

HOUSE BILL 349

54TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2020

INTRODUCED BY

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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; PROVIDING CONTINGENT AUTHORIZATION TO THE PUBLIC EDUCATION DEPARTMENT TO REQUEST BUDGET INCREASES FOR CERTAIN CAPITAL EXPENDITURES; 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

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1 Bonding Act in an amount not to exceed the total of the amounts
2 authorized for purposes specified in this act. The state board
3 of finance shall schedule the issuance and sale of the bonds in
4 the most expeditious and economical manner possible upon a
5 finding by the board that the project has been developed
6 sufficiently to justify the issuance and that the project can
7 proceed to contract within a reasonable time. The state board
8 of finance shall further take the appropriate steps necessary
9 to comply with the federal Internal Revenue Code of 1986, as
10 amended. Proceeds from the sale of the bonds are appropriated
11 for the purposes specified in this act.

12 B. The agencies named in this act shall certify to
13 the state board of finance when the money from the proceeds of
14 the severance tax bonds appropriated in this section is needed
15 for the purposes specified in the applicable section of this
16 act. If an agency has not certified the need for severance tax
17 bond proceeds for a particular project by the end of fiscal
18 year 2022, the authorization for that project is void.

19 C. Before an agency may certify for the need of
20 severance tax bond proceeds, the project must be developed
21 sufficiently so that the agency reasonably expects to:

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

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1 (2) spend at least eighty-five percent of the
2 bond proceeds within three years after the applicable bond
3 proceeds are available for the project.

4 D. Except as otherwise specifically provided by
5 law:

6 (1) the unexpended balance from the proceeds
7 of severance tax bonds appropriated in this act for a project
8 shall revert to the severance tax bonding fund no later than
9 the following dates:

10 (a) for a project for which severance
11 tax bond proceeds were appropriated to match federal grants,
12 six months after completion of the project;

13 (b) for a project for which severance
14 tax bond proceeds were appropriated to purchase vehicles,
15 including emergency vehicles and other vehicles that require
16 special equipment; heavy equipment; books; educational
17 technology; or other equipment or furniture that is not related
18 to a more inclusive construction or renovation project, at the
19 end of the fiscal year two years following the fiscal year in
20 which the severance tax bond proceeds were made available for
21 the purchase; and

22 (c) for any other project for which
23 severance tax bonds were appropriated, within six months of
24 completion of the project, but no later than the end of fiscal
25 year 2024; and

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1 (2) all remaining balances from the proceeds
2 of severance tax bonds appropriated for a project in this act
3 shall revert to the severance tax bonding fund three months
4 after the latest reversion date specified for that type of
5 project in Paragraph (1) of this subsection.

6 E. Except for appropriations to the capital program
7 fund, money from severance tax bond proceeds provided pursuant
8 to this act shall not be used to pay indirect project costs.

9 F. Except for a project that was originally funded
10 using a tax-exempt loan or bond issue, a project involving
11 repayment of debt previously incurred shall be funded through
12 the issuance of taxable severance tax bonds with a term that
13 does not extend beyond the fiscal year in which they are
14 issued.

15 G. For the purpose of this section, "unexpended
16 balance" means the remainder of an appropriation after
17 reserving for unpaid costs and expenses covered by binding
18 written obligations to third parties.

19 SECTION 2. GENERAL FUND AND OTHER FUND APPROPRIATIONS--
20 LIMITATIONS--REVERSIONS.--

21 A. Except as otherwise specifically provided by
22 law:

23 (1) the unexpended balance of an appropriation
24 made in this act from the general fund or other state funds
25 shall revert no later than the following dates:

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1 (a) for a project for which an
2 appropriation was made to match federal grants, six months
3 after completion of the project;

4 (b) for a project for which an
5 appropriation was made to purchase vehicles, including
6 emergency vehicles and other vehicles that require special
7 equipment; heavy equipment; books; educational technology; or
8 other equipment or furniture that is not related to a more
9 inclusive construction or renovation project, at the end of the
10 fiscal year two years following the fiscal year in which the
11 appropriation was made for the purchase; and

12 (c) for any other project for which an
13 appropriation was made, within six months of completion of the
14 project, but no later than the end of fiscal year 2022; and

15 (2) all remaining balances from an
16 appropriation made in this act for a project shall revert three
17 months after the latest reversion date specified for that type
18 of project in Paragraph (1) of this subsection.

19 B. Except for appropriations to the capital program
20 fund, money from appropriations made in this act shall not be
21 used to pay indirect project costs.

22 C. Except as provided in Subsection E of this
23 section, the balance of an appropriation made from the general
24 fund shall revert in the time frame set forth in Subsection A
25 of this section to the capital projects fund.

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1 D. Except as provided in Subsection E of this
2 section, the balance of an appropriation made from other state
3 funds shall revert in the time frame set forth in Subsection A
4 of this section to the originating fund.

5 E. The balance of an appropriation made from the
6 general fund or other state funds to the Indian affairs
7 department or the aging and long-term services department for a
8 project located on lands of an Indian nation, tribe or pueblo
9 shall revert in the time frame set forth in Subsection A of
10 this section to the tribal infrastructure project fund.

11 F. For the purpose of this section, "unexpended
12 balance" means the remainder of an appropriation after
13 reserving for unpaid costs and expenses covered by binding
14 written obligations to third parties.

15 **SECTION 3. ADMINISTRATIVE OFFICE OF THE COURTS PROJECTS--**
16 **SEVERANCE TAX BONDS.--**Pursuant to the provisions of Section 1
17 of this act, upon certification by the administrative office of
18 the courts that the need exists for the issuance of the bonds,
19 the following amounts are appropriated to the administrative
20 office of the courts for the following purposes:

21 1. one hundred four thousand dollars (\$104,000) to
22 plan, design and construct a magistrate court judicial center
23 in Curry county;

24 2. four hundred sixty-nine thousand dollars
25 (\$469,000) to plan, design and construct a magistrate court

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1 building in Anthony in Dona Ana county;

2 3. four hundred thirty thousand dollars (\$430,000)
3 to plan and design a new magistrate court in Bernalillo in
4 Sandoval county; and

5 4. six hundred seventy-one thousand dollars
6 (\$671,000) to upgrade proprietary security and camera systems
7 to enterprise-class information technology security and camera
8 systems in magistrate courts statewide.

9 SECTION 4. BERNALILLO COUNTY METROPOLITAN COURT PROJECT--
10 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
11 of this act, upon certification by the Bernalillo county
12 metropolitan court that the need exists for the issuance of the
13 bonds, eight hundred thousand dollars (\$800,000) is
14 appropriated to the Bernalillo county metropolitan court to
15 acquire property adjacent to the existing court facilities and
16 for design, engineering, demolition, construction and equipment
17 to improve security and access for the Bernalillo county
18 metropolitan court in Albuquerque in Bernalillo county.

19 SECTION 5. BORDER AUTHORITY PROJECT--SEVERANCE TAX
20 BONDS.--Pursuant to the provisions of Section 1 of this act,
21 upon certification by the border authority that the need exists
22 for the issuance of the bonds, three million five hundred
23 thousand dollars (\$3,500,000) is appropriated to the border
24 authority to plan, design and construct flood control
25 infrastructure, including a flood diversion berm, ponding,

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1 detention areas and a bridge, and to purchase and install a
2 hazardous materials containment facility and for parking lot
3 repairs at the ports of entry at Columbus and Santa Teresa in
4 Luna and Dona Ana counties.

5 SECTION 6. CAPITAL PROGRAM FUND PROJECTS--SEVERANCE TAX
6 BONDS.--Pursuant to the provisions of Section 1 of this act,
7 upon certification by the facilities management division of the
8 general services department that the need exists for the
9 issuance of the bonds, the following amounts are appropriated
10 to the capital program fund for the following purposes:

11 1. five million dollars (\$5,000,000) to plan,
12 design, construct, renovate, remodel, furnish and equip
13 improvements, including infrastructure and abatement of
14 hazardous materials, to the workforce solutions department
15 administration building in Albuquerque in Bernalillo county;

16 2. five hundred thousand dollars (\$500,000) to
17 plan, design, construct, repair and renovate facilities,
18 including upgrading exterior and interior wall finishing and
19 stucco, and to make other improvements at the youth diagnostic
20 and development center and Camino Nuevo youth center facilities
21 in Albuquerque in Bernalillo county and at the John Paul Taylor
22 center in Las Cruces in Dona Ana county;

23 3. eight hundred sixty thousand two hundred
24 seventy-four dollars (\$860,274) to plan, design, construct,
25 renovate and equip and to purchase and install equipment for

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1 human services department facilities, including perimeter
2 security fencing, gates, heating, ventilation and air
3 conditioning systems, signage, parking lots, curb and gutter,
4 asphalt and accessibility compliance, in Hobbs in Lea county
5 and in Bernalillo in Sandoval county;

6 4. four hundred fifteen thousand dollars (\$415,000)
7 to plan, design, renovate and replace electrical systems,
8 roofing and flooring at the homeland security and emergency
9 management department in Santa Fe in Santa Fe county;

10 5. six million dollars (\$6,000,000) to plan,
11 design, renovate and equip improvements to the firing range at
12 the New Mexico law enforcement academy in Santa Fe in Santa Fe
13 county;

14 6. nine million fifty thousand dollars (\$9,050,000)
15 to plan, design, construct, furnish and equip a new state
16 police district office in Santa Fe in Santa Fe county;

17 7. one million dollars (\$1,000,000) to plan,
18 design, construct, renovate, furnish and equip an addition to
19 the existing homeland security and emergency management
20 department building in Santa Fe in Santa Fe county;

21 8. fifteen million dollars (\$15,000,000) to plan,
22 design, construct, renovate, furnish, purchase, install, equip
23 and make other infrastructure improvements at the Gara building
24 in Bernalillo county and at transitional living centers and
25 correctional facilities statewide;

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1 9. two million three hundred fifty thousand dollars
2 (\$2,350,000) to plan, design, construct, renovate, furnish and
3 equip facilities for the children, youth and families
4 department statewide;

5 10. twelve million dollars (\$12,000,000) to plan,
6 design, construct, renovate, remediate, furnish, equip,
7 purchase and install equipment, including the purchase and
8 installation of information technology equipment, medical
9 equipment and infrastructure systems, for department of health
10 facilities statewide;

11 11. one million five hundred fifty thousand dollars
12 (\$1,550,000) to plan, design, construct, renovate, furnish and
13 equip infrastructure improvements at state police facilities
14 statewide;

15 12. thirteen million dollars (\$13,000,000) to plan,
16 design, construct, improve, renovate, remediate, furnish and
17 equip facilities, including infrastructure upgrades, at state-
18 owned facilities statewide;

19 13. two million dollars (\$2,000,000) to
20 decommission and demolish buildings, including abatement of
21 hazardous materials, at state-owned facilities statewide; and

22 14. five hundred thousand dollars (\$500,000) to
23 plan, design, construct, replace and improve mechanical,
24 electrical and plumbing systems, roofs and parking lots at
25 workforce solutions department offices statewide.

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1 **SECTION 7. COURT OF APPEALS PROJECT--SEVERANCE TAX**
2 BONDS.--Pursuant to the provisions of Section 1 of this act,
3 upon certification by the court of appeals that the need exists
4 for the issuance of the bonds, three hundred thousand dollars
5 (\$300,000) is appropriated to the court of appeals to plan,
6 design, construct, renovate, furnish and equip the court of
7 appeals building in Albuquerque in Bernalillo county.

8 **SECTION 8. CULTURAL AFFAIRS DEPARTMENT PROJECTS--**
9 **SEVERANCE TAX BONDS.**--Pursuant to the provisions of Section 1
10 of this act, upon certification by the cultural affairs
11 department that the need exists for the issuance of the bonds,
12 the following amounts are appropriated to the cultural affairs
13 department for the following purposes:

- 14 1. five hundred thousand dollars (\$500,000) for
15 renovations and equipment at rural libraries statewide; and
16 2. five million five hundred thousand dollars
17 (\$5,500,000) to plan, design, construct, renovate, furnish and
18 equip infrastructure improvements, including fire suppression
19 and mitigation, climate control, security systems and
20 accessibility compliance, at museums, monuments and historic
21 sites statewide.

22 **SECTION 9. CUMBRES AND TOLTEC SCENIC RAILROAD COMMISSION**
23 **PROJECT--SEVERANCE TAX BONDS.**--Pursuant to the provisions of
24 Section 1 of this act, upon certification by the Cumbres and
25 Toltec scenic railroad commission that the need exists for the

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1 issuance of the bonds, one million one hundred thousand dollars
2 (\$1,100,000) is appropriated to the Cumbres and Toltec scenic
3 railroad commission for track rehabilitation and related
4 infrastructure improvements, including locomotive and boiler
5 upgrades to comply with federal railroad administration
6 standards, and for improvements to passenger cars for the
7 Cumbres and Toltec scenic railroad operating between New Mexico
8 and Colorado.

9 SECTION 10. FIRST JUDICIAL DISTRICT COURT PROJECTS--

10 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
11 of this act, upon certification by the first judicial district
12 court that the need exists for the issuance of the bonds, the
13 following amounts are appropriated to the first judicial
14 district court for the following purposes:

15 1. twenty-two thousand one hundred dollars
16 (\$22,100) to purchase and install x-ray equipment for the Rio
17 Arriba county magistrate court in Rio Arriba county;

18 2. fifty thousand dollars (\$50,000) to plan,
19 design, purchase, construct and install an electronic queue
20 management system in the Steve Herrera judicial complex in
21 Santa Fe in Santa Fe county;

22 3. one hundred fifty-four thousand dollars
23 (\$154,000) to plan, design, purchase and install courtroom
24 video presentation and conferencing systems for the first
25 judicial district court complex in Santa Fe in Santa Fe county;

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1 and

2 4. twenty-two thousand one hundred dollars
3 (\$22,100) to plan, design, construct, purchase and install x-
4 ray equipment for the magistrate court in Santa Fe in Santa Fe
5 county.

6 SECTION 11. SECOND JUDICIAL DISTRICT COURT PROJECT--
7 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
8 of this act, upon certification by the second judicial district
9 court that the need exists for the issuance of the bonds, one
10 million two hundred three thousand eighteen dollars
11 (\$1,203,018) is appropriated to the second judicial district
12 court for security equipment, renovations and structural
13 alterations and to purchase fixed and mobile equipment,
14 furnishings and technology for the renovation of the first
15 through third floors of the Bernalillo county courthouse in
16 Albuquerque in Bernalillo county.

17 SECTION 12. THIRD JUDICIAL DISTRICT COURT PROJECT--
18 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
19 of this act, upon certification by the third judicial district
20 court that the need exists for the issuance of the bonds,
21 fifty-six thousand eight hundred forty dollars (\$56,840) is
22 appropriated to the third judicial district court to purchase
23 and install security equipment, including an x-ray machine,
24 metal detector and a public address system, for the magistrate
25 court in Dona Ana county.

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1 **SECTION 13. FOURTH JUDICIAL DISTRICT COURT PROJECTS--**
2 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
3 of this act, upon certification by the fourth judicial district
4 court that the need exists for the issuance of the bonds, the
5 following amounts are appropriated to the fourth judicial
6 district court for the following purposes:

7 1. sixty-six thousand ninety-one dollars (\$66,091)
8 to purchase and install an audio and video intercom system for
9 offices of the fourth judicial district court in San Miguel and
10 Guadalupe counties; and

11 2. five thousand four hundred eighty-five dollars
12 (\$5,485) to purchase, construct and install a New Mexico state
13 seal at the fourth judicial district court in Las Vegas in San
14 Miguel county.

15 **SECTION 14. EIGHTH JUDICIAL DISTRICT COURT PROJECT--**
16 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
17 of this act, upon certification by the eighth judicial district
18 court that the need exists for the issuance of the bonds, two
19 hundred ninety-two thousand five hundred dollars (\$292,500) is
20 appropriated to the eighth judicial district court to plan,
21 design, construct, remodel and improve a courthouse, including
22 consolidation of clerks' offices and expansion of jury
23 facilities, for the eighth judicial district in Taos in Taos
24 county.

25 **SECTION 15. NINTH JUDICIAL DISTRICT COURT PROJECTS--**

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1 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
2 of this act, upon certification by the ninth judicial district
3 court that the need exists for the issuance of the bonds, the
4 following amounts are appropriated to the ninth judicial
5 district court for the following purposes:

6 1. nine thousand dollars (\$9,000) to purchase and
7 install chairs for a jury box at the ninth judicial district
8 court in Clovis in Curry county; and

9 2. twenty-eight thousand five hundred dollars
10 (\$28,500) to purchase and equip mobile video conference
11 equipment for district and magistrate courts in the ninth
12 judicial district in Curry and Roosevelt counties.

13 SECTION 16. ELEVENTH JUDICIAL DISTRICT COURT PROJECTS--
14 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
15 of this act, upon certification by the eleventh judicial
16 district court that the need exists for the issuance of the
17 bonds, the following amounts are appropriated to the eleventh
18 judicial district court for the following purposes:

19 1. one hundred twenty-one thousand seven hundred
20 dollars (\$121,700) to plan, design, construct, purchase, equip
21 and replace x-ray machines and magnetometers at district and
22 magistrate courts for the eleventh judicial district in Aztec
23 and Farmington in San Juan county and in Gallup in McKinley
24 county;

25 2. ninety-four thousand eight hundred twenty-five

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1 dollars (\$94,825) to plan, design, construct, renovate and
2 equip office space for pretrial services at the eleventh
3 judicial district courthouse in Aztec in San Juan county; and

4 3. two hundred nine thousand eight hundred ninety-
5 one dollars (\$209,891) to plan, design, construct, replace and
6 install an electronic access control system at the eleventh
7 judicial district courthouse in Aztec in San Juan county.

8 SECTION 17. THIRTEENTH JUDICIAL DISTRICT COURT PROJECT--
9 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
10 of this act, upon certification by the thirteenth judicial
11 district court that the need exists for the issuance of the
12 bonds, one hundred four thousand eight hundred twenty-five
13 dollars (\$104,825) is appropriated to the thirteenth judicial
14 district court to plan, design, construct, purchase and install
15 metal detectors and x-ray scanners in magistrate courts in the
16 thirteenth judicial district in Sandoval, Valencia and Cibola
17 counties.

18 SECTION 18. ECONOMIC DEVELOPMENT DEPARTMENT PROJECT--
19 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
20 of this act, upon certification by the economic development
21 department that the need exists for the issuance of the bonds,
22 two million five hundred thousand dollars (\$2,500,000) is
23 appropriated to the economic development department to plan,
24 design and construct infrastructure improvements in mainstreet
25 districts and local arts and cultural districts statewide.

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1 **SECTION 19. ENERGY, MINERALS AND NATURAL RESOURCES**
2 DEPARTMENT PROJECT--SEVERANCE TAX BONDS.--Pursuant to the
3 provisions of Section 1 of this act, upon certification by the
4 energy, minerals and natural resources department that the need
5 exists for the issuance of the bonds, two million dollars
6 (\$2,000,000) is appropriated to the energy, minerals and
7 natural resources department to plan, design and construct
8 watershed restoration and community wildfire protection
9 improvements, including forest thinning, statewide.

10 **SECTION 20. STATE PARKS DIVISION OF THE ENERGY, MINERALS**
11 **AND NATURAL RESOURCES DEPARTMENT PROJECT--SEVERANCE TAX**
12 **BONDS.--**Pursuant to the provisions of Section 1 of this act,
13 upon certification by the state parks division of the energy,
14 minerals and natural resources department that the need exists
15 for the issuance of the bonds, one million three hundred fifty
16 thousand dollars (\$1,350,000) is appropriated to the state
17 parks division of the energy, minerals and natural resources
18 department to plan, design and construct upgrades and
19 improvements to New Mexico state parks related to water and
20 wastewater infrastructure statewide.

21 **SECTION 21. OFFICE OF THE STATE ENGINEER PROJECTS--**
22 **SEVERANCE TAX BONDS.--**Pursuant to the provisions of Section 1
23 of this act, upon certification by the office of the state
24 engineer that the need exists for the issuance of the bonds,
25 the following amounts are appropriated to the office of the

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1 state engineer for the following purposes:

2 1. four hundred twenty thousand dollars (\$420,000)
3 for the San Juan river basin recovery implementation program in
4 San Juan county;

5 2. one million dollars (\$1,000,000) to plan, design
6 and construct the realignment of the main channel of the Rio
7 Grande in portions of the San Acacia reach in Socorro county;

8 3. five million dollars (\$5,000,000) to plan,
9 design, construct, rehabilitate and make improvements to
10 publicly owned dams statewide; and

11 4. one million nine hundred thousand dollars
12 (\$1,900,000) to purchase, construct, install, map and calibrate
13 surface and ground water measurement structures, equipment and
14 related software for administrative purposes and accountability
15 statewide.

16 SECTION 22. DEPARTMENT OF ENVIRONMENT PROJECT--SEVERANCE
17 TAX BONDS.--Pursuant to the provisions of Section 1 of this
18 act, upon certification by the department of environment that
19 the need exists for the issuance of the bonds, one million five
20 hundred thousand dollars (\$1,500,000) is appropriated to the
21 department of environment to design and construct projects that
22 improve surface water quality and river habitat statewide.

23 SECTION 23. STATE FAIR COMMISSION PROJECT--SEVERANCE TAX
24 BONDS.--Pursuant to the provisions of Section 1 of this act,
25 upon certification by the state fair commission that the need

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1 exists for the issuance of the bonds, five million dollars
2 (\$5,000,000) is appropriated to the state fair commission to
3 plan, design, construct, renovate, purchase and install
4 equipment and for site improvements at the New Mexico state
5 fairgrounds in Albuquerque in Bernalillo county.

6 SECTION 24. DEPARTMENT OF FINANCE AND ADMINISTRATION
7 PROJECTS--SEVERANCE TAX BONDS.--Pursuant to the provisions of
8 Section 1 of this act, upon certification by the department of
9 finance and administration that the need exists for the
10 issuance of the bonds, the following amounts are appropriated
11 to the department of finance and administration for the
12 following purposes:

13 1. seven hundred fifty thousand dollars (\$750,000)
14 to plan, design, construct, renovate and equip the women's
15 health birthing center at the Rehoboth McKinley Christian
16 hospital in Gallup in McKinley county;

17 2. one million dollars (\$1,000,000) for the New
18 Mexico mortgage finance authority to weatherize homes and to
19 provide energy efficiency improvements pursuant to the
20 Affordable Housing Act for low-income households statewide; and

21 3. two million dollars (\$2,000,000) for the New
22 Mexico mortgage finance authority to build or rehabilitate
23 affordable housing statewide, pursuant to the New Mexico
24 Housing Trust Fund Act and the Affordable Housing Act.

25 SECTION 25. GENERAL SERVICES DEPARTMENT PROJECT--

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1 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
2 of this act, upon certification by the general services
3 department that the need exists for the issuance of the bonds,
4 four million dollars (\$4,000,000) is appropriated to the
5 general services department to purchase and equip an airplane
6 for use statewide.

7 SECTION 26. DEPARTMENT OF INFORMATION TECHNOLOGY

8 PROJECTS--SEVERANCE TAX BONDS.--Pursuant to the provisions of
9 Section 1 of this act, upon certification by the department of
10 information technology that the need exists for the issuance of
11 the bonds, the following amounts are appropriated to the
12 department of information technology for the following
13 purposes:

14 1. one million seven hundred ten thousand dollars
15 (\$1,710,000) to plan, design, construct, renovate, furnish and
16 equip a building for the Albuquerque radio communications
17 bureau in Bernalillo county; and

18 2. two million dollars (\$2,000,000) to plan,
19 design, purchase, install and implement infrastructure to
20 stabilize and modernize public safety radio communications
21 statewide.

22 SECTION 27. INDIAN WATER RIGHTS SETTLEMENT FUND--

23 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
24 of this act, upon certification by the office of the state
25 engineer that the need exists for the issuance of the bonds,

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1 nine million dollars (\$9,000,000) is appropriated to the Indian
2 water rights settlement fund. Notwithstanding the requirement
3 for a joint resolution of the legislature in Subsection A of
4 Section 72-1-11 NMSA 1978, if a corresponding commitment has
5 been made for the federal portion of the settlement in the
6 Aamodt case, the money may be expended by the interstate stream
7 commission in fiscal year 2021 and subsequent fiscal years to
8 implement the state's portion of the settlement, and any
9 unexpended or unencumbered balance remaining at the end of a
10 fiscal year shall not revert.

11 SECTION 28. DEPARTMENT OF MILITARY AFFAIRS PROJECTS--
12 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
13 of this act, upon certification by the department of military
14 affairs that the need exists for the issuance of the bonds, the
15 following amounts are appropriated to the department of
16 military affairs for the following purposes:

17 1. seven hundred seventy-five thousand dollars
18 (\$775,000) to acquire land to serve as a buffer zone for the
19 Rio Rancho military training site in Rio Rancho in Sandoval
20 county; and

21 2. one million five hundred thousand dollars
22 (\$1,500,000) to plan, design, construct, renovate, equip and
23 upgrade infrastructure at armories statewide.

24 SECTION 29. SPACEPORT AUTHORITY PROJECTS--SEVERANCE TAX
25 BONDS.--Pursuant to the provisions of Section 1 of this act,

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1 upon certification by the spaceport authority that the need
2 exists for the issuance of the bonds, the following amounts are
3 appropriated to the spaceport authority for the following
4 purposes:

5 1. two million dollars (\$2,000,000) to plan,
6 design, construct and equip an information technology building
7 at spaceport America in Sierra county; and

8 2. five million dollars (\$5,000,000) to plan,
9 design, construct and equip a taxiway at spaceport America in
10 Sierra county.

11 SECTION 30. NEW MEXICO STATE UNIVERSITY PROJECT--
12 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
13 of this act, upon certification by the board of regents of New
14 Mexico state university that the need exists for the issuance
15 of the bonds, two million dollars (\$2,000,000) is appropriated
16 to the board of regents of New Mexico state university to plan,
17 design, construct, repair, renovate, furnish and equip
18 facilities, including demolition and site improvements, at the
19 New Mexico department of agriculture building in Las Cruces in
20 Dona Ana county.

21 SECTION 31. WESTERN NEW MEXICO UNIVERSITY PROJECT--
22 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
23 of this act, upon certification by the board of regents of
24 western New Mexico university that the need exists for the
25 issuance of the bonds, two million five hundred thousand

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1 dollars (\$2,500,000) is appropriated to the board of regents of
2 western New Mexico university to plan, design, construct, equip
3 and furnish a learning center at the Deming campus of western
4 New Mexico university in Luna county.

5 SECTION 32. VETERANS' SERVICES DEPARTMENT PROJECT--
6 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1
7 of this act, upon certification by the veterans' services
8 department that the need exists for the issuance of the bonds,
9 two million two hundred thousand dollars (\$2,200,000) is
10 appropriated to the veterans' services department to plan,
11 design, construct, repair, furnish, equip and make site
12 improvements, including a memorial wall, at the Vietnam
13 Veterans memorial in Angel Fire in Colfax county.

14 SECTION 33. DEPARTMENT OF TRANSPORTATION PROJECT--
15 APPROPRIATION FROM THE STATE ROAD FUND.--Seven million nine
16 hundred eighty-four thousand seven hundred twenty-two dollars
17 (\$7,984,722) is appropriated from the state road fund to the
18 department of transportation for expenditure in fiscal years
19 2021 through 2024, unless otherwise provided in Section 2 of
20 this act, to plan, design and construct energy efficiency
21 renovations at the department of transportation headquarters in
22 Santa Fe in Santa Fe county.

23 SECTION 34. STATE LAND OFFICE PROJECT--APPROPRIATION FROM
24 THE STATE LANDS MAINTENANCE FUND.--Six hundred fifty thousand
25 dollars (\$650,000) is appropriated from the state lands

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1 maintenance fund to the state land office for expenditure in
2 fiscal years 2021 through 2024, unless otherwise provided in
3 Section 2 of this act, to plan, design and install energy
4 efficient lighting and for ceiling replacement at the state
5 land office in Santa Fe in Santa Fe county.

6 SECTION 35. PUBLIC EDUCATION DEPARTMENT PROJECT--
7 APPROPRIATION FROM THE PUBLIC SCHOOL CAPITAL OUTLAY FUND.--
8 Eight million nine hundred eighty-nine thousand dollars
9 (\$8,989,000) is appropriated from the public school capital
10 outlay fund to the public education department for expenditure
11 in fiscal years 2021 through 2024, unless otherwise provided in
12 Section 2 of this act, to purchase and equip school-district-
13 owned school buses statewide.

14 SECTION 36. PUBLIC SCHOOL FACILITIES AUTHORITY PROJECT--
15 APPROPRIATION FROM THE PUBLIC SCHOOL CAPITAL OUTLAY FUND.--
16 Twenty-five million dollars (\$25,000,000) is appropriated from
17 the public school capital outlay fund to the public school
18 facilities authority for retroactive awards, contingent on
19 approval by the public school capital outlay council, for
20 previously awarded standards-based schools at school districts
21 that have a state match requirement calculated pursuant to
22 Section 22-24-5 NMSA 1978 of the Public School Capital Outlay
23 Act that is greater than fifty percent; provided that funds
24 shall be prioritized to school districts that receive federal
25 impact aid funds for students residing on Indian lands. Awards

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1 shall be targeted to: facility projects that are currently
2 within the adequacy standards that were not within the adequacy
3 standards at the time of a previous award; teacher housing; and
4 other facilities in school districts that receive significant
5 federal impact aid funds for students residing on Indian lands,
6 for which the Public School Capital Outlay Act does not provide
7 matching funds.

8 SECTION 37. CAPITAL PROGRAM FUND PROJECT--APPROPRIATION
9 FROM THE PENITENTIARY INCOME FUND.--Three million dollars
10 (\$3,000,000) is appropriated from the penitentiary income fund
11 to the facilities management division of the general services
12 department for expenditure in fiscal years 2021 through 2024,
13 unless otherwise provided in Section 2 of this act, to plan,
14 design, construct, renovate, furnish, purchase, install, equip
15 and make other infrastructure improvements at the Gara building
16 in Bernalillo county and at transitional living centers and
17 correctional facilities statewide.

18 SECTION 38. ENERGY, MINERALS AND NATURAL RESOURCES
19 DEPARTMENT PROJECT--APPROPRIATION FROM THE OIL AND GAS
20 RECLAMATION FUND.--Five hundred thousand dollars (\$500,000) is
21 appropriated from the oil and gas reclamation fund to the
22 energy, minerals and natural resources department for
23 expenditure in fiscal years 2021 through 2024, unless otherwise
24 provided in Section 2 of this act, to purchase and equip
25 vehicles for the oil conservation division statewide.

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1 SECTION 39. MINERS' HOSPITAL PROJECTS--APPROPRIATIONS
2 FROM THE MINERS' TRUST FUND.--The following amounts are
3 appropriated from the miners' trust fund to the miners' Colfax
4 medical center for expenditure in fiscal years 2021 through
5 2024, unless otherwise provided in Section 2 of this act, for
6 the following purposes:

7 1. five hundred thousand dollars (\$500,000) to
8 plan, design and renovate the miners' Colfax medical center
9 hospital in Raton in Colfax county;

10 2. one million dollars (\$1,000,000) to acquire
11 hospital medical equipment for the miners' Colfax medical
12 center hospital in Raton in Colfax county; and

13 3. five hundred thousand dollars (\$500,000) to
14 decommission and demolish the old miners' Colfax medical center
15 hospital building, including abatement of hazardous materials,
16 in Raton in Colfax county.

17 SECTION 40. DEPARTMENT OF INFORMATION TECHNOLOGY
18 PROJECTS--APPROPRIATIONS FROM THE EQUIPMENT REPLACEMENT
19 REVOLVING FUNDS.--The following amounts are appropriated from
20 the equipment replacement revolving funds to the department of
21 information technology for expenditure in fiscal years 2021
22 through 2024, unless otherwise provided in Section 2 of this
23 act, for the following purposes:

24 1. one hundred twenty thousand dollars (\$120,000)
25 to plan, design, construct, renovate, furnish and equip a

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1 building for the Albuquerque radio communications bureau in
2 Bernalillo county; and

3 2. eight million dollars (\$8,000,000) to plan,
4 design, purchase, install and implement infrastructure to
5 stabilize and modernize public safety radio communications
6 statewide.

7 SECTION 41. EDUCATIONAL RETIREMENT BOARD PROJECT--
8 APPROPRIATION FROM THE EDUCATIONAL RETIREMENT FUND.--One
9 million three hundred nine thousand dollars (\$1,309,000) is
10 appropriated from the educational retirement fund to the
11 educational retirement board for expenditure in fiscal years
12 2021 through 2024, unless otherwise provided in Section 2 of
13 this act, for land acquisition and to plan, design and
14 construct a new educational retirement board headquarters in
15 Santa Fe in Santa Fe county.

16 SECTION 42. DEPARTMENT OF GAME AND FISH PROJECT--
17 APPROPRIATION FROM THE BIG GAME ENHANCEMENT ACCOUNT OF THE GAME
18 PROTECTION FUND.--One million dollars (\$1,000,000) is
19 appropriated from the big game enhancement account of the game
20 protection fund to the department of game and fish for
21 expenditure in fiscal years 2021 through 2024, unless otherwise
22 provided in Section 2 of this act, for wildlife and riparian
23 habitat restoration and for improvements at properties owned by
24 the state game commission statewide.

25 SECTION 43. ENVIRONMENTAL MITIGATION TRUST--CONTINGENT

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1 AUTHORIZATION--BUDGET INCREASE REQUEST FOR CHARGING STATIONS
2 FOR ALTERNATIVELY FUELED SCHOOL BUSES.--If, pursuant to the
3 environmental mitigation trust agreement for state
4 beneficiaries entered into pursuant to the partial consent
5 decrees entered in In re: Volkswagen "Clean Diesel" Marketing,
6 Sales Practices, and Products Liability Litigation, MDL No.
7 2672 CRB (JSC) (Dkt. No. 2103-1), the trustee approves the
8 expenditure of funds to allow the public education department
9 to provide infrastructure for fueling and charging stations for
10 alternatively fueled school buses statewide pursuant to the
11 Public School Finance Act, the public education department is
12 authorized to request budget increases for that purpose
13 totaling two hundred thousand dollars (\$200,000) in fiscal
14 years 2021 through 2024, if that amount is approved by the
15 trustee, or any other amount that is authorized by the trustee
16 for the same purpose. The authorization provided pursuant to
17 this section is in addition to the contingent authorization
18 applicable for fiscal years 2019 through 2022 and provided
19 pursuant to Laws 2018, Chapter 80, Section 57 for the public
20 education department to request budget increases to replace
21 school-district-owned buses statewide that are used to
22 transport students to and from school pursuant to the Public
23 School Finance Act.

24 SECTION 44. PROJECT SCOPE--EXPENDITURES.--If an
25 appropriation for a project authorized in this act is not

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1 sufficient to complete all the purposes specified, the
2 appropriation may be expended for any portion of the purposes
3 specified in the appropriation. Expenditures shall not be made
4 for purposes other than those specified in the appropriation.

5 SECTION 45. ART IN PUBLIC PLACES.--Pursuant to Section
6 13-4A-4 NMSA 1978 and where applicable, the appropriations
7 authorized in this act include one percent for the art in
8 public places fund.

9 SECTION 46. EMERGENCY.--It is necessary for the public
10 peace, health and safety that this act take effect immediately.