 governor and to each session of the legislature. The report
3 and proposed legislation shall be made available on or before
4 December 15 of each year."

5 SECTION 10. Section 9-6-3 NMSA 1978 (being Laws 1977,
6 Chapter 247, Section 3, as amended) is amended to read:

7 "9-6-3. DEPARTMENT OF FINANCE AND ADMINISTRATION--
8 CREATION--TRANSFER AND MERGER OF DIVISION FUNCTIONS--MERGER AND
9 CREATION OF DIVISIONS.--

10 A. The "department of finance and administration"
11 is created. The department shall consist of those divisions
12 created by law or executive order, as modified by executive
13 order pursuant to Subsection C of this section, including [~~but~~
14 ~~not limited to~~]:

- 15 (1) the board of finance division;
- 16 (2) the financial control division;
- 17 (3) the local government division;
- 18 (4) the [~~management and contracts review~~
19 capital planning and assistance division; and
- 20 (5) the state budget division.

21 B. The secretary [~~is empowered to~~] of finance and
22 administration may organize the department and the divisions
23 [~~thereof~~] specified in Subsection A of this section and may
24 transfer or merge functions [~~between~~] among divisions in the
25 interest of efficiency and economy.

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1 C. The governor [~~is empowered to~~] may, by executive
2 order and in the interest of efficiency and economy, merge
3 divisions of the department or [~~to~~] create additional divisions
4 [~~by executive order in the interest of efficiency and~~
5 ~~economy~~]."

6 SECTION 11. Section 15-10-1 NMSA 1978 (being Laws 1997,
7 Chapter 178, Section 5, as amended) is amended to read:

8 "15-10-1. CAPITOL BUILDINGS PLANNING COMMISSION
9 CREATED--POWERS AND DUTIES.--

10 A. The "capitol buildings planning commission" is
11 created. The commission shall be composed of: [~~four~~]

12 (1) eight members of the legislature, [~~two~~]
13 four from each house, who are appointed by the New Mexico
14 legislative council;

15 (2) the secretary of general services or the
16 secretary's designee [~~the state treasurer or the state~~
17 ~~treasurer's designee~~];

18 (3) the secretary of transportation or the
19 secretary's designee;

20 (4) the secretary of cultural affairs or the
21 secretary's designee;

22 (5) the secretary of finance and
23 administration or the secretary's designee [~~the commissioner of~~
24 ~~public lands or the commissioner's designee and~~];

25 (6) the chair of the supreme court building

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1 commission or the chair's designee; and

2 (7) four members appointed by the governor who
3 have expertise in planning, engineering, architecture or
4 construction of large commercial or public capital projects.

5 B. A vacancy in a seat on the commission shall be
6 filled according to the terms applicable to the original
7 appointment. A member may serve consecutive terms on the
8 commission.

9 C. For their attendance at commission meetings,
10 commission members are entitled to receive per diem and mileage
11 as nonsalaried public officers in accordance with the Per Diem
12 and Mileage Act, unless a different law providing for
13 compensation for attendance at commission meetings applies to
14 the member, in which case that law shall control. Members
15 shall receive no other compensation, perquisite or allowance
16 for their service on the commission.

17 [~~B-~~] D. The commission shall:

18 (1) study and plan for the long-range
19 facilities needs of state government in the greater
20 metropolitan areas of Las Cruces, Santa Fe and Albuquerque and,
21 after developing an initial master plan for the state
22 facilities in those areas, conduct a review of state properties
23 throughout the state for the development of an overall master
24 plan;

25 (2) review proposed lease-purchase agreements

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1 pursuant to Section 15-10-2 NMSA 1978;

2 (3) work with the general services department
3 and other state agencies in developing recommendations for
4 addressing deferred maintenance on state facilities and
5 disposal strategies for aging facilities no longer able to
6 serve their mission; ~~and~~

7 (4) utilizing life cycle costing, work with
8 the general services department in developing recommendations
9 regarding whether the state should lease, lease-purchase or
10 purchase needed additional facilities;

11 (5) prepare, publish and annually update a
12 statewide capital improvements plan in accordance with Section
13 6 of the Capital Outlay Reform Act;

14 (6) make recommendations to the legislature on
15 funding sources for prioritized capital projects through the
16 endorsement of capital outlay expenditure authorization
17 legislation that:

18 (a) authorizes funding from the sale of
19 severance tax bonds, supplemental severance tax bonds or
20 general obligation bonds or from nonrecurring general fund
21 appropriations; and

22 (b) authorizes funding from the sale of
23 bonds for a capital project only if: 1) the project has a
24 useful life of at least six years; and 2) the project is
25 included in the statewide capital improvements plan or the

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1 commission determines that the project addresses an emergency
2 in which public health or safety is at immediate risk or the
3 commission determines that the project addresses an imminent
4 threat of significant property damage;

5 (7) establish a minimum capital project-size
6 requirement for inclusion in the statewide capital improvements
7 plan, which may be waived by the commission for reasons related
8 to funding source or health or safety considerations;

9 (8) determine, based on considerations that
10 include the financial capacity of the entity and the entity's
11 performance in implementing and maintaining a preventive
12 maintenance program, the amount of matching funding that a
13 government entity that is not a state agency, instrumentality
14 or institution must contribute toward a capital project
15 sponsored by the entity; and

16 (9) endorse legislation providing for the
17 reauthorization or deauthorization of capital projects that the
18 commission deems to lack sufficient progress.

19 E. The following proposed capital projects are
20 exempt from review by the commission, but are not exempt from
21 inclusion in the statewide capital improvements plan:

22 (1) capital projects funded in accordance with
23 the Public School Capital Outlay Act;

24 (2) capital projects whose funding derives
25 solely from a loan or grant from the New Mexico finance

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1 authority, the water trust board, the tribal infrastructure
2 board, the colonias infrastructure board or a combination of
3 those sources; and

4 (3) road projects funded by the department of
5 transportation.

6 [~~G.~~] F. The legislative council service shall
7 provide staff for the commission in coordination with the staff
8 architect and other staff of the facilities management division
9 of the general services department, staff of the legislative
10 finance committee and staff of the capital planning and
11 assistance division of the department of finance and
12 administration.

13 [~~D.~~] G. The commission shall meet regularly and
14 shall report annually to the legislature and the governor on an
15 annual update of the master plan for the long-range facilities
16 needs of state government in the greater metropolitan areas of
17 Las Cruces, Santa Fe and Albuquerque and throughout the state."

18 SECTION 12. TEMPORARY PROVISION--TRANSFER OF FUNCTIONS,
19 MONEY, APPROPRIATIONS AND PROPERTY.--On the effective date of
20 this act, all functions, money, appropriations, records,
21 furniture, equipment and other property of the capital projects
22 bureau of the local government division of the department of
23 finance and administration are transferred to the capital
24 planning and assistance division of the department of finance
25 and administration.

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SECTION 13. REPEAL.--Section 6-4-1 NMSA 1978 (being Laws
1975, Chapter 282, Section 3, as amended) is repealed.