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SENATE BILL 430

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

INTRODUCED BY

Steven P. Neville

AN ACT

RELATING TO STATE FACILITIES MANAGEMENT; ENACTING A TEMPORARY PROVISION; AUTHORIZING THE GENERAL SERVICES DEPARTMENT TO WAIVE ITS RULES IN ORDER TO EXTEND FACILITY LEASES FOR THE CHILDREN, YOUTH AND FAMILIES DEPARTMENT, THE DEPARTMENT OF HEALTH AND THE TAXATION AND REVENUE DEPARTMENT.

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

SECTION 1. TEMPORARY PROVISION--AUTHORIZING THE GENERAL SERVICES DEPARTMENT TO WAIVE ITS RULES IN ORDER TO EXTEND FACILITY LEASES FOR THE CHILDREN, YOUTH AND FAMILIES DEPARTMENT, THE DEPARTMENT OF HEALTH AND THE TAXATION AND REVENUE DEPARTMENT.--

A. The legislature finds that:

(1) general services department rules:

(a) limit the term of a lease of private

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1 property by a state agency to twenty years;

2 (b) limit the amount of leased space
3 that a state agency can increase by lease amendment; and

4 (c) typically require a request for
5 proposals process for new leases or renewal of existing leases;

6 (2) the children, youth and families
7 department, which, under four separate leases, provides
8 services for abused and neglected children in a building
9 complex at 300 San Mateo Boulevard, N.E. and 5301 Central
10 Avenue, N.E. in Albuquerque, has attempted, through the general
11 services department request for proposals process, to acquire a
12 new and expanded leased facility to provide those services, to
13 include a new child wellness center, but has been unsuccessful
14 due to infeasible proposals and budgetary limitations. The San
15 Mateo and Central complex also houses offices for the
16 department of health and the taxation and revenue department
17 under separate leases;

18 (3) at least one of the children, youth and
19 families department's leases at the San Mateo and Central
20 complex is near the end of its twenty-year lease term, but it
21 cannot renew or extend that lease due to the twenty-year
22 limitation in general services department rules, thus
23 presenting it with the likelihood of having to close or reduce
24 some of its services to abused and neglected children;

25 (4) if the current leases at the San Mateo and

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1 Central complex can be extended and renewed, the current
2 landlord will provide improvements to the facility and
3 construct a new building to house the child wellness center;
4 and

5 (5) the legislature has the authority to
6 direct the general services department to waive the application
7 of its rules.

8 B. Notwithstanding any law or rule to the contrary,
9 the general services department shall:

10 (1) waive the application of its rules that
11 are preventing the children, youth and families department from
12 extending its current leases for its facility at the San Mateo
13 and Central complex that serves the needs of abused and
14 neglected children and that will also allow the department of
15 health and the taxation and revenue department to extend their
16 leases at the complex;

17 (2) waive the application of its acquisition
18 or procurement rules that might otherwise prevent the children,
19 youth and families department from expanding the leased space
20 at the San Mateo and Central complex in order to provide
21 increased services to its clients and to create a child
22 wellness center; and

23 (3) no later than January 1, 2018, work with
24 the children, youth and families department, the department of
25 health and the taxation and revenue department to extend the

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1 leases at the San Mateo and Central complex. In the case of
2 the children, youth and families department, the extension
3 shall be for an initial term of up to seven years with up to
4 three additional five-year options to renew the lease and shall
5 provide for an increase in leased space at the San Mateo and
6 Central complex that will enhance the service that the
7 department provides to abused and neglected children.

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